



Laura J. Cook
Ogle County Clerk & Recorder

October 5, 2018

The Ogle County Board, at their regular meeting held on Tuesday, September 25, 2018, Janes presents #8-18AM - Kathleen Marszalek, 2018 N. IL Rte 251, Rochelle, IL for an Amendment to the Zoning District to rezone from B-1 Business District and AG-1 Agricultural District to AG-1 Agricultural District on property described as follows and owned by the petitioner: Part of the Southeast Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 1 and part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, all in White Rock Township 41N, R1E of the 3rd P.M., Ogle County, IL, 3.23 acres, more or less – P.I.N.(S): 18-01-300-002 & 18-01-300-004 - Common Location: 2018 N. IL Rte. 251

Janes moves to approve – O-2018-0901 as presented and Smith seconds.

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)

ORDINANCE NO. 2018-0901

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT
ON PROPERTY LOCATED AT 2018 N. IL ROUTE 251 IN WHITE ROCK TOWNSHIP

WHEREAS, Kathleen Marszalek, 2018 N. IL Route 251, Rochelle, IL has filed a petition for a Map Amendment (Petition No. 08-18AM) to re-zone from B-1 Business District to AG-1 Agricultural District on property located at 2018 N. IL Route 251 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 August 30, 2018 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Map Amendment, no member(s) of the public spoke in support of the petition, and no members(s) 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 Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated August 30, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and 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 Map Amendment be approved as recommended by the Zoning Board of Appeals; 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 Supervisor of Assessments and Planning & 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:

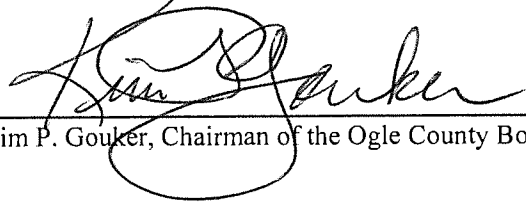
SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of Kathleen Marszalek, 2018 N. IL Route 251, Rochelle, IL for a Map Amendment (Petition No. 08-18AM) to re-zone from B-1 Business District to AG-1 Agricultural District on property located at 2018 N. IL Route 251 in White Rock 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.

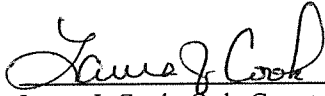
SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 25TH DAY OF SEPTEMBER 2018 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

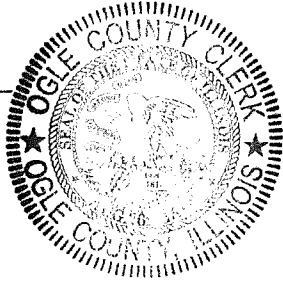


EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

PART OF THE SOUTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1 IN TOWNSHIP 41 NORTH, RANGE 1 AND PART OF THE NORTHEAST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF SECTION 12 IN TOWNSHIP 41 NORTH, RANGE 1, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED IN ONE TRACT AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 70 KNOWN AS MERIDIAN HIGHWAY AND 190 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER (1/4) OF THE SOUTHWEST (1/4) , THENCE SOUTH ALONG THE LINE OF THE SCHOOL PROPERTY 233 FEET TO THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS THE I.C. TRAIL, THENCE EASTERLY ON SAID CENTERLINE 789.5 FEET TO SAID SOUTH LINE OF MERIDIAN HIGHWAY AND THENCE WESTERLY ON SAID SOUTH LINE TO THE POINT OF BEGINNING; SITUATED IN THE COUNTY OF OGLE AND STATE OF ILLINOIS.

PARCEL II:

PART OF SECTION 1 AND 12 IN TOWNSHIP 41 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF SAID SECTION 12, THENCE SOUTH 1.53 CHAINS TO A STONE IN THE CENTER OF THE STATE ROAD, THENCE NORTH 76 DEGREES EAST (VAR. 7 DEGREES 30 MINUTES E.) IN THE CENTER OF SAID ROAD 3 CHAINS, THENCE NORTH, PARALLEL WITH THE GOVERNMENT LINES 3.5 CHAINS, THENCE SOUTH 76 DEGREES W (VAR. 7 DEGREES 30 MINUTES E.) AND THENCE SOUTH 1.97 CHAINS TO THE POINT OF BEGINNING; SITUATED IN THE COUNTY OF OGLE AND STATE OF ILLINOIS.

Parcel Identification Numbers: 18-01-300-002 and 18-01-300-004

Common Location: 2018 N. IL Route 251

EXHIBIT "B"

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

Ogle County Zoning Board of Appeals

911 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 Kathleen Marszalek, 2018 N. IL Route 251, Rochelle, IL in case #08-18AM. The applicant is requesting a Map Amendment to change the zoning classification from B-1 Business District to AG-1 Agricultural District on Parcel Identification Nos. 18-01-300-002 and 18-01-300-004, a parcel of land located in part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 1, and part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, all in T41N, R1E of the 3rd P.M., White Rock Township, Ogle County, IL and located at 2018 N. IL Route 251.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 30, 2018 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. **Rezoning of the site to AG-1 to allow continued residential use of the site is compatible with the existing uses and zoning of nearby property, as the site is located in an area that is predominately agricultural, the site is adjoined by agricultural uses on all sides, and approximately 44% of the site is currently zoned AG-1. 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. **Continued residential use of the site will not create a burden on the County of Ogle and other public service providers, as no change in the intensity of use is proposed. 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. **No adverse impacts or impact on the environment will result from the proposed map amendment, as no change in the use of the property is proposed. Standard met.**
4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the AG-1 zoning district, as it is currently, and has been used for single-family residential purposes, the existing dwelling on the site pre-dates the establishment of the first Ogle County zoning ordinance, and a portion of the site is currently zoned AG-1. 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 trend of development in the general area is of existing and established residential uses and agricultural uses. The proposed zoning classification of AG-1 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 it will make an existing and established use consistent with the Zoning Ordinance and surrounding uses; the proposed amendment is also 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 B-1 Business District to R-2 Single Family Residence District.

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

Respectfully submitted this 30th day of August 2018 by the Ogle County Zoning Board of Appeals.

**Randy Ocken
Paul Soderholm
Mark Hayes
Cody Considine
David Williams**

Randy Ocken, Chairman

ATTEST:

Michael Reibel, Secretary



Laura J. Cook
Ogle County Clerk & Recorder

October 5, 2018

The Ogle County Board, at their regular meeting held on Tuesday, September 25, 2018, Janes presents #9-18AM - Veronica (Ronnie) Swenson, 516 Dori Ct., Pecatonica, IL and Daniel Gocken, 15825 E. Lindenwood Rd., Lindenwood, IL for an Amendment to the Zoning District to rezone from B-1 Business District to R-2 Single-Family Residence District on property described as follows, owned by Veronica (Ronnie) Swenson and being purchased by Daniel Gocken: Lots 1-4 of Block 3 in the original Village of Holcomb, part of the East Half (E1/2) of the Southeast Quarter (SE1/4) of Section 34 Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL - P.I.N.: 11-34-484-001 - Common Location: 305 N. First St.

Janes moves to approve – O-2018-0902 as presented and Frtiz seconds.

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)

ORDINANCE NO. 2018-0902

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT
ON PROPERTY LOCATED AT 305 N. FIRST STREET IN SCOTT TOWNSHIP

WHEREAS, Veronica (Ronnie) Swenson, 516 Dori Ct., Pecatonica, IL has filed a petition for a Map Amendment (Petition No. 09-18AM) to re-zone from B-1 Business District to R-2 Single Family Residence District on property located at 305 N. First Street in Scott 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 August 30, 2018 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Map Amendment, no member(s) of the public spoke in support of the petition, and no members(s) 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 Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated August 30, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and 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 Map Amendment be approved as recommended by the Zoning Board of Appeals; 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 Supervisor of Assessments and Planning & 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:

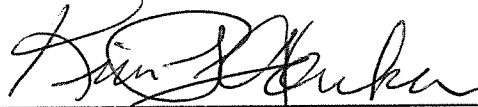
SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of Veronica (Ronnie) Swenson, 516 Dori Ct., Pecatonica, IL for a Map Amendment (Petition No. 09-18AM) to re-zone from B-1 Business District to R-2 Single Family Residence District on property located at 305 N. First Street in Scott 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.

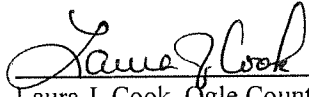
SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 25TH DAY OF SEPTEMBER 2018 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

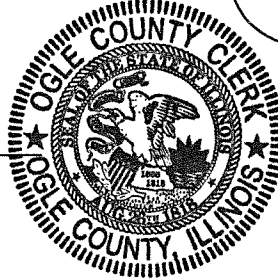


EXHIBIT "A"
LEGAL DESCRIPTION

Lots 1, 2, 3 and 4 in Block 3, in the Original Town of HOLCOMB, in Ogle County, Illinois; Also, part of the South East 1/4 of Section 34, in Township 42 North, Range 1 East of the 3rd P.M., described as follows: Commencing at a point on Allen Street at the North East corner of Lot 1 in Block 3 in the Town of Holcomb and running thence South along the East line of said Block 3, 112 feet, thence East 9 feet to the right of way of the Chicago, Burlington & Quincy

Railroad, thence North along the West line of said right of way, 112 feet to the South line of Allen Street, thence West along said line 9 feet to the place of beginning, all in the Original Town of Holcomb in Ogle County, Illinois.

Parcel Identification Numbers: 11-34-484-001

Common Location: 305 N. First Street

EXHIBIT "B"

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

Ogle County Zoning Board of Appeals

911 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 Veronica (Ronnie) Swenson, 516 Dori Ct., Pecatonica, IL and Daniel Gocken, 15825 E. Lindenwood Rd., Lindenwood, IL in case #09-18AM. The applicants are requesting a Map Amendment to change the zoning classification from B-1 Business District to R-2 Single Family Residence District on Parcel Identification No. 11-34-484-001, a parcel of land legally described as Lots 1-4 of Block 3 in the original Village of Holcomb, located in part of the East Half (E ½) of the Southeast Quarter (SE 1/4) of Section 34, T42N, R1E of the 3rd P.M., Scott Township, Ogle County, IL and located at 305 N. First Street.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 30, 2018 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. **Rezoning of the site to R-2 to allow continued residential use of the site is compatible with the existing uses and zoning of nearby property, as the site is located in an area that contains a mixture of residential and commercial uses, and the site is adjoined by both the R-2 Single Family Residence District and the B-1 Business District. 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. **Continued residential use of the site will not create a burden on the County of Ogle and other public service providers, as no change in the intensity of use is proposed. 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. **No adverse impacts or impact on the environment will result from the proposed map amendment, as no change in the use of the property is proposed. Standard met.**
4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the R-2 zoning district, as it is currently, and has been used for single-family residential purposes. 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 trend of development in the general area is of existing and established residential uses and commercial uses. The proposed zoning classification of R-2 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 it will make an existing and established use consistent with the Zoning Ordinance and surrounding uses; the proposed amendment is also 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 B-1 Business District to R-2 Single Family Residence District.

ROLL CALL VOTE: The roll call vote was 4 members for the motion to recommend granting, 0 opposed and 1 abstained.

Respectfully submitted this 30th day of August 2018 by the Ogle County Zoning Board of Appeals.

**Randy Ocken
Paul Soderholm
Mark Hayes
Cody Considine
David Williams (abstained)**

Randy Ocken, Chairman

ATTEST:



Michael Reibel, Secretary



Laura J. Cook
Ogle County Clerk & Recorder

October 5, 2018

The Ogle County Board, at their regular meeting held on Tuesday, September 25, 2018, Janes presents #14-18SU - Graceland Cattle, LLC, Douglas Glendenning, 10477 E. High Rd., Davis Junction, IL for a Special Use Permit to allow a an agribusiness (repair shop primarily for ag related equipment) in the AG-1 Agricultural District on property described as follows and owned by the petitioners: The Northeast Quarter (NE1/4); and part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 17 Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL, 3.58 acres, more or less – P.I.N.: 11-17-100-004 - Common Location: 10477 E. High Rd.

Janes moves to approve – O-2018-0903 as presented and Colson seconds.

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)

ORDINANCE NO. 2018-0903

AN ORDINANCE APPROVING A SPECIAL USE PERMIT ON PROPERTY
LOCATED AT 10477 E. HIGH ROAD IN SCOTT TOWNSHIP

WHEREAS, Graceland Cattle, LLC c/o Douglas Glendenning, 10477 E. High Rd., Davis Junction, IL has filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 14-18SU) to allow an agribusiness (repair shop primarily for agriculturally related equipment) on property located at 10477 E. High Road in Scott 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 August 30, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, no member(s) of the public spoke in favor of the petition, and no member(s) 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 granted with conditions as set forth in the *Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals* dated August 30, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and 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 with conditions; 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. 14-08SU) to allow an agribusiness (repair shop primarily for agriculturally related equipment) 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.

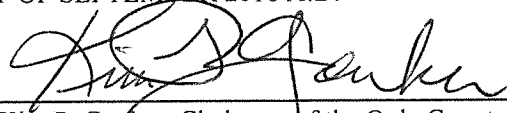
SECTION TWO: Based on the findings of fact set forth above, the petition of Graceland Cattle, LLC c/o Douglas Glendenning, 10477 E. High Rd., Davis Junction, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 14-18SU) to allow an agribusiness (repair shop primarily for agriculturally related equipment) on property located at 10477 E. High Road in Scott Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved subject to the following conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit.
2. All waste generated from the operation of the authorized use shall be disposed of in accordance with all applicable local, state and/or federal regulations.
3. The owner/operator shall contact the Stillman Valley Fire Protection District (SVFPD) to request an Occupancy Permit pursuant to the NFPA 101 Life Safety Code and, if required by the SVFPD, shall provide a copy of the issued Occupancy Permit to the Planning & Zoning Department within 90 days of the granting of this Special Use.

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.

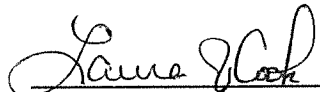
SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 25TH DAY OF SEPTEMBER 2018 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

Part of the Northwest Quarter (1/4) of Section 17, Township 42 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Northeast corner of the Northwest Quarter (1/4) of Section 17; thence South 00 degrees 52 minutes 31 seconds East along the East line of said Northwest Quarter (1/4), a distance of 1532.13 feet; thence South 89 degrees 04 minutes 05 seconds West, parallel with the North line of said Northwest Quarter (1/4), a distance of 1051.21 feet; thence North 00 degrees 52 minutes 31 seconds West, parallel with the East line of said Northwest Quarter (1/4), a distance of 1532.13 feet to the North line of said Northwest Quarter (1/4); thence North 89 degrees 04 minutes 05 seconds East along said North line, a distance of 1051.21 feet to the Point of Beginning; situated in the Township of Scott, County of Ogle and State of Illinois.

Property Identification Number (PIN): 11-17-100-004

Common Location: 10477 E. High Road

EXHIBIT "B"

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

Ogle County Zoning Board of Appeals

911 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 Graceland Cattle, LLC c/o Douglas Glendenning, 10477 E. High Rd., Davis Junction, IL in case #14-18SU. The applicant is requesting a Special Use Permit in the AG-1 Agricultural District to allow an Agribusiness (repair shop primarily for agriculturally related equipment) on Parcel Identification No. 11-17-100-004, a 36.97-acre parcel located in part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) and part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 17, T42N, R1E of the 3rd P.M., Ogle County, IL, situated in Scott Township and located at the common address of 10477 E. High Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 30, 2018 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 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 due to the nature of the use (being an agribusiness) in a predominately agricultural area on a site surrounded by agricultural uses. 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 special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the AG-1 zoning district regulations, as the proposed use utilizes an existing building and the site is within a predominately agricultural area. 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. High 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 repair shop primarily for agriculturally-related equipment can be operated in a manner that is not detrimental to the permitted developments and uses in the AG-1 zoning district, will be visually compatible with the area, and is deemed essential and desirable, as proposed use will serve and complement the surrounding agricultural area. 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 AG-1 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 AG-1 Agricultural District be granted to allow a contractor shop for a tree service (tree trimming & removal) subject to the following conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit.
2. All waste generated from the operation of the authorized use shall be disposed of in accordance with all applicable local, state and/or federal regulations.
3. The owner/operator shall contact the Stillman Valley Fire Protection District (SVFPD) to request an Occupancy Permit pursuant to the NFPA 101 Life Safety Code and, if required by the SVFPD, shall provide a copy of the issued Occupancy Permit to the Planning & Zoning Department within 90 days of the granting of this Special Use.

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

Respectfully submitted this 30th day of August 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Paul Soderholm
David Williams
Cody Considine
Mark Hayes

Randy Ocken, Chairman

ATTEST:

Michael Reibel, Secretary



Laura J. Cook
Ogle County Clerk & Recorder

October 5, 2018

The Ogle County Board, at their regular meeting held on Tuesday, September 25, 2018, Janes presents #16-18SU - Michael & Camille Williams, 3532 S. Woodlawn Rd., Rochelle, IL for a Special Use Permit to allow a Class II Boarding house in the AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of G.L. 1 of the Northeast Quarter (NE1/4) Fractional Section 2; and part of the North Half (N1/2) of the Southeast Quarter (SE1/4) of Section 2 Dement Township 40N, R2E of the 3rd P.M., Ogle County, IL, 16.64 acres, more or less - P.I.N.: 25-02-400-005 - Common Location: 3532 S. Woodlawn Rd.

Janes moves to approve – O-2018-0904 as presented and McKinney seconds.

Chairman Gouker asked Mike Reibel to clarify the new category. Reibel stated that a Class II Boarding house is a single family residency that is rented for short periods of time – less than 30 days typically for a weekend at a time – that serves more than 10 people and a Class I is 10 or fewer people. These permits are only allowed as Special Use in the agriculture district or the intermediate agriculture districts.

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)

ORDINANCE NO. 2018-0904

AN ORDINANCE APPROVING A SPECIAL USE PERMIT ON PROPERTY
LOCATED AT 3532 S. WOODLAWN ROAD IN DEMENT TOWNSHIP

WHEREAS, Michael & Camille Williams, 3532 S. Woodlawn Rd., Rochelle, IL has filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 16-18SU) to allow a Class 2 Boarding House on property located at 3532 S. Woodlawn Road in Dement 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 August 30, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, no member(s) of the public spoke in favor of the petition, and no member(s) 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 granted with conditions as set forth in the *Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals* dated August 30, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and 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 with conditions; 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. 16-08SU) to allow a Class 2 Boarding 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.

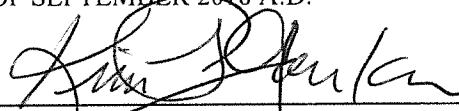
SECTION TWO: Based on the findings of fact set forth above, the petition of Michael & Camille Williams, 3532 S. Woodlawn Rd., Rochelle, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 16-18SU) to allow a Class 2 Boarding House on property located at 3532 S. Woodlawn Road in Dement Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved subject to the following conditions:

1. All proposals and representations made by the applicant and/or representative shall be conditions of the Special Use Permit.
2. Manual fire extinguishing equipment of appropriate classification and in sufficient number and location shall be provided for the safety of those utilizing the dwelling. For reference see NFPA 10 - Standards for the Installation of Portable Fire Extinguishers.
3. All combustibles or flammable liquids shall be stored in approved containers. No combustible storage shall occur in or under stairways.
4. All hallways and stairways shall be adequately lighted.
5. A complete floor plan of the establishment shall be submitted to the local fire protection district.
6. Smoke detectors and carbon monoxide (CO) detectors shall be provided pursuant to the Illinois Smoke Detector Act and Illinois Carbon Monoxide Alarm Detector Act.

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.

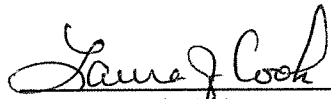
SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 25TH DAY OF SEPTEMBER 2018 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

Part of the East Half of Section 2 and part of the Southwest Quarter of Section 1, all in Township 40 North, Range 2 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of the Northeast fractional Quarter of said Section 2, thence Westerly along the South line of said Northeast Quarter, 1748.38 feet, thence Northwesterly, at an angle of $145^{\circ}10'$ measured counterclockwise from said South line, 300.2 feet, thence Southwesterly, at an angle of $235^{\circ}58'$ measured counterclockwise from the last described course, 380.5 feet, thence Southwesterly, at an angle of $161^{\circ}21'$ measured counterclockwise from the last described course, 376.68 feet to the West line of the East Half of said Section 2, thence Southerly, at an angle of $92^{\circ}31'28''$ measured clockwise from the last described course, along said West line, 395.0 feet, thence Easterly, at an angle of $89^{\circ}57'32''$ measured clockwise from said West line, parallel with the South line of said Northeast Quarter, 400.0 feet; thence Northerly, at a angle of $90^{\circ}02'28''$ measured clockwise from the last described course, parallel with said West line, 75.0 feet; thence Easterly at an angle of $90^{\circ}02'28''$ measured counterclockwise from the last described course, parallel with said South line, 1040.0 feet; thence Northeasterly, at an angle of $132^{\circ}40'23''$ measured clockwise from the last described course, 274.79 feet; thence Easterly, at an angle of $132^{\circ}40'23''$ measured counterclockwise from the last described course, parallel with said South line 875.0 feet; thence Southeasterly at an angle $153^{\circ}58'16''$ measured counterclockwise from the last described course, 525.42 feet to the center line of Woodlawn Road; thence Northwesterly, at an angle of $45^{\circ}13'03''$ measured clockwise from the last described course, along said center line, 350.0 feet to the North line of the Southwest Quarter of said Section 1, thence Westerly at an angle of $108^{\circ}23'26''$ measured clockwise from said center line, along said North line, 134.6 feet to the point of beginning, situated in the County of Ogle and State of Illinois.

Property Identification Number (PIN): 25-02-400-005

Common Location: 3532 S. Woodlawn 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 Michael & Camille Williams, 3532 S. Woodlawn Rd., Rochelle, IL in case #16-18SU. The applicants are requesting a Special Use Permit in the AG-1 Agricultural District to allow a Class 2 Boarding House on Parcel Identification No. 25-02-400-005, a 16.64-acre parcel located in part of G.L. 1 of the Northeast Quarter (NE 1/4) Fractional Section 2; and, part North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 2, T40N, R2E of the 3rd P.M., Ogle County, IL, situated in Dement Township and located at the common address of 3532 S. Woodlawn Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 30, 2018 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 isolated and is well buffered by distance and topography from other residential uses in the vicinity. 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 existing site conditions will remain unchanged, and the dwelling to be utilized is isolated and nearly 1/2 mile from Woodlawn Road. 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 S. Woodlawn 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 is in an isolated area, is compatible with agricultural uses in the vicinity, and is deemed essential and desirable for Ogle County. 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 AG-1 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 AG-1 Agricultural District be granted to allow a contractor shop for a tree service (tree trimming & removal) subject to the following conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit.
2. Manual fire extinguishing equipment of appropriate classification and in sufficient number and location shall be provided for the safety of those utilizing the dwelling. For reference see NFPA 10 - Standards for the Installation of Portable Fire Extinguishers.
3. All combustibles or flammable liquids shall be stored in approved containers. No combustible storage shall occur in or under stairways.
4. All hallways and stairways shall be adequately lighted.
5. A complete floor plan of the establishment shall be submitted to the local fire protection district.
6. Smoke detectors and carbon monoxide (CO) detectors shall be provided pursuant to the Illinois Smoke Detector Act and Illinois Carbon Monoxide Alarm Detector Act.

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

Respectfully submitted this 30th day of August 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Paul Soderholm
David Williams
Cody Considine
Mark Hayes

 Randy Ocken, Chairman

ATTEST:


 Michael Reibel, Secretary