



*Laura J. Cook*  
Ogle County Clerk & Recorder

May 8, 2020

The Ogle County Board, at their regular meeting held on Tuesday, April 21, 2020, Fritz presents #01-20 SPECIAL USE ~ Norman & Phyllis Reinford, 3500 S. Chana Rd., Chana, IL for a Special Use Permit in the AG-1 Agricultural District to allow a Construction Shop on property described as follows and owned by the petitioners: Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 22, Township 23 North, Range 11 East of the 4<sup>th</sup> P.M., Pine Rock Township, Ogle County, IL, 13.55 acres, more or less - P.I.N.: 17-22-300-015 - Common Location: 3500 S. Chana Rd.

Fritz moves to approve O-2020-0401 as presented and Smith seconds.

Item approved 4-0 at Zoning Board of Appeals and Regional Planning Commission

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.

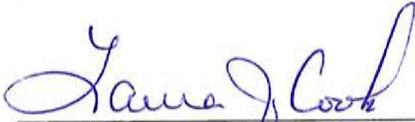


SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County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

PASSED BY THE COUNTY BOARD THIS 18<sup>TH</sup> DAY OF MARCH 2020 A.D.

  
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John Einfrock, Chairman of the Ogle County Board

ATTEST:

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



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 22, Township 23 North, Range 11 East of the 4<sup>th</sup> P.M., Pine Rock Township, Ogle County, IL, 13.55 acres, more or less.

Property Identification Number: 17-22-300-015

Common Location: 3500 South Chana Rd.

**EXHIBIT "B"**

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

# Ogle County Zoning Board of Appeals



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

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This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Norman & Phyllis Reinford, of 3500 S Chana Rd, Chana IL for a Special Use to allow a Construction Shop on property described as follows and owned by the petitioner. Parcel Identification No. 17-22-300-015, a 13.55 acre parcel located in part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 22, Township 23 North, Range 11 East of the 4<sup>th</sup> P.M., Pine Rock Township, Ogle County, IL, and located at 3500 South Chana Rd.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on February 27, 2020 in the Ogle 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.

**The proposed special use will make use of existing farm buildings and would not have a significant impact on the value, health, safety, morals, comfort, or general welfare of the surrounding property. 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 distance to the closest non participating dwelling, the screening provided by the existing feedlot barns and windbreak, and the size and scope of the proposed special use will not cause it to dominate the immediate neighborhood. STANDARD MET.**

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.

**Adequate off-street parking and loading areas are provided by the existing 400' long driveway, paved former feedlot area, and adequate truck turn around space. 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.

**It has been satisfactorily demonstrated that adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities are present for the proposed special use. 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 special use is located in the AG-1 zoning district and would be compatible with the permitted and special uses in the surrounding area and would be deemed desirable to the construction economy in 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 Agricultural District, specifically 16.5.1 C Special Use for a Construction Shop. 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 16-9-8C of the *Ogle County Amendatory Zoning Ordinance*. Therefore, the Zoning Board of Appeals hereby recommends that a Special Use in the AG-1 Agricultural District to allow a Construction Shop be granted.

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

Respectfully submitted this 28th day of February 2020 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman  
James Reed  
Mark Hayes  
Paul Soderholm**

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Randy Ocken, Chairman

ATTEST:



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Harry Adams, Secretary

ORDINANCE NO. 2020-0402

**AN ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS' OCCUPATION TAX IN THE COUNTY OF OGLE, STATE OF ILLINOIS**

**WHEREAS**, the County of Ogle, is a county duly organized and existing under the laws of the State of Illinois and a body politic and corporate of the State of Illinois. Ogle County is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

**WHEREAS**, the Illinois General Assembly enacted Public Act 101-0027, effective January 1, 2020, which is a comprehensive revision of State statutes regulating the adult use of cannabis in Illinois counties; and

**WHEREAS**, the County has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens; and

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Illinois County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8) (the "Act"); and

**WHEREAS**, this Ordinance is intended to impose the tax authorized by the Act providing for a County Cannabis Retailers' Occupation Tax, which will be collected by the Illinois Department of Revenue;

**WHEREAS**, this Ordinance will repeal Ordinance 2019-0906 which was presented and approved at the September 15, 2019 regular County Board meeting and Ordinance 2019-1003 which was presented and approved at the October 15, 2019 regular County Board meeting and filed with the Illinois Department of Revenue.

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF OGLE, STATE OF ILLINOIS, THAT THIS ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS' OCCUPATION TAX BE AND HEREBY IS ADOPTED AS FOLLOWS:

**SECTION I: Recitals.**

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance

**SECTION II: Tax imposed; Rate.**

- (a) A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail locations in the County on the gross receipts from these sales at the following rates:

- (i) 3.75% of the gross receipts from these sales made in the course of that business in unincorporated areas of Ogle County in the event that sales of this type are ultimately approved by Ordinance or Resolution of the Ogle County Board; and
  - (ii) 3% of the gross receipts of sales made in a municipality located in Ogle County; and
- (b) The imposition of this tax is in accordance with the provisions of the County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8).

**SECTION III: Collection of tax by retailers.**

- (a) The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (the "Department"). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.
- (b) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

**SECTION IV: Severability.** The provisions and sections of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

**SECTION V: Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, provided, however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to June 1, 2020.

Passed by the Ogle County Board this 21st day of April, 2020.

AYES: 23 NAYS: 0 PRESENT: 23 ABSTAIN/ABSENT: 1

  
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 John Finrock, Ogle County Board Chairman

ATTEST:   
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 Laura J. Cook, Ogle County Clerk

