



*Rebecca Huntley*  
Ogle County Clerk & Recorder

September 16, 2015

The Ogle County Board, at their regular meeting held on Tuesday, September 15, 2015, Welty presents the petition of Earl & Dorothy Gocken, 8981 N. Kishwaukee Rd., Stillman Valley; and Andrew & Ashley Phillips, 6031 E. McCormick Rd., Stillman Valley for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residential District on property described as follows, owned by Earl & Dorothy Gocken and being purchased by Andrew & Ashley Phillips: Part of the NE1/4 of the NE1/4 of Section 27; and part of the NW1/4 of the NW1/4 of Section 26 Marion Township 25N, R11E of the 4<sup>th</sup> P.M., Ogle County, IL, 7.332 acres, more or less. P.I.N.: Part of 05-27-200-01 and part of 05-26-100-004 - Common Location: 8800 Block of N. Kishwaukee Rd. Welty moves to approve O-2015-0901, Hopkins seconds and the motion carries.(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.

Clerk: 105 S. 5th St., Suite 104, Oregon, IL 61061 • Phone (815) 732-1110 • Fax (815) 732-3477  
Recorder: 105 S. 5th St., Suite 212, Oregon, IL 61061 • Phone (815) 732-1115 • Fax (815) 732-1189  
[www.oglecounty.org](http://www.oglecounty.org)

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE         )

ORDINANCE NO. 2015-0901

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY  
LOCATED IN THE 8800 BLOCK OF N. KISHWAUKEE ROAD IN MARION TOWNSHIP

WHEREAS, Earl & Dorothy Gocken, 8981 N. Kishwaukee Rd., Stillman Valley, IL and Andrew & Ashley Phillips, 6031 E. McCormick Rd., Stillman Valley, IL have filed a petition for a Map Amendment (Petition No. 6-15AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located in the 8800 Block of N. Kishwaukee Road in Marion 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 27, 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 August 27, 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 Earl & Dorothy Gocken, 8981 N. Kishwaukee Rd., Stillman Valley, IL and Andrew & Ashley Phillips, 6031 E. McCormick Rd., Stillman Valley, IL for a Map Amendment (Petition No. 6-15AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located in the 8800 Block of N. Kishwaukee Road in Marion 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 15<sup>TH</sup> DAY OF SEPTEMBER 2015 A.D.



ATTEST:

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 Southwest Quarter of the Southwest Quarter of Section 23; part of the Northwest Quarter of the Northwest Quarter of Section 26; part of the Northeast Quarter of the Northeast Quarter of Section 27, all in Township 25 North, Range 11 East of the 4th (Fourth) Principal Meridian, more particularly bounded and described as follows, to wit:

Beginning at the Northeast corner of said Section 27; thence South 89 degrees 48 minutes 48 seconds West along the North line of the Northeast Quarter of said Section 27, a distance of 264.01 feet to a point 264.00 feet Westerly of, as measured perpendicularly to the East line of the Northeast Quarter of said Section 27; thence South 0 degrees 35 minutes 02 seconds east parallel with the East line of said Northeast Quarter, a distance of 762.44 feet to the centerline of a public road designated Kishwaukee Road; thence North 48 degrees 23 minutes 55 seconds East along said centerline, a distance of 1,023.65 to a point on the Easterly projection of a fence line; thence North 66 degrees 22 minutes 02 seconds West along said fence line and Easterly projection, a distance of 214.95; thence South 89 degrees 31 minutes 54 seconds West along said fence line, a distance of 312.33 feet to the point of beginning, containing 7.332 acres, more or less, subject to that land being used for public road purposes, and also subject to all easements, agreements, County codes and/or ordinances of record, if any, all situated in the Marion Township, the County of Ogle and the State of Illinois.

Property Identification Number(s): 05-27-200-001 and 05-26-100-004

Common Location: 8800 Block of N. Kishwaukee 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 Earl & Dorothy Gocken, 8981 N. Kishwaukee Rd., Stillman Valley, IL and Andrew & Ashley Phillips, 6031 E. McCormick Rd., Stillman Valley, IL in case #6-15AM. 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. 05-27-200-001 and 05-26-100-004. Said parcel(s) are located in part of the NE 1/4 NE 1/4 of Section 27 and part of the NW 1/4 NW 1/4 Section 26, Township 25 North, Range 11 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and are located in Marion Township in the 8800 Block of N. Kishwaukee Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 27, 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 9.07(G) (Standards for Map Amendments) 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 eleven (11) non-farm dwellings within 1/4 mile of the site and thirty-seven (37) 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 County highway and will generate a low density of development (one dwelling). 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 wooded and not in agricultural production, the site is located in a rural area that contains many 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 County highway, 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. **There is a trend of development in the vicinity of non-farm residential uses, as there are eleven (11) non-farm dwellings within 1/4 mile of the site and thirty-seven (37) 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 27<sup>th</sup> day of August 2015 by the Ogle County Zoning Board of Appeals.

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

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

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



*Rebecca Huntley*  
Ogle County Clerk & Recorder

September 16, 2015

The Ogle County Board, at their regular meeting held on Tuesday, September 15, 2015, Welty presents the petition of Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to I-1 Industrial District on property described as follows and owned by the petitioner: Part of the SW1/4 of SE1/4 Section 9 Pine Creek Township 23N, R9E of the 4<sup>th</sup> P.M., Ogle County, IL, 10.13 acres, more or less. P.I.N.: 15-09-400-007 & 15-09-400-010 - Common Location: 6194 W. Pines Rd. Welty moves to approve O-2015-0902, McKinney seconds and the motion carries.(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.

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[www.oglecounty.org](http://www.oglecounty.org)



STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE         )

ORDINANCE NO. 2015-0902

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY  
LOCATED AT 6194 W. PINES ROAD IN PINE CREEK TOWNSHIP

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WHEREAS, Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL has filed a petition for a Map Amendment (Petition No. 7-15AM) to re-zone from AG-1 Agricultural District to I-1 Industrial District on property located at 6194 W. Pines Road in Pine Creek 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 27, 2015 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 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 August 27, 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 Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL for a Map Amendment (Petition No. 7-15AM) to re-zone from AG-1 Agricultural District to I-1 Industrial District on property located at 6194 W. Pines Road in Pine Creek 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.

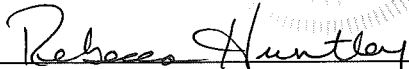
SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 15<sup>TH</sup> DAY OF SEPTEMBER 2015 A.D.



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

ATTEST:

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

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

Tract 1:

Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows: Commencing at a point on the West line of the said East Half of the Southeast Quarter of Section 9, 422.35 feet North of the Southwest corner thereof, thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the said West line, 594.42 feet to the point of beginning of the tract of land being described; thence Southwesterly on the last described course, 191.14 feet to a point 403.28 feet Northeasterly from the said West line of the East half of the Southeast Quarter of Section 9, as measured on the Southwesterly extension of the last described course; thence Southerly parallel with the said West line, 452.24 feet to the South line of the Southeast Quarter of Section 9; thence Easterly on the said South line of the Southeast Quarter of Section 9, 190.12 feet; thence Northerly parallel with the said West line of the East half of the Southeast Quarter of Section 9, 466.42 feet to the point of beginning. Subject to all easements, covenants and restrictions of record.

Tract 2:

Part of the Southeast Quarter of the Southeast Quarter of Section 9, in Township 23 North, Range 9 East of the Fourth Principal Meridian described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 9, thence North on the West line of said Southeast Quarter of the Southeast Quarter 205.0 feet; thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the last described course 208 feet; thence Southerly parallel with the said West line of the Southeast Quarter 220.48 feet to a point on the South line of said Section 9; thence West on the said South line 206.82 feet to the said point of beginning; ALSO Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows: Beginning at a point on the South line of said Section 9, 206.82 feet East of the Southwest corner of the said East Half of the Southeast Quarter; thence Northerly parallel with the West line of the said East Half of the Southeast Quarter 220.48 feet; thence Easterly at an angle of 96 degrees 18 minutes measured counterclockwise from the last described course, 195.28 feet; thence Southerly parallel with the said West line, 228.51 feet to the said South line of Section 9; thence Westerly on the said South line 194.57 feet to the said point of beginning, ALSO Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois described as follows: Beginning at a point on the West line of said East Half of the Southeast Quarter of Section 9, 205.0 feet North of the Southwest corner thereof; thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the said West line, 403.28 feet; thence Northerly parallel with the said West line, 217.35 feet; thence Southwesterly 403.28 feet to a point on the said West line, 217.35 feet North of the said point of beginning; thence Southerly on the said West line, 217.35 to the said point of beginning. All of the above situated in the County of Ogle and State of Illinois.

Tract 3:

PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 9 EAST OF THE FOURTH PRINCIPAL MERIDIAN, OGLE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST, A DISTANCE OF 1310.13 FEET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) TO THE SOUTHWEST CORNER OF THE EAST HALF (1/2) OF SAID SOUTHEAST QUARTER (1/4); THENCE NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 422.28 FEET (RECORDED AS 422.35 FEET) ON THE WEST LINE OF THE EAST HALF (1/2) OF SAID SOUTHEAST QUARTER (1/4) TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUING NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 237.72 FEET ON SAID WEST LINE; THENCE SOUTH 86 DEGREES 41 MINUTES 25 SECONDS EAST, A DISTANCE OF 591.22 FEET; THENCE SOUTH 22 DEGREES 54 MINUTES 33 SECONDS EAST, A DISTANCE OF 583.93 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF PINES ROAD RECORDED AS DOCUMENT NUMBER 201201203032 ON APRIL 19, 2012; THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST, A DISTANCE OF 238.00 FEET ON SAID RIGHT OF WAY

LINE TO THE EAST LINE OF THE PROPERTY CONVEYED TO LEGACY MANAGEMENT GROUP, INC. RECORDED AS DOCUMENT NUMBER 0710588 ON OCTOBER 15, 2007; THENCE NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 391.66 FEET ON SAID EAST LINE TO THE NORTH LINE OF PROPERTY SO CONVEYED; THENCE SOUTH 84 DEGREES 49 MINUTES 41 SECONDS WEST, A DISTANCE OF 594.38 FEET (RECORDED AS 594.42 FEET) ON SAID NORTH LINE TO THE POINT OF BEGINNING; SITUATED IN THE TOWNSHIP OF PINE CREEK, THE COUNTY OF OGLE AND THE STATE OF ILLINOIS.

Parcel Identification Number(s): 15-09-400-007 and 15-09-400-010

Common Location: 6194 W. Pines 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

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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 Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL in case #7-15AM. The applicant is requesting a map amendment to change the zoning classification from AG-1 Agricultural District to I-1 Industrial District on Parcel Identification Nos. 15-09-400-007 and 15-09-400-010. Said parcel(s) are 10.13 total acres in area and are located in part of the SW 1/4 SE 1/4 Section 9, Township 23 North, Range 9 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and are located in Pine Creek Township at 6194 W. Pines Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 27, 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 9.07(G) (Standards for Map Amendments) 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 I-1 to allow continued industrial use of the site is compatible with the existing uses and zoning of nearby property, as the use has existed on the site since prior to 1965 and has maintained compatibility with surrounding uses.** 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 use of the site as a slaughterhouse/packing plant will not create a burden on the County of Ogle and other public service providers, as no substantial 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. **There is no evidence to indicate that adverse impacts or impact on the environment will result from the proposed map amendment.** Standard met.

4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the I-1 zoning district, as it is currently, and has been used for industrial 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. **There is no trend of development in the general area other than continued agricultural use and other existing mixed uses, including the existing and established use of the site. The proposed zoning classification of I-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; 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 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 27<sup>th</sup> day of August 2015 by the Ogle County Zoning Board of Appeals.

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

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

ATTEST:



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



*Rebecca Huntley*  
Ogle County Clerk & Recorder

September 16, 2015

The Ogle County Board, at their regular meeting held on Tuesday, September 15, 2015, Welty presents the petition of Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL for Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL a Special Use Permit to allow a slaughterhouse/packing plant on property described as follows and owned by the petitioner: Part of the SW1/4 of SE1/4 Section 9 Pine Creek Township 23N, R9E of the 4<sup>th</sup> P.M., Ogle County, IL, 10.13 acres, more or less. P.I.N.: 15-09-400-007 & 15-09-400-010 - Common Location: 6194 W. Pines Rd. Welty moves to approve O-2015-0903, Colson seconds and the motion carries.(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. 2015-0903

AN ORDINANCE APPROVING A SPECIAL USE PERMIT ON PROPERTY  
LOCATED AT 6194 W. PINES ROAD IN PINE CREEK TOWNSHIP

WHEREAS, Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL has filed a petition for a Special Use Permit in the I-1 Industrial District (Petition No. 4-15SU) to allow a slaughterhouse/packing plant on property located at 6194 W. Pines Road in Pine Creek 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 27, 2015, at which the petitioner 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 August 27, 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 I-1 Industrial District (Petition No. 4-15SU) to allow a slaughterhouse/packing plant 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 Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL for a Special Use Permit in the I-1 Industrial District (Petition No. 4-15SU) to allow a slaughterhouse/packing plant on property located at 6194 W. Pines Road in Pine Creek 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*.


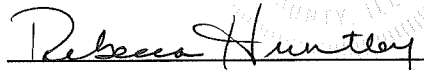
PASSED BY THE COUNTY BOARD THIS 15<sup>TH</sup> DAY OF SEPTEMBER 2015 A.D.



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Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

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

## EXHIBIT "A"

### LEGAL DESCRIPTION

#### Tract 1:

Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows: Commencing at a point on the West line of the said East Half of the Southeast Quarter of Section 9, 422.35 feet North of the Southwest corner thereof, thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the said West line, 594.42 feet to the point of beginning of the tract of land being described; thence Southwesterly on the last described course, 191.14 feet to a point 403.28 feet Northeasterly from the said West line of the East half of the Southeast Quarter of Section 9, as measured on the Southwesterly extension of the last described course; thence Southerly parallel with the said West line, 452.24 feet to the South line of the Southeast Quarter of Section 9; thence Easterly on the said South line of the Southeast Quarter of Section 9, 190.12 feet; thence Northerly parallel with the said West line of the East half of the Southeast Quarter of Section 9, 466.42 feet to the point of beginning. Subject to all easements, covenants and restrictions of record.

#### Tract 2:

Part of the Southeast Quarter of the Southeast Quarter of Section 9, in Township 23 North, Range 9 East of the Fourth Principal Meridian described as follows: Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 9, thence North on the West line of said Southeast Quarter of the Southeast Quarter 205.0 feet; thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the last described course 208 feet; thence Southerly parallel with the said West line of the Southeast Quarter 220.48 feet to a point on the South line of said Section 9; thence West on the said South line 206.82 feet to the said point of beginning; ALSO Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows: Beginning at a point on the South line of said Section 9, 206.82 feet East of the Southwest corner of the said East Half of the Southeast Quarter; thence Northerly parallel with the West line of the said East Half of the Southeast Quarter 220.48 feet; thence Easterly at an angle of 96 degrees 18 minutes measured counterclockwise from the last described course, 195.28 feet; thence Southerly parallel with the said West line, 228.51 feet to the said South line of Section 9; thence Westerly on the said South line 194.57 feet to the said point of beginning, ALSO Part of the East Half of the Southeast Quarter of Section 9, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois described as follows: Beginning at a point on the West line of said East Half of the Southeast Quarter of Section 9, 205.0 feet North of the Southwest corner thereof; thence Northeasterly at an angle of 96 degrees 18 minutes measured counterclockwise from the said West line, 403.28 feet; thence Northerly parallel with the said West line, 217.35 feet; thence Southwesterly 403.28 feet to a point on the said West line, 217.35 feet North of the said point of beginning; thence Southerly on the said West line, 217.35 to the said point of beginning. All of the above situated in the County of Ogle and State of Illinois.

Tract 3:

PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 9 EAST OF THE FOURTH PRINCIPAL MERIDIAN, OGLE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST, A DISTANCE OF 1310.13 FEET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) TO THE SOUTHWEST CORNER OF THE EAST HALF (1/2) OF SAID SOUTHEAST QUARTER (1/4); THENCE NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 422.28 FEET (RECORDED AS 422.35 FEET) ON THE WEST LINE OF THE EAST HALF (1/2) OF SAID SOUTHEAST QUARTER (1/4) TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUING NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 237.72 FEET ON SAID WEST LINE; THENCE SOUTH 86 DEGREES 41 MINUTES 25 SECONDS EAST, A DISTANCE OF 591.22 FEET; THENCE SOUTH 22 DEGREES 54 MINUTES 33 SECONDS EAST, A DISTANCE OF 583.93 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF PINES ROAD RECORDED AS DOCUMENT NUMBER 201201203032 ON APRIL 19, 2012; THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST, A DISTANCE OF 238.00 FEET ON SAID RIGHT OF WAY LINE TO THE EAST LINE OF THE PROPERTY CONVEYED TO LEGACY MANAGEMENT GROUP, INC. RECORDED AS DOCUMENT NUMBER 0710588 ON OCTOBER 15, 2007; THENCE NORTH 1 DEGREE 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 391.66 FEET ON SAID EAST LINE TO THE NORTH LINE OF PROPERTY SO CONVEYED; THENCE SOUTH 84 DEGREES 49 MINUTES 41 SECONDS WEST, A DISTANCE OF 594.38 FEET (RECORDED AS 594.42 FEET) ON SAID NORTH LINE TO THE POINT OF BEGINNING; SITUATED IN THE TOWNSHIP OF PINE CREEK, THE COUNTY OF OGLE AND THE STATE OF ILLINOIS.

Parcel Identification Number(s): 15-09-400-007 and 15-09-400-010

Common Location: 6194 W. Pines 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

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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 Legacy Management Group, Inc., 6194 W. Pines Rd., Mt. Morris, IL in case #4-15SU. The applicant is requesting a Special Use Permit in the I-1 Industrial District to allow a slaughterhouse/packing plant on Parcel Identification Nos. 15-09-400-007 and 15-09-400-010. Said parcel(s) are 10.13 total acres in area and are located in part of the SW 1/4 SE 1/4 Section 9, Township 23 North, Range 9 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and are located in Pine Creek Township at 6194 W. Pines Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 27, 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 9.08(C) (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. **Continued operation of the existing and established 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. 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 use of the site is existing and established, and has not prevented development and use of neighboring property. 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 W. Pines Road and S. Forest 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 use of the site is existing and established, has been operated in a manner that is not detrimental to the permitted developments and uses in the surrounding area, and is deemed essential and desirable to preserve and promote the public health, safety and general welfare of 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 I-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-2 Single Family Residence District be granted to allow a two-family dwelling.

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

Respectfully submitted this 27<sup>th</sup> day of August 2015 by the Ogle County Zoning Board of Appeals.

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

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

ATTEST:



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