

Laura J. Cook  
Ogle County Clerk & Recorder

July 26, 2016

The Ogle County Board, at their regular meeting held on Tuesday, July 19, 2016, Welty introduced the petition of Carla & Brad Miller, 7 E. IL Rte. 72, Leaf River, IL for a Special Use permit to allow the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) in the AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of the NW1/4 of the NW/14 of Section 34 Byron Township 25N, R10E of the 4th P.M., Ogle County, IL, 7.5 acres, more or less. Property Identification Number: 04-34-100-003. Common Location: 7 E. IL Rte. 72. Welty moves to approve #5-16 Special Use for Carla & Brad Miller – O-2016-0701 as presented, Bowers seconds the motion.

Motion carries. (Placed on file)



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. 2016-0701

AN ORDINANCE APPROVING A SPECIAL USE PERMIT  
ON PROPERTY LOCATED AT 7 E. IL ROUTE 72 IN BYRON TOWNSHIP

---

WHEREAS, Carla & Brad Miller, 7 E. IL Route 72, Leaf River, IL have filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 5-16SU) to allow a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 7 E. IL Route 72 in Byron 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 June 30, 2016, 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 as set forth in the *Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals* dated June 30, 2016, 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 AG-1 Agricultural District (Petition No. 5-16SU) to allow a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 7 E. IL Route 72 in Byron Township and legally described as shown in Exhibit “A” attached hereto 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 Carla & Brad Miller, 7 E. IL Route 72, Leaf River, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 5-16SU) to allow a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 7 E. IL Route 72 in Byron 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 19<sup>ST</sup> DAY OF JULY 2016 A.D.



ATTEST:

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

Kim P. Gouker, Chairman of the Ogle County Board

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Part of the Northwest Quarter (1/4) of Section 34, Township 25 North, Range 10 East of the 4<sup>th</sup> P.M., Ogle County, Illinois described as follows:

Beginning at the Northwest corner of said Section 34; thence Southerly on the West line of said Section 34, 645.0 feet; thence Easterly parallel with the North line of said Section 34, 223.40 feet; thence Northerly parallel with the said West line, 27.0 feet; thence Easterly parallel with the said North line, 295.50 feet; thence Northerly parallel with the said West line, 618.0 feet to the said North line of Section 34; thence Westerly on the said North line, 518.90 feet to the said Point of Beginning, situated in the County of Ogle and State of Illinois.

Property Identification Number (PIN): 04-34-100-003  
Common Location: 7 E. IL Route 72

**EXHIBIT "B"**

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

# Ogle County Zoning Board of Appeals

911 W. Pines Road  
Oregon, IL 61061  
815.732.1190  
Fax: 815.732.2229

---

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

---

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Carla & Brad Miller, 7 E. Il Route 72, Leaf River, IL in case #5-16SU. The applicants are requesting a Special Use Permit in the AG-1 Agricultural District to allow a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on Parcel Identification No. 04-34-100-003, a 7.5-acre parcel located in part of the NW 1/4 NW 1/4 Section 34, Township 25 North, Range 10 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and located in Byron Township at 7 E. IL Route 72.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on June 30, 2016 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 16-9-8C (Standards for Special Use Permits) of the *Ogle County Amendatory Zoning Ordinance* that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. **The site is located within a predominately agricultural area, is surrounded by farmland. The proposed use is an occasional use, and will not alter the characteristics of the site. 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 use will not dominate the immediate neighborhood as it is an occasional use and will not alter the characteristics of the site. 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. IL Route 72, 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 located within an agricultural area and is surrounded by farmland. The proposed use is an occasional use, and will not alter the characteristics of the site. Evidence indicates that the proposed use can be operated safely, and is deemed essential or 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 AG-1 zoning district regulations. STANDARD MET.**

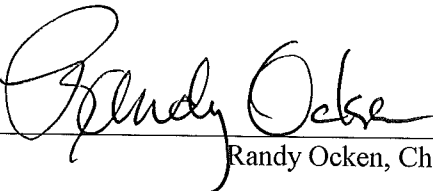
**RECOMMENDATION:** After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in Section 6-9-8C of the *Ogle County Amendatory Zoning Ordinance*.

Therefore, the Zoning Board of Appeals hereby recommends that a Special Use Permit in the AG-1 Agricultural District be granted to allow a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events).


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

Respectfully submitted this 30<sup>th</sup> day of June 2016 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman**  
**Maynard Stivers**  
**Paul Soderholm**  
**James Reed**  
**Dennis Williams**

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

ATTEST:

  
\_\_\_\_\_  
Shannon Landers, Acting Secretary  
for Michael Reibel, Secretary