STATE OF ILLINOIS )
) SS
COUNTY OF OGLE )

ORDINANCE NO. 2009-0501

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY LOCATED AT 11512 W. PINES ROAD, BUFFALO TOWNSHIP

WHEREAS, Shirley M. Gentry, 11380 W. Pines Rd., Polo, IL has filed a petition for a Map Amendment (Petition No. 02-09AM) to re-zone from R-2 Single Family Residence District to B-1 Business District on property located at 11512 W. Pines Road in Buffalo Township and legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on April 30, 2009, at which the petitioner and her representatives (Nancy Mitchell and Perry Beyers) presented evidence, testimony, and exhibits in support of the requested Map Amendment, and two member(s) of the public spoke in favor of 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 April 30, 2009, 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 9.07(G) 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 parcel of land located at 11512 W. Pines Road in Buffalo Township and legally described as shown in Exhibit "A" attached hereto, is hereby rezoned from R-2 Single Family Residence District to B-1 Business District, 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 9.10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF MAY 2009 A.D.

W. Ed Rice, 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**

The East 10 acres of the Southeast 1/4 of the Southwest 1/4 of Section 10, Township 23 North, Range 8 East of the 4th P.M.; and, all that part of the Northeast 1/4 of the Southwest 1/4 of Section 10, lying south of the right-of-way of the Burlington Northern Santa Fe Railroad, Section 10, Township 23 North, Range 8 East of the 4th P.M., containing 13.25 acres, more or less.

Property Identification No. 14-10-300-005
Common Location: 11512 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

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 Shirley M. Gentry, 11380 W. Pines Rd., Polo, IL, in case #2-09AM. The applicant is requesting a map amendment to change the zoning classification of Parcel Identification No. 14-10-300-005, a 13.25 acre parcel, from R-2 Single Family Residence District to B-1 Business District. Said parcel is part of Section 10, Township 23N, Range 8E of the 4th Principal Meridian and is located in Buffalo Township at 11512 W. Pines Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on April 30, 2009 at the Ogle County Farm Bureau, 421 W. Pines Rd., Oregon, Illinois and hereby report their findings of fact and their recommendation as follows:

**SITE INFORMATION:** See Staff Report (attached herewith).

**ANALYSIS OF SEVEN 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. **A majority of the site is currently in agricultural use, with the remainder being a former agricultural equipment sales facility. Continued use of the site for business use is compatible with the established agricultural and residential uses and zoning of nearby properties, as the site has been previously used for business use, the site is located within a predominately agricultural area, and is near the City of Polo on a County highway. Although there are adjacent properties zoned for residential and industrial use, they have been and are currently in agricultural use. <u>Standard met</u>.**

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 for business use will not create a burden on the County of Ogle and other public service providers due to its relative proximity to urban services and the low impact of continued business use on public services. <u>Standard met</u>.**

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 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 continued use of the site for business uses. Standard met.**

4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the B-1 zoning district, as it had been in business use for many years, and is on a County highway. 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 vicinity of the site other than agricultural uses. The proposed zoning classification of B-1 Business District is consistent with the former use of the site and the existing agricultural uses in the vicinity. 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. The proposed amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance. 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 9.07(G) 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 R-2 Single Family Residence District to B-1 Business 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 April 2009 by the Ogle County Zoning Board of Appeals.

**Bruce McKinney, Chairman**
**Maurice Bronkema**
**Jason Sword**
**Randall Anderson**
**Curtis Freeberg**

_____
Bruce McKinney, Chair

ATTEST:

_____
Michael Reibel, Secretary

STATE OF ILLINOIS )
)SS
COUNTY OF OGLE )

In the Matter of the Petition
of
Shirley M. Gentry, Buffalo Township
Ogle County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 30th day
of April A.D. 2009
before the Ogle County
Zoning Board of Appeals

Present:

Maurice Bronkema
Randall Anderson
Curtis Freeberg
Jason Sword
Bruce McKinney, Chairman

Michael Reibel, Zoning Administrator



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MR. McKINNEY: I call this meeting of the April Ogle County ZBA meeting to order. Please stand for the pledge of allegiance.

(WHEREUPON the Pledge of Allegiance was recited.)

MR. McKINNEY: Roll call.

(Roll call was taken and all were present.)

MR. McKINNEY: Five present. We do have a quorum. The verbatim transcripts serving as minutes from the last meeting is on file and will not be read at this time. I'll entertain a motion to approve the minutes of the last ZBA meeting.

MR. BRONKEMA: So moved.

MR. FREEBERG: Second.

MR. McKINNEY: Maury moved, Curtis has seconded. All in favor signify by saying aye.

(All those simultaneously responded.)

MR. McKINNEY: Any opposed say no. Motion passes. All testimony will be taken under oath. Please come forward to the center part right up here in front of the table. Please state your



name and your address to the recording secretary, please spell your last name. When testifying please speak clearly and loud enough to be heard. We don't have any microphones anymore, so we got to make sure the people in the back can hear you.

This hearing is the only opportunity to place testimony and evidence on the record. There will not be another opportunity beyond tonight's hearing to submit additional evidence or testimony for consideration. Please turn off all cell phones, pagers or any other electronical (phonetic) devices. The procedures on this hearing that will be followed tonight is as found in the ZBA Rules of Procedures or the Citizen's Guide to the Zoning Board of Appeals which are available and can be picked up right here on the table next to Mr. Reibel.

Mr. Lloyd Funk is present representing the Ogle County Planning Commission, if any of the Board members have questions on their actions on the petitions that we're hearing tonight. If anyone has any trouble hearing, please let me know.

Mr. Reibel, the first order of business?
MR. REIBEL: The first order of business is to consider the request filed March 20th, 2009 of Shirley M. Gentry, Trustee, 11380 West Pines Road, Polo, Illinois for an Amendment to the Zoning District to rezone from R-2 Single-Family Residence District to B-1 Business District on property described as follows and owned by the Petitioner:
Part of the E1/2 SW1/4 Section 10 Buffalo Township 23N, R8E of the 4th P.M., Ogle County, IL, 13.25 acres, more or less. Property Identification Number: 14-10-300-005. Common Location: 11512 West Pines Road.
For the record a sign was posted along the frontage of the premises indicating that a zoning hearing is to be held in regards to this site. A legal notice was published in the Monday, April 6th edition of the Ogle County Life notifying the public of the specifics of the petition and the hearing this evening. And all adjoining property owners to the petition have been notified by certified mail of the hearing this evening and the specifics of the petition.
At the April 23rd, 2009 meeting of the



Ogle County Regional Planning Commission, Mr. Okken moved to recommend approval of the petition as the proposed use seems to be an appropriate use of the property and the site was in business for many years. The motion was seconded by Mr. Conn. The motion carried by -- unanimously by a roll call vote.
Under the staff report, a copy of which is on file and the Board members have received, I will point out under general information the site is located on the north side of West Pines Road beginning approximately four-tenths of a mile east of Union Avenue/Union Road and approximately half a mile west of Oregon Trail Road. Existing Land Use: Approximately 11 acres of the site is in agricultural use (cropland); the remainder of the site is in drives, grass and buildings. The site had been utilized as an agricultural equipment sales facility. Surrounding Land Use and Zoning: The site is in a predominantly agricultural area and is surrounded by agricultural uses. The site is bordered on the north by the Burlington Northern Santa Fe Railroad. Land adjacent to the west,



south and east is zoned R-2 Single-Family Residence District; land adjacent to the north (north of the BNSF Railroad) is zoned I-1 Industrial District. Zoning History: The site was zoned R-2 Single-Family Residence District in 1965 upon adoption of the first Ogle County Zoning Ordinance. Special Information, Public Utilities: None. Transportation: Pines Road is a bituminous surfaced, Ogle County highway. Physical Characteristics: According to the Ogle County Digital Soil Survey, soil types on the site are 51A - Muscatine silt loam, zero to 2 percent slopes; and 86B - Osco silt loam, 2 to 5 percent slopes. Slopes on site range from nearly level to gently sloping. The 51A soil, which accounts for approximately 46.1 percent of the total site, is somewhat poorly drained, is not flooded or ponded and has a seasonal zone of saturation at 18 inches January to May and is rated as being "very limited" for septic systems. The 86B soil, which accounts for approximately 53.9 percent of the total site, is well drained, is not flooded or ponded, has a seasonal zone of saturation at 60 inches January



to May and is rated as being "somewhat limited" for septic systems. All soils on site are classified as being "Prime Farmland".
I have a letter on file from the City of Polo dated April 7th, 2009 which states that the Polo City Council consensus was there is no objection with Mrs. Shirley M. Gentry's request to rezone from R-2 to B-1 at 11512 West Pines Road. Signed by Susie Corbitt (phonetic), Polo City Clerk.
I have a letter from the Ogle County Health Department on file which states that on April 28th, 2009 an investigation revealed by excavation a complete working septic system at 11512 West Pines Road, Polo, Illinois. Signed by R. Gerald Huff (phonetic), III, Environmental Health Inspector.
And the Illinois Department of Natural Resources reports that the Illinois Natural Heritage Database contains no record of state-listed threatened or endangered species, Illinois Natural Area Inventory Sites, dedicated Illinois nature preserves or registered land and water reserves in the vicinity of the project

location and the process with IDNR -- the consultation is terminated. That's all I have.

MR. McKINNEY: This is a public hearing. I'll entertain a motion to go into a public hearing.

MR. SWORD: So moved.

MR. ANDERSON: Second.

MR. McKINNEY: Jason has moved, Randy has seconded to go into a public hearing. All those in favor signify by saying aye.

(All those simultaneously responded.)

MR. McKINNEY: Any opposed say nay. The motion passes. Will the person or people that will be testifying please come forward and be sworn in. Please raise your right hand.

SHIRLEY GENTRY and NANCY MITCHELL, being first duly sworn, testified as follows:

MR. McKINNEY: Give her your names and addresses.

MRS. GENTRY: Shirley Gentry, 11380 White Pines Road.

MS. MITCHELL: Nancy Mitchell, 515 East Buffalo, Polo.



MR. McKINNEY: Okay. Tell us about your petition.

MS. MITCHELL: Well, as was stated, the property has been used for business. My dad had his business there for some 40 years and then Bill and Pat Saunders took over the business from him. Bill and Pat sold out the end of -- or in December and the building had the potential to sit empty for some time, but Perry came along and was interested in it and we found that it wasn't zoned correctly and we want to do everything that we need to do to zone it correctly so that he can use it. We're very glad to have him there. His porta potties are nicely lined and the farm looks very neat.

MR. McKINNEY: Do you have anything to state right now?

MRS. GENTRY: No.

MR. McKINNEY: Okay. A few questions and I was at the planning commission meeting, so I think I know what your answers are, but just to get it on the record, cleaning out the porta potties, will that be done on site?

MS. MITCHELL: No, what he does -- does he



need to come up here and talk about his --

MRS. GENTRY: He takes them to different places.

PERRY BUYERS,

being first duly sworn, testified as follows:

MR. McKINNEY: Give her your name and address.

MR. BUYERS: Perry Buyers, 9201 North Raven Crest, Byron.

MR. McKINNEY: If you can answer the question.

MR. BUYERS: As far as pumping?

MR. McKINNEY: Yeah, pumping out, cleaning out the porta potties, general operations on site.

MR. BUYERS: The units are all pumped out wherever they're delivered. There is not any waste brought back to the site inside the porta potties, they're cleaned wherever they were delivered.

MR. McKINNEY: But you will be cleaning the outside?

MR. BUYERS: We'll be, yeah, washing the dust off the outside from traveling gravel



roads, sitting in parks, what have you, so --

MR. McKINNEY: The only place you're going to be storing these porta potties is where you currently have them or are you planning on using more of the land to store -- store the porta potties?

MR. BUYERS: My plan is to keep the units organized by color in the back which would be the north, as much behind the buildings as possible.

MR. McKINNEY: About how far away is your property from the city limits of Polo?

MS. MITCHELL: Is it a half a mile? Quarter mile, half a mile.

MRS. GENTRY: We're within a mile and a fourth.

MR. McKINNEY: Is there anymore businesses between the city limits and where you're at or is it all farmland?

MS. MITCHELL: There's a farm towards town and then a church.

MR. McKINNEY: I'm just trying to establish compatibility and if this would allow the farms to grow or other businesses to come

in.
MRS. GENTRY: Well, there's a church on the corner and then my neighbor is next and that's Bill and Emily Meyer right here, they live right next to me, their farmland is next to Perry.
MR. BRONKEMA: Is there any potential of them -- I mean, them sitting there, will smell be a problem?
MR. BUYERS: No.
MR. BRONKEMA: You said you clean them out on the site, I know that, but --
MR. BUYERS: Right.
MR. BRONKEMA: -- sitting there would it be possible to have any problem that way?
MR. BUYERS: No, the chemical that's put in the toilets is a sanitizer and so it takes away the smell and then certainly as they're pumped there's nothing left in the tank.
MR. SWORD: So basically the site is used for storage until they're distributed to wherever they go then, right?
MR. BUYERS: Correct.
MR. McKINNEY: And your pumping tank



that's on the truck, you take that to the landfill or where do you dispose of that stuff?
MR. BUYERS: The waste is taken to an approved municipal dump and those trucks are emptied at those sites.
MR. BRONKEMA: They're not left on the sites at all?
MR. BUYERS: No.
MR. McKINNEY: There shouldn't be any problems with smell like attracting rodents or flies more than what's usual out there during the summer?
MR. BUYERS: No.
MR. McKINNEY: Have you operated a porta potty business like this in other areas or --
MR. BUYERS: No.
MR. ANDERSON: Where you store the porta potties in the back, will that be on grass or on a gravel base?
MR. BUYERS: There is some gravel there, some is sitting on grass at this point. The plan is to add more gravel.
MR. ANDERSON: So you'll have a firm base to set them on?



MR. BUYERS: Right.
MR. BRONKEMA: The nice part is it's a quiet operation and there's no smoke stack on it, so --
MR. BUYERS: No.
MR. McKINNEY: And you won't really have any deliveries or picking up except for your trucks or --
MR. BUYERS: Correct.
MR. McKINNEY: You wouldn't have any semis or anything coming in --
MR. BUYERS: No.
MR. McKINNEY: -- for loading?
MR. BUYERS: No.
MR. McKINNEY: Okay. Any other questions from the Board right now?
MR. SWORD: Nope.
MR. McKINNEY: Okay. You got anything else to add?
MR. BUYERS: No.
MR. McKINNEY: Thank you.
MR. MITCHELL: Thank you.
MR. McKINNEY: Nobody has filed a letter of appearance to ask questions, so I will ask is



there anybody here that would like to testify in favor of this petition? Come forward. She talked you into it.
MRS. MEYER: He doesn't hear real well so I told him what you said.
MR. McKINNEY: Oh, we'll try to speak up a little bit louder.
WILLARD MEYER,
being first duly sworn, testified as follows:
MR. MEYER: Willard Meyer, 708 East Dixon Street, Polo, Illinois.
THE REPORTER: Will you spell Meyer?
MR. MEYER: M-E-Y-E-R. I live -- I have land directly on the west side of the proposed zoning change and I hope you approve it because I might possibly want the same thing in years down the road. That's all I have to say.
MR. McKINNEY: Okay.
MR. MEYER: Unless you have questions.
MR. McKINNEY: Anybody have any questions for Mr. Meyer?
MR. SWORD: Nope.
MR. BRONKEMA: Don't sound like it will be a problem to you.

MR. MEYER: Nope.
MR. McKINNEY: Is there anybody else here that would wish to testify in favor of the petition?
MR. FOSSLER: Bruce?
MR. McKINNEY: Yes, sir.
PHIL FOSSLER,
being first duly sworn, testified as follows:
MR. FOSSLER: Phil Fossler, F-O-S-S-L-E-R, Buffalo Township Supervisor. 10653 West Henry Road, Polo, Illinois. Buffalo Township would like to see this happen. We talked about it at the board meeting and have no objection of any kind. I just wanted it on the record that the township is in favor of it.
MR. McKINNEY: Thank you. Anybody have any questions for Mr. Fossler?
MR. SWORD: Nope.
MR. McKINNEY: Okay. Is there anybody else that wishes to testify in favor? Anybody here that wishes to testify opposing this petition? Seeing none, I'll ask for a motion to close the public hearing.
MR. BRONKEMA: So moved.



MR. FREEBERG: Second.
MR. McKINNEY: Maury has moved, Curtis has seconded to go back into open session. All those in favor signify by saying aye.
(All those simultaneously responded.)
MR. McKINNEY: Any opposed say nay. Motion passes. We're back into open session. Shall we go through our finding of facts?
MR. REIBEL: Is that a yes?
MR. McKINNEY: Yes.
MR. REIBEL: Standard No. 1) That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property.
MR. SWORD: A majority of the site is currently in agricultural use, with the remainder being a former agricultural equipment sales facility. Continued use of the site for business use is compatible with the established agricultural and residential uses and zoning of nearby properties, as the site has been previously used for business use, the site is located within a predominantly agricultural area



and is near the City of Polo and a county highway. Although there are adjacent properties zoned for residential and industrial use, they have been and are currently in agricultural use. I feel that standard is met.
(All those simultaneously agreed.)
MR. REIBEL: Standard 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.
MR. BRONKEMA: Continued use of the site for business will not create a burden on the County of Ogle and other public facility providers due to its relative proximity to urban services and the low impact of continued business use on public services. I feel that standard is met.
(All those simultaneously



agreed.)
MR. REIBEL: Standard 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.
MR. ANDERSON: 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 continued use of the site for business purposes. I feel that standard is met.
(All those simultaneously agreed.)
MR. REIBEL: Standard 4) That the subject property is suitable for the proposed zoning classification.
MR. FREEBERG: The site is suitable for the B-1 Zoning District as it has been in business use for many years and is on a county highway. I feel the standard is met.
(All those simultaneously

agreed.)

MR. REIBEL: Standard 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.

MR. ANDERSON: There is no trend of development in the vicinity of the site other than agricultural uses. The proposed zoning classification of B-1 Business District is consistent with the former use of the site and the existing agricultural uses in vicinity. I feel that standard is met.

(All those simultaneously agreed.)

MR. REIBEL: Standard 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



findings, if applicable, which they're not in this instance, and the recommendation of the Ogle County Regional Planning Commission with respect to the Ogle County Amendatory Comprehensive Plan.

MR. SWORD: The proposed Amendment is consistent with the public interest and not solely for the interest of the applicant. The proposed Amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance and the Regional Planning Commission has recommended approval. I feel that standard is met.

(All those simultaneously agreed.)

MR. REIBEL: And has the Board read and considered the LaSalle factors as applied to this petition?

(All those simultaneously responded affirmatively.)

MR. McKINNEY: Any other comments or I will entertain a motion.

MR. SWORD: Nope.

MR. McKINNEY: Is there a motion?



MR. BRONKEMA: I'll make the motion that we grant the rezoning from R-2 Single-Family Residence to B-1 Business District on the property that we've just discussed here with all the standards being met.

MR. SWORD: I'll second that.

MR. BRONKEMA: We have a property that don't have a smoke stack or a lot of noise, it's a quiet operation, so they got to be pretty tickled with a business like that.

MR. McKINNEY: Maury has moved, Jason has seconded to recommend to the County Board to approve Amendment No. 2-09. With that, roll call.

MR. REIBEL: Freeberg?

MR. FREEBERG: Yes.

MR. REIBEL: Anderson?

MR. ANDERSON: Yes.

MR. REIBEL: Sword?

MR. SWORD: Yes.

MR. REIBEL: Bronkema?

MR. BRONKEMA: Yes.

MR. REIBEL: McKinney?

MR. McKINNEY: Yes.



(By voice vote five ayes.)

MR. REIBEL: Five voted yes.

MR. McKINNEY: Motion passes.

MR. REIBEL: This petition will go on to the Planning and Zoning Committee for recommendation on May 13th. That meeting is at 1 o'clock at the sheriff's office on Jefferson Street in Oregon and will go to the County Board on May 19th and that meeting is at 5:30 in the evening right here at the Farm Bureau.

Now on this 30th day of April, A.D. 2009, I do signify that the foregoing testimony was given before the Ogle County Zoning Board of Appeals.

Bruce McKinney, Chairman

Michael Reibel,
Zoning Administrator

Julie K. Edeus
Certified Shorthand Reporter
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