The Ogle County Board, at their regular meeting held on Tuesday, April 18, 2017, Janes presents the petition for #2-17 Special Use - Patricia M. Fennell, 424 Davis St., Downers Grove, 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 petitioner: Part of G.L. 3 & 4 of the NW1/4 Fractional Section 5 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 44.16 acres, more or less. P. I. N.: 16-05-100-008 - Common Location: 1746 W. Oregon Trail Rd.

Janes moves to approve O-2017-0401 as presented, Smith seconds and the 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.
AN ORDINANCE APPROVING A SPECIAL USE PERMIT ON PROPERTY LOCATED AT 1746 W. OREGON TRAIL ROAD IN OREGON-NASHUA TOWNSHIP

WHEREAS, Patricia M. Fennell, 424 Davis St., Downers Grove, IL has filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 2-17SU) to allow the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 1746 W. Oregon Trail Road in Oregon-Nashua 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 March 30, 2017, at which the petitioner 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 one member 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 subject to six conditions as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated March 30, 2017, 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 subject to six conditions; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning & Zoning Committee, and has determined that granting the Special Use Permit in the AG-1 Agricultural District (Petition No. 2-17SU) to allow the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 1746 W. Oregon Trail Road in Oregon-Nashua 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 Patricia M. Fennell, 424 Davis St., Downers Grove, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 2-17SU) to allow the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on property located at 1746 W. Oregon Trail Road in Oregon-Nashua Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved subject to the following conditions:

1. All proposals and representations made by the applicant and/or applicant’s representative shall be conditions of the Special Use Permit.
2. The boundary of the property shall be clearly marked to deter guests from leaving the property and trespassing onto adjoining properties.
3. An Occupancy Permit shall be obtained from the Oregon Fire Protection District prior to commencement of the authorized use, proof of which shall be submitted to the Ogle County Planning & Zoning Department.
4. All music and other loud activities shall cease no later than 11:00 P.M.
5. No outside music or noise-generating activities shall be allowed.
6. A minimum 5 foot high wire fence shall be maintained along the west boundary of the property from Oregon Trail Road to a minimum of 300 feet into the timber to the north, and any gates shall be closed and locked during events.

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 Amendingary Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 18TH DAY OF APRIL, 2017 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”

LEGAL DESCRIPTION

Parcel 1

Part of the Northwest Fractional Quarter of Section 5, Township 23 North, Range 10 East of the Fourth Principal Meridian, bounded and described as follows:

Commencing at the Southeast corner of the Northwest Fractional Quarter of said Section 5; thence North 1 degree 14 minutes 41 seconds West along the East line of said Northwest Fractional Quarter, a distance of 4166.03 feet; thence South 80 degrees 11 minutes 41 seconds West parallel with the centerline of a public road designated Oregon Trail Road, a distance of 909.21 feet to the Point of Beginning of the hereinafter described parcel of land; thence North 13 degrees 02 minutes 39 seconds West, a distance of 209.35 feet; thence South 82 degrees 06 minutes 39 seconds West, a distance of 400.00 feet; thence South 13 degrees 02 minutes 39 seconds East, a distance of 1093.42 feet to the centerline of a public road designated Oregon Trail Road; thence North 89 degrees 06 minutes 39 seconds East along said centerline, a distance of 400.00 feet; thence North 13 degrees 02 minutes 39 seconds West, a distance of 884.07 feet to the Point of Beginning, containing 10.000 acres, more or less, all situated in the Township of Oregon, the County of Ogle and the State of Illinois.

Parcel 2

Part of the Northwest Fractional Quarter of Section 5, Township 23 North, Range 10 East of the Fourth Principal Meridian, bounded and described as follows:

Commencing at the Southeast corner of the Northwest Fractional Quarter of said Section 5; thence North 1 degree 14 minutes 41 seconds West along the East line of said Northwest Fractional Quarter, a distance of 4166.03 feet to the Point of Beginning of the hereinafter described parcel of land; thence South 80 degrees 11 minutes 41 seconds West parallel with the centerline of a public road designated Oregon Trail Road, a distance of 909.21 feet; thence North 13 degrees 02 minutes 39 seconds West, a distance of 209.35 feet; thence South 82 degrees 06 minutes 39 seconds West, a distance of 400.00 feet; thence North 1 degree 14 minutes 41 seconds West parallel with the East line of said Northwest Fractional Quarter, a distance of 1023.07 feet to the North line of Government Lot 4 of said Northwest Fractional Quarter; thence North 86 degrees 00 minutes 04 seconds East along said North line, a distance of 1340.75 feet to the East line of said Northwest Fractional Quarter; thence South 1 degree 14 minutes 41 seconds East along said East line, a distance of 1110.80 feet to the Point of Beginning, containing 34.165 acres, more or less, all situated in the Township of Oregon, the County of Ogle and the State of Illinois.

Property Identification Number (PIN): 16-05-100-008
Common Location: 1746 W. Oregon Trail Road
EXHIBIT “B”

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

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Patricia M. Fennell, 424 Davis St., Downers Grove, IL in case #2-17SU. The applicant is requesting a Special Use Permit in the AG-l Agricultural District to allow the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) on Parcel Identification No. 16-05-100-008, a 44.16-acre parcel located in part of G.L. 3 & 4 of the NW Fractional Section 5 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, and located in Oregon-Nashua Township at 1746 W. Oregon Trail Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on March 30, 2017 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-8C (Standards for Special Use Permits) of the Ogle County Amendatory Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. The site is located within a predominately agricultural area, is surrounded by farmland or recreational land. The proposed use is an occasional use, and will not significantly 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 significantly 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 W. Oregon Trail Road, access roads, drainage and other such necessary facilities have been or will be provided. STANDARD MET.
5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. The proposed use is located within an agricultural area and is surrounded by farmland and recreational land. The proposed use is an occasional use, and will not significantly 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 the operation of a Small Rural Business (venue for holding wedding ceremonies, wedding receptions and special events) subject to the following conditions:

1. All proposals and representations made by the applicant and/or applicant’s representative shall be conditions of the Special Use Permit.
2. The boundary of the property shall be clearly marked to deter guests from leaving the property and trespassing onto adjoining properties.
3. An Occupancy Permit shall be obtained from the Oregon Fire Protection District prior to commencement of the authorized use, proof of which shall be submitted to the Ogle County Planning & Zoning Department.
4. All music and other loud activities cease no later than 11:00 P.M.
5. No outside music or noise-generating activities shall be allowed.
6. A minimum 5 foot high wire fence shall be maintained along the west boundary of the property from Oregon Trail Road to a minimum of 300 feet into the timber to the north, and any gates shall be closed and locked during events.

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

Respectfully submitted this 30th day of March 2017 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Maynard Stivers
Paul Soderholm
David Williams
Cody Considine

______________________________
Randy Ocken, Chairman

ATTEST:

Michael Reibelt, Secretary