WHEREAS, Aaron A. Noe, 101W. Washington St., Baileyville, IL has filed a petition for a Map Amendment (Petition No. 6-18AM) to re-zone from B-1 Business District to R-1 Rural Residence District on property located at 101 W. Washington Street, Baileyville, IL in Forreston 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 28, 2018 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 the petition, and no members(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 Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated June 28, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and 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 Map Amendment be approved as recommended by the Zoning Board of Appeals; 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 Supervisor of Assessments and Planning & 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 Aaron A. Noe, 101W. Washington St., Baileyville, IL for a Map Amendment (Petition No. 6-18AM) to re-zone from B-1 Business District to R-1 Rural Residence District on property located at 101 W. Washington Street, Baileyville, IL in Forreston 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 17TH DAY OF JULY 2018 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

All of Block 25 and the East Half (½) of Block 24 and that part of Commercial Street lying between said blocks and that part of South Street lying South of said Block 25 and the East Half (½) of said Block 24, all according to the original Plat of the Town of Baileyville as recorded in the Recorder's Office of Ogle County, Illinois, and the West Half (½) of Block 24 and the part of South Street lying South of the West Half (½) of said Block 24, all according to the original Plat of the Town of Baileyville as recorded in the Recorder's Office of Ogle County, Illinois; located in part of the NE1/4 of Section 5 Forreston Township 25N, R8E of the 4th P.M., containing 4.22 acres more or less.

Parcel Identification Number: 02-05-284-002
Common Location: 101 W. Washington Street, Baileyville, IL
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION
OF THE 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 Aaron A. Noe, 101 W. Washington St., Baileyville, IL in case #06-18AM. The applicant is requesting a Map Amendment to change the zoning classification from B-1 Business District to R-1 Rural Residence District on Parcel Identification No. 02-05-284-002, a parcel of land legally described as all of Block 25 and the East Half (½) of Block 24 and that part of Commercial Street lying between said blocks and that part of South Street lying South of said Block 25 and the East Half (½) of said Block 24, all according to the original Plat of the Town of Baileyville as recorded in the Recorder's Office of Ogle County, Illinois, and the West Half (½) of Block 24 and the part of South Street lying South of the West Half (½) of said Block 24, all according to the original Plat of the Town of Baileyville as recorded in the Recorder's Office of Ogle County, Illinois; located in part of the NE1/4 of Section 5 Forreston Township 25N, R8E of the 4th P.M., containing 4.22 acres more or less and commonly located at 101 W. Washington Street in Baileyville.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on June 28, 2018 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 16-9-7G (Report by Zoning Board of Appeals) 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 R-1 to allow continued residential use of the site is compatible with the existing uses and zoning of nearby property, as the site is located in an area that contains a mixture of residential and agricultural uses, and the site is adjoined by both the R-2 Single Family Residence District and the B-1 Business District. 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 residential use of the site will not create a burden on the County of Ogle and other public service providers, as no 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. **No adverse impacts or impact on the environment will result from the proposed map amendment, as no change in the use of the property is proposed. Standard met.**
4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the R-1 zoning district, as it is currently, and has been used for single-family residential purposes and it conforms to the minimum lot size and width of the R-1 zoning district. 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. **The trend of development in the general area is of existing and established residential uses and agricultural uses. 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 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 and surrounding uses; 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 B-1 Business 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 28th day of June 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken  
David Williams  
Paul Soderholm  
Mark Hayes  
James Reed

Randy Ocken, Chairman  

**ATTEST:**  
Michael Reibel, Secretary