February 26, 2020

The Ogle County Board, at their regular meeting held on Tuesday, February 18, 2020, Fritz presents #11-19 SPECIAL USE ~ Wayne & Nancy Alderks, 4553 Rainbow Ct., Loves Park, IL; and Clayton Ziller, 18770 E. McNeal Rd., Monroe Center, IL for a Special Use to allow a single-family dwelling in the AG-1 Agricultural District on less than 40 acres on property described as follows and owned by Clayton Ziller: Part of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 03, Township 42 North, Range 2 East of the 3rd P.M., Monroe Township, Ogle County, IL, 3.08 acres, more or less - P.I.N.: 12-03-400-008 - Common Location: 18770 E. McNeal Rd.

Fritz moves to approve O-2020-0201 as presented and Corbitt seconds.

Item approved 4-0 at Zoning Board of Appeals.

Motion carries. (Placed on file)
WHEREAS, Wayne & Nancy Alderks, 4553 Rainbow Ct., Loves Park, IL; and Clayton Ziller, 18770 E. McNeal Rd. have filed a petition for a Special Use in the AG-1 Agricultural District (Petition No. 11-19SU) to allow a single-family dwelling in the AG-1 Agricultural District on less than 40 acres, part of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 03, Township 42 North, Range 2 East of the 3rd P.M., Monroe Township, Ogle County, IL, 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 January 30th, 2020 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use, no member(s) of the public spoke in support 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 be granted subject to conditions as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated January 31st, 2020, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Ogle County Board, having considered the findings of fact and recommendation of the Zoning Board of Appeals, has determined that granting the Special Use in AG-1 Agricultural District (Petition No. 11-19SU) to allow a single-family dwelling in the AG-1 Agricultural District on less than 40 acres 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 Wayne & Nancy Alderks, 4553 Rainbow Ct., Loves Park, IL; and Clayton Ziller, 18770 E. McNeal Rd. for a Special Use in the AG-1 Agricultural District (Petition No. 11-19SU) to allow a single-family dwelling in the AG-1 Agricultural District on less than 40 acres on property located at 18770 E. McNeal Rd Monroe Center IL in Monroe 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 18TH DAY OF FEBRUARY 2020 A.D.

Patricia Nordman, Vice Chairman of the Ogle County Board

ATTEST:

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

O-2020-0201
EXHIBIT “A”

LEGAL DESCRIPTION

Commencing at the Southeast corner of said Southeast Quarter (SE 1/4) of Section Three (3); thence west along the south line of said Southeast Quarter, a distance of 870.00 feet to the Point Of Beginning; thence continuing along said south line, a distance of 309.00 feet; thence leaving said south line at a counter clockwise angle of 89 degrees 59 minutes 35 seconds, a distance of 434.00 feet; thence at a counter clockwise angle of 90 degrees 01 minutes 01 seconds, a distance of 309.00 feet; thence at a counter clockwise angle of 89 degrees 59 minutes 54 seconds, a distance of 434.00 feet to the Point of Beginning, containing 3.078 acres, more or less.

Property Identification Number: 12-03-400-008

Common Location: 18770 E. McNeal Rd.
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS
Ogle County Zoning Board of Appeals

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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 Wayne & Nancy Alderks, 4553 Rainbow Ct., Loves Park, IL.; and Clayton Ziller, 18770 E. McNeal Rd., Monroe Center, IL for a Special Use to allow a single-family dwelling in the AG-1 Agricultural District on less than 40 acres on property described as follows and owned by Clayton Ziller Parcel Identification No. 12-03-400-008, a 3.08 acre parcel located in part of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 03, Township 42 North, Range 2 East of the 3rd P.M., Monroe Township, Ogle County, IL, and located at 18770 E. McNeal Rd.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on January 30, 2020 in the Ogle 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 proposed special use is for an existing single family dwelling constructed in 1997 and would not have a significant impact on the surrounding property. 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 special use had been a permitted use prior to the 2018 sale and will not dominate the immediate neighborhood to prevent development and use of adjacent 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 adequate off-street parking and loading areas are provided by the existing driveway. 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.

   It has been satisfactorily demonstrated that adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities are present for the existing dwelling. 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 special use is located in the AG-1 zoning district and would be compatible with the permitted residential and agricultural uses in the surrounding area. 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 Agricultural District if applied at the time of the new parcel creation in 2003 while the dwelling was occupied by the family members of the surrounding property owners. 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 16-9-8C of the Ogle County Amendatory Zoning Ordinance. Therefore, the Zoning Board of Appeals hereby recommends that a Special Use in the AG-1 Agricultural District to allow a residence on a parcel under 40 acres be granted.

ROLL CALL VOTE: The roll call vote was 4 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 31st day of January 2020 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
David Williams
Randy Bulthaus
Paul Soderholm

__________________________
Randy Ocken, Chairman

ATTEST:

__________________________
Harry Adams, Secretary

O-2020-0201