

**GRANTING A SITING APPROVAL PERMIT WITH A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
17530 SANGAMON-MENARD CO. RD. ASHLAND, IL 62612
SANGAMON COUNTY, ILLINOIS**

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, Recommendation that the Sangamon County Board **grant a Siting Approval Permit with a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **RPIL Solar 16, LLC**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 18, 2024** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and,

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Recommendation that the Sangamon County Board **grant a Siting Approval Permit with a variance; and,**

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

FILED

APR 24 2024


Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th Day of May, 2024 that the following request(s) on the above described property are hereby approved:

- Pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility;

Signed and passed by the Sangamon County Board in session on this 14th day of May, 2024.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

Exhibit A

THE EAST HALF (E1/2) OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY-SEVEN (27), AND FOUR (4) ACRES OFF OF THE WEST END OF THE NORTH HALF (N1/2) OF THE NORTHEAST QUARTER (NE1/4), TOWNSHIP SEVENTEEN (17) NORTH, RANGE EIGHT (8) WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS.

TOGETHER WITH A PERPETUAL UNDERGROUND UTILITY EASEMENT OVER AND ACROSS THE WEST HALF (W1/2) OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4), ALL IN SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTEEN (17) NORTH, RANGE EIGHT (8) WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY ILLINOIS. THE LOCATION OF SAID EASEMENT WHEN UTILIZED SHALL BE AGREED UPON BY THE PARTIES OR THEIR SUCCESSORS IN INTEREST AND SHALL BE LOCATED BELOW PLOW DEPTH. THE PARTY UTILIZING SAID EASEMENT SHALL BE RESPONSIBLE FOR ALL CROP DAMAGES AND ANY OTHER DAMAGES OCCASIONED BY THE USAGE OF SAID EASEMENT.

PARCEL INDEX NUMBER: 32-07.0-100-005

COMMON ADDRESS: 17530 Sangamon-Menard County Road, Ashland, IL 62612-3433

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase, Jr.

DOCKET NUMBER: 2024-011

ADDRESS: 17530 Sangamon-Menard Co. Rd. Ashland, IL 62612-3433

PETITIONER: RPIL Solar 16, LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility.

AREA: 44 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. Staff reviewed the materials submitted by the applicant and determined that the proposal complies with Sangamon County's Commercial Solar Energy Conversion Facility Siting Approval Permit regulations.

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION: Approval of Staff Recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2024-011**
RPIL Solar 16, LLC)
)
) PROPERTY LOCATED AT:
) **17530 Sangamon-Menard Co. Rd.**
) **Ashland, IL 62612-3433**

RECOMMENDATION OF THE ZONING BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **Siting Approval Permit with a variance** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner(s); that legal publication has been made pursuant to law; and that a public hearing was held on **April 18, 2024** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **17530 Sangamon-Menard Co. Rd. Ashland, IL 62612-3433** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is **“A” Agricultural District**.
4. That the present land use of said property is **Single-family residence with outbuildings and cropland**.
5. That the proposed land use of said property is **Single-family residence with outbuildings and commercial solar energy conversion facility**.
6. That the request(s) for the subject property are **pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility**.
7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit(s).
8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **Siting Approval Permit with a variance** is in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the following request(s) **are hereby approved**:

- **Pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and,**
- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility.**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Anthony Mares**, which was duly seconded by **Don Wulf**, to concur with the recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **are hereby approved**:

- **Pursuant to Chapter 17.37, a Commercial Solar Energy Conversion Facility Siting Approval Permit; and,**
- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) Commercial Solar Energy Conversion Facility.**

The vote of the Board was as follows:

YES: **Anthony Mares, Don Wulf, Richard Thompson, Charlie Chimento**

NO:

PRESENT:

ABSENT: **George Petrilli**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED STANDARDS FOR USE VARIATIONS
(TWO USES ON ONE PARCEL: CSECF & SINGLE-FAMILY RESIDENCE)**

Case #: **2024-011**

Address: **17530 Sangamon-Menard County Line Road, Ashland**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

The property owner lives in the single-family residence and is requesting to additionally have a Commercial Solar Energy Conversion Facility on the subject property. After the Commercial Solar Energy Conversion Facility's lifespan, the property could be converted back to cropland, reverting the property back to one principal use.

- (ii) that the variance is compatible with the trend of development in the area.

The subject property is across the road from an electrical substation which is a compatible use to the Commercial Solar Energy Conversion Facility.

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

The proposed Commercial Solar Energy Conversion Facility will comply with Sangamon County's Commercial Solar Energy Conversion Facility Siting Approval Permit regulations.

- (iv) that the variance will not create a negative impact on the area, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

Negative impacts are not anticipated.