

**GRANTING A CONDITIONAL PERMITTED USE WITH A CONDITION AND  
VARIANCES  
FOR CERTAIN PROPERTY LOCATED AT  
1450 HORSE FARM ROAD, DIVERNON  
SANGAMON COUNTY, ILLINOIS**

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant a Conditional Permitted Use with a condition and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **I-55 Stables and Arena, LLC**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena; pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **August 15, 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 Findings of Fact and Recommendation that the Sangamon County Board **grant a Conditional Permitted Use with a condition and variances;** and,

**FILED**

AUG 20 2024

*Don J. Hayes*  
Sangamon County Clerk

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

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **10<sup>th</sup> Day of September, 2024** that the following requests on the above described property are hereby approved:

- Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena provided that the proposed 40 electric hookups will only be used by people using the private outdoor recreation center for the events sponsored by the owner;
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and,
- Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare.

Signed and passed by the Sangamon County Board in session on this **10<sup>th</sup> day of September, 2024**.

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

**Exhibit A**

Part of the South part of Lot 30 of the Subdivision of Section 32, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, as recorded in the Recorder's Office of Sangamon County, Illinois, in Book 68, Page 633, and more particularly described as follows:

From the Southeast corner of said Section 32, West of the South line of said Section 32, 664.62 feet to the point of beginning, said point being the Southeast corner of said Lot 30; thence continuing West on said South line, 912.04 feet; thence deflecting to the right 89 degrees 52 minutes 16 seconds, 1323.55 feet to a point on the Quarter Quarter Section line, being the North line of the South part of aforesaid Lot 30; thence deflecting to the right 89 degrees 53 minutes 20 seconds, 912.03 feet to the Northeast corner of the South part of said Lot 30, 1327.37 feet to the point of the beginning, containing 27.752 acres, more or less.

Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas, and other minerals, if any.

Situated in Sangamon County, Illinois

Parcel Number: 29-32-400-026

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 4                      NAME: Jeffrey A. Thomas

DOCKET NUMBER: 2024-020

ADDRESS: 1450 Horse Farm Road, Divernon, IL 62530

PETITIONER: I-55 Stables & Arena, LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena; pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare.

AREA: 27.75 acres

COMMENTS: Yes

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use for a private outdoor recreation center including a horse showing arena provided that the proposed 40 electric hookups will only be used by people using the private outdoor recreation center for the events sponsored by the owner. Recommend approval of the requested variances. Rock parking is consistent with the agricultural related use for the horse show arena. The subject property will have horse trailers driving around on the site that would cause continuous repairs to a paved surface. The subject property is located approximately 1-1.5 miles from Interstate 55 with only 4 properties in between that are not cropland, one of which is an agritourism destination being a petting zoo. The proposed private outdoor recreation center is a related use to the existing horse boarding and riding stable west of the subject property. The Standards for Variation are met.

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: **2024-020**  
**I-55 Stables & Arena, LLC** )  
)  
) PROPERTY LOCATED AT:  
) **1450 Horse Farm Road**  
) **Divernon, IL 62530**

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 **Conditional Permitted Use with a condition and variances** 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 **August 15, 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: **1450 Horse Farm Road, Divernon, IL 62530** 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 **a riding stable.**
5. That the proposed land use of said property is **a private outdoor recreation center including a horse showing arena.**
6. That the request(s) for the subject property are **pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena; pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare.**
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 **Conditional Permitted Use with a condition and variances** 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 requests **are hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena provided that the proposed 40 electric hookups will only be used by people using the private outdoor recreation center for the events sponsored by the owner;**
- **Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and,**
- **Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare.**

  
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 **JD Sudeth**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following requests **are hereby approved**:

- Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a private outdoor recreation center to include a horse showing arena provided that the proposed 40 electric hookups will only be used by people using the private outdoor recreation center for the events sponsored by the owner;
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and,
- Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(1) to allow a private outdoor recreation center to be greater than one-quarter mile from a major thoroughfare.

The vote of the Board was as follows:

YES:           **Anthony Mares, JD Sudeth, Don Wulf, George Petrilli**

NO:

PRESENT:

ABSENT:      **Charlie Chimento, Richard Thompson**

  
\_\_\_\_\_  
RECORDING SECRETARY

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT  
FOR CONDITIONAL PERMITTED USES**

Case #: **2024-020**

Address: **1450 Horse Farm Road, Divernon**

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

**The requested Conditional Permitted Use is to establish a private outdoor recreation center specifically for a horse showing arena, which is an agricultural related business that could be expected to be in a rural area. The proposed horse showing arena will also coincide with the horse boarding and riding stables located west of the subject property.**

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

**The proposed private outdoor recreation center for a horse showing arena is an agricultural related business, and while it is not located within one-quarter mile of a major thoroughfare, it is located within 1-1.5 miles from direct access to Interstate 55 with only 4 other properties in between that are not cropland.**

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

**There is no foreseen impact.**

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

**No, a variance is requested.**

- (b) Manufactured home parks - must meet the requirements of Chapter 17.48 Large Scale Development.

**N/A**

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

**N/A**

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

**N/A**



- (e) Adult-use cannabis business establishments as defined in Chapter 17.04:
  - 1) that the following distances be maintained from the principal structure of an adult-use cannabis business establishment to the property line of a use defined in Chapter 17.04 as a “sensitive area”:
    - (A) Adult-use cannabis craft grower – 1,500 feet
    - (B) Adult-use cannabis cultivation center – 1,500 feet
    - (C) Adult-use cannabis dispensing organization (dispensary) – 250 feet
    - (D) Adult-use cannabis infuser organization (infuser) – 1,500 feet
    - (E) Adult-use cannabis processing organization (processor) – 1,500 feet
    - (F) Adult-use cannabis transporting organization (transporter) – 1,500 feet
  - 2) On-premise consumption of cannabis at cannabis dispensing organizations and smoking lounges in unincorporated Sangamon County is prohibited.

**N/A**

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2024-020

Address: 1450 Horse Farm Road, Divernon

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

**Paving Variance:** Rock parking is consistent with the agricultural related use for the horse show arena. The subject property will have horse trailers driving around on the site that would cause continuous repairs to a paved surface.

**Private Outdoor Recreation Center Variance:** The subject property is located approximately 1-1.5 miles from Interstate 55 with only 4 properties in between that are not cropland, one of which is an additional agritourism destination being a petting zoo. The proposed private outdoor recreation center is a related use to the existing horse boarding and riding stable west of the subject property.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

**Paving Variance:** The nature of this particular private outdoor recreation center will be for a horse show arena, which provides a unique circumstance as the horse trailers would consistently damage paved surfaces.

**Private Outdoor Recreation Center Variance:** The private outdoor recreation center for the horse showing arena is an agricultural use and the subject property is large enough to support this use and would be related to the existing horse boarding and riding stable west of the subject property.

- (iii) that the variation, if granted, 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.**