

**GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
PARCELS LYING WITHIN THE AREA BOUNDED BY THE
MORGAN/SANGAMON COUNTY LINE, COUNTY LINE ROAD, GASS ROAD, AND
ACKERMAN ROAD
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** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Double Black Diamond Solar Power LLC**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES)**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 21, 2021** 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**; and,

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 **9th Day of November, 2021** that the following request(s) on the above described property is hereby approved:

FILED

OCT 28 2021

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- Pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES).

Signed and passed by the Sangamon County Board in session on this 9th day of November, 2021.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A

The Southwest Quarter of Section 22, Township 13 North, Range 7 West of the Third Principal Meridian, EXCEPT the East Half of the Northeast Quarter of the Southwest Quarter and the East Half of the Southeast Quarter of the Southwest Quarter, in Sangamon County, Illinois.

Parcel Numbers: 33-22.0-300-001, 33-22.0-300-002

The East Half of the Southeast Quarter of Section 29, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, Illinois.

Parcel Number: 33-29.0-400-002

The South Half of Section 28, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, Illinois.

Parcel Numbers: 33-28.0-300-002, 33-28.0-400-002, 33-28.0-400-004

The West Half of Section 27, Township 13 North, Range 7 West of the Third Principal Meridian, AND the West Half of the Northeast Quarter, EXCEPT the East Half of the Northwest Quarter of the Northeast Quarter, in Sangamon County, Illinois.

Parcel Numbers: 33-27.0-100-001, 33-27.0-100-002, 33-27.0-100-003, 33-27.0-200-001, 33-27.0-200-004, 33-27.0-300-001

The South Half of Section 31, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, Illinois. AND Part of the South Half of the Southwest Quarter of Section 30, and the Northwest Quarter of Section 31, which lies East of the Morgan County line of the following described tract: Beginning at the corner stone of the West line of said Section 31, near the Eastern edge of Morgan County, Illinois, said corner stone being on the East and West line running through the center of said Section 31, thence North along the West line of said Section 31, 40.247 chains and continuing North along the West line of Section 30 immediately North and adjoining said Section 31, a distance of 20.158 chains to a steel axle which marks the approximate Northwest corner of the South Half of the Southwest Quarter of said Section 30, thence East along the North line of said South Half of the Southwest Quarter of said Section 30, 22.948 chains to a steel axle, thence South 20.135 chains to the South line of said Section 30, thence East along the dividing line between said Sections 30 and 31, 16.452 chains to a steel axle, thence South 40.09 chains to the East and West line through the center of said Section 31 to a corner stone, thence West along said line dividing said Section 31 a distance of 39.255 chains to the place of beginning. EXCEPT that part thereof in said Section 30, all in Township 13 North Range 7 West, of the Third Principal Meridian, County of Sangamon, State of Illinois.

Parcel Numbers: 33-31.0-100-001, 33-31.0-300-001, 33-31.0-400-001, 33-31.0-400-003,
33-31.0-400-004

Section 32, Township 13 North, Range 13 West of the Third Principal Meridian, in Sangamon County, Illinois.

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Parcel Numbers: 33-32.0-100-001, 33-32.0-200-001, 33-32.0-300-001, 33-32.0-300-002,
33-32.0-300-003, 33-32.0-400-001

Section 33, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, Illinois.

Parcel Numbers: 33-33.0-100-001, 33-33.0-100-005, 33-33.0-100-006, 33-33.0-200-002,
33-33.0-200-003, 33-33.0-300-001, 33-33.0-400-001, 33-33.0-400-002

Section 34, in Township 13 North, Range 7 West of the Third Principal Meridian, EXCEPT the North Half of the Northeast Quarter, in Sangamon County, Illinois.

Parcel Numbers: 33-34.0-100-001, 33-34.0-200-003, 33-34.0-300-002, 33-34.0-300-003,
33-34.0-400-002, 33-34.0-400-003

The Southwest Quarter of the Southwest Quarter of Section 35, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, Illinois.

Parcel Number: 33-35.0-300-002

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: Craig Hall

DOCKET NUMBER: 2021-040

ADDRESS: **Parcels lying within the area bounded by the Morgan/Sangamon County Line, County Line Road, Gass Road, and Ackerman Road**

PETITIONER: **Double Black Diamond Solar Power LLC**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **Pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES).**

AREA: **3,250 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval of the Conditional Permitted Use for the Solar Farm Energy System. The petitioner is proposing to meet or exceed all the specific setback, screening, and other requirements of the Solar Energy System Ordinance. After reviewing the petition and the evidence submitted, staff finds that the proposed Solar Farm Energy System will have minimal impact on the character of the surrounding area.**

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


RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2021-040**
Double Black Diamond Solar Power LLC)
))
)) PROPERTY LOCATED AT:
)) **Parcels lying within the area bounded by**
)) **the Morgan/Sangamon County Line,**
)) **County Line Road, Gass Road, and**
)) **Ackerman Road**

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** 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 **October 21, 2021** 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: **parcels lying within the area bounded by the Morgan/Sangamon County Line, County Line, Gass Road, and Ackerman Road** 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 **Cropland.**
5. That the proposed land use of said property is **Solar Farm Energy System.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES).**
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** 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) is **hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES).**

Charlie Chimento

 CHAIRMAN

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MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Richard Thompson**, which was duly seconded by **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) is **hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.37.030(B), a Conditional Permitted Use for a Solar Farm Energy System (SFES).**

The vote of the Board was as follows:

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

NO: **JD Sudeth**

PRESENT:

ABSENT:



 RECORDING SECRETARY

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

Case #: **2021-040**

Address: **Parcels lying within the area bounded by the Morgan/Sangamon County Line, County Line Road, Gass Road, and Ackerman Road**

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 petitioner is proposing to meet or exceed all the specific setback, screening, and other requirements of the Solar Energy System Ordinance. After reviewing the petition and evidence submitted, staff finds that the proposed Solar Farm Energy System will have minimal impact on the character of the surrounding area.

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

Based on the information submitted as evidence with the petition, staff believes that this finding is met.

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

Negative impacts regarding this standard are not anticipated.

- (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.

N/A

- (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) Wind energy conversion systems - a WECS shall not be located within 1½ miles of an incorporated area with a population over 10,000 or within ½ mile of an incorporated area with a population of less than 10,000. WECS shall not be located so that they interfere with contiguous urban development.

N/A

- (f) 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