

CASE# 2018-045
RESOLUTION NUMBER 3-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
6300 BLOCK OF E. WALNUT ROAD, SPRINGFIELD
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, **Innovative Power Systems, Inc.**, has petitioned the Sangamon County Board for 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 18, 2018** 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 the Conditional Permitted Use**; and,

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

FILED

OCT 24 2018

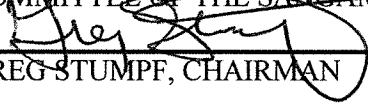
Don J. Kelly
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **13th Day of November, 2018** that the request for a **Conditional Permitted Use for a Solar Farm Energy System (SFES) on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **13th day of November, 2018.**

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

The east 65 acres of Lot 2 of the Northwest Quarter of Section 3, Township 15 North, Range 4 West of the Third Principal Meridian, situated in the County of Sangamon in the State of Illinois.

Except

A part of the east 65 acres of Lot 2 of the Northwest Fractional Quarter of Section 3, Township 15 North, Range 4 West of the Third Principal Meridian described as follows:

Commencing at the northwest corner of said real estate; thence proceeding east long the north line thereof a distance of 302 feet to a point; thence proceeding south parallel with the west line thereof a distance of 722 feet to a point; thence proceeding west parallel with the north line thereof a distance of 302 feet to a point; thence proceeding north along the west line thereof a distance of 722 feet to the point of beginning.

And further excepting

Part of the northwest fractional quarter of Section 3, Township 15, Range 4 West of the Third Principal Meridian; described more particularly as follows:

Beginning at an iron pipe set over a stone marking the northeast corner of the northwest fractional quarter of the aforementioned Section 3, thence south 00 degrees 12 minutes 07 seconds east along the quarter section line a distance of 722.00 feet to an iron pipe, thence south 90 degrees 00 minutes 00 seconds west a distance of 302.00 feet to an iron pipe, thence north 00 degrees 12 minutes 07 seconds west a distance of 722.00 feet to an iron pipe on the section line, thence north 90 degrees 00 minutes 00 seconds east along the section line a distance of 302.00 feet to the point of beginning.

Parcel Number: 23-03.0-100-015

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Tom Madonia, Jr.

DOCKET NUMBER: 2018-045

ADDRESS: 6300 Block of E. Walnut Road, Springfield, IL 62707

PETITIONER: Innovative Power Systems, Inc.

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Conditional Permitted Use (CPU) for a Solar Farm Energy System (SFES).

AREA: 54.99 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the Conditional Permitted Use for the Solar Farm Energy System. The petitioner is proposing to comply with all the specific setback requirements and additional standards in the Solar Energy System Ordinance and maintain the site. The petitioner will also use the type of solar panel that is designed to limit the negative impact on adjacent property owners.**

SANGAMON COUNTY 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: **2018-045**
Innovative Power Systems, Inc.)
))
)) PROPERTY LOCATED AT:
)) **6300 Block of E. Walnut Road**
)) **Springfield, IL 62707**

RECOMMENDATION OF THE 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 18, 2018** 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: **6300 Block of E. Walnut Road, Springfield, IL 62707** 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 a **Solar Farm Energy System.**
- 6. That the requested **Conditional Permitted Use** of said property is **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 requested **Conditional Permitted Use** be **approved.**


 CHAIRMAN 76

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved** which was duly seconded by **Charlie Chimento**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Andrew Spiro, Don Wulf**

NO: **Tony Mares, Larry Beaty**

PRESENT:

ABSENT: **Gina Lathan**


RECORDING SECRETARY

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

Case #: **2018-045**

Address: **6400 Block of E. Walnut Rd., Springfield**

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 comply with all the specific setback requirements and additional standards in the Solar Energy System Ordinance and maintain the site. The petitioner will also use the type of solar panel that is designed to limit the negative impact on adjacent property owners.

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

The petitioner is proposing to comply with all the specific setback requirements of the Solar Energy System Ordinance and will use the type of solar panel that is designed to help protect the health, safety, and welfare of the public.

- (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. The petition states "IPS commits to abiding by the prescribed setbacks and vegetation screening requirements near residences."

- (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) Mobile home parks - must meet the requirements of Section III(R) 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