

FILED

CASE# 2019-032
RESOLUTION NUMBER 5-1

SEP 26 2019



Dan J. Hays
Sangamon County Clerk

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
4364 E. STATE RT. 54, 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, **API Solar**, has petitioned the Sangamon County Board for a **Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **September 19, 2019** 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.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **8th Day of October, 2019** that the following request on the above described property is hereby approved:

- A Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System.

Signed and passed by the Sangamon County Board in session on this 8th day of October, 2019.

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 RATTIS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, LYING SOUTH OF IL RTE 54, IN TOWNSHIP 16 NORTH, RANGE 4 WEST OF THE 3RD P.M., SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMNECING AT A FOUND STONE MARKING THE SOUTHWEST CORNER OF SAID EAST HALF; THENCE NORTH 00°54'18" WEST ON THE WEST LINE OF SAID EAST HALF; 1030.00 FEET TO A SET IRON PIN MARKING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°54'18" WEST ON SAID WEST LINE, 641.12 FEET TO A FOUND IRON PIPE ON THE SOUTH RIGHT OF WAY LINE OF ILLINOIS RTE 54, ALSO BEING A POINT ON A CURVE HAVING A RADIUS OF 6571.81 FEET; THENCE NORTHEASTERLY ON SAID RIGHT OF WAY LINE AND CURVE TO THE RIGHT HAVING A CHORD BEARING OF NORTH 59°46'32" EAST AND CHORD DISTANCE OF 284.66 FEET TO A SET IRON PIN; THEN NORTH 61°00'59" EAST, 172.06 FEET TO A SET IRON PIN; THENCE SOUTH 00°54'18" EAST, 862.01 FEET TO A SET IRON PIN; THENCE SOUTH 89°10'06" WEST, 400.00 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: 15-08.0-300-052

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 8 NAME: **Lori Williams**

DOCKET NUMBER: **2019-032**

ADDRESS: **4364 E. State Rt. 54, Springfield, IL 62707**

PETITIONER: **API Solar**

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

REQUESTED ZONING CLASSIFICATION: **Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System (SFES).**

AREA: **6.92 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The petitioner is proposing to comply with all the specific setback requirements of the Solar Energy System Ordinance and the solar panels will face south to reduce potential for glare risk for drivers on State Route 54. The SFES will also provide the required landscape screening for the dwelling unit to the west to minimize the effects on the surrounding area.**

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: 2019-032
API Solar))
)	PROPERTY LOCATED AT:
)	4364 E. State Rt. 54
)	Springfield, IL 62707

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 **September 19, 2019** 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:

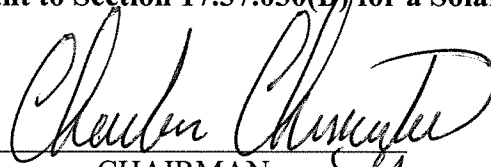
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **4364 E. State Rt. 54, Springfield, 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 request for the property is **a Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System.**
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 request is hereby **approved** for:

- **Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System.**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition for

- **A Conditional Permitted Use pursuant to Section 17.37.030(B) for a Solar Farm Energy System**
- is hereby approved** which was duly seconded by **Don Wulf**.

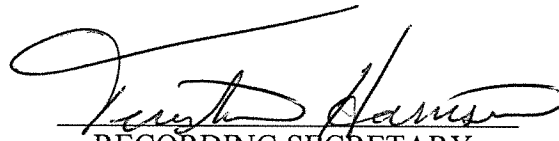
The vote of the Board was as follows:

YES: **Charlie Chimento, Don Wulf, Tony Mares, JD Sudeth**

NO: **Larry Beaty**

PRESENT:

ABSENT: **Andrew Spiro**



RECORDING SECRETARY

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

Case #: 2019-032

Address: 4364 East State Route 54, 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 of the Solar Energy System Ordinance and will provide the required landscape screening for the dwelling unit to the west to minimize the effects on the surrounding area.

- (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 the solar panels will face south to reduce potential for glare risk for drivers on State Route 54.

- (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