

CASE# 2018-051  
RESOLUTION NUMBER 8-1

**GRANTING A CONDITIONAL PERMITTED USE**  
FOR CERTAIN PROPERTY LOCATED AT  
**19800 BORDEN ROAD, ILLIOPOLIS**  
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, **TerraNavigator, LLC**, 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

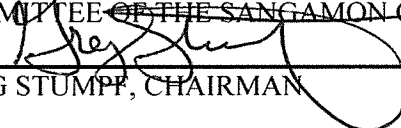
*Don J. King*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **13<sup>th</sup> 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 **13<sup>th</sup> 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**

## Parcel 1

Part of the East Half of Section 11, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Northeast corner of the Southwest Quarter of aforesaid Section 11, thence South 00°-00'-00" East on the East line of said Southeast Quarter, 1637.35 feet; thence North 85°-28'-03" West, 2026.89 feet; thence North 00°-06'-45" East, 745.18 feet; thence South 85°-40'-07" East, 200.00 feet; thence North 00°-05'-41" East, 90.00 feet; thence South 89°-38'-59" East 474.72 feet; thence South 00°-26'-38" West, 127.00 feet; thence South 01°-27'-07" East, 169.19 feet; thence South 88°-46'-12" East, 47.82 feet; thence South 00°-05'-34" West, 353.07 feet; thence North 87°-27'-36" East, 356.30 feet; thence North 01°-54'-34" East, 186.57 feet; thence North 55°-17'-13" East, 110.63 feet; thence North 28°-01'-22" East, 82.41 feet; thence North 00°-37'-25" East, 363.30 feet; thence North 88°-54'-28" West, 284.60 feet; thence North 09°-59'-41" West, 111.14 feet; thence North 00°-37'-57", East, 147.21 feet; thence South 89°-22'-03" East 20.00 feet; thence North 00°-37'-57" East, 446.50 feet; thence North 89°-22'-03 West, 243.96 feet; thence North 00°03'-05" West, 227.61 feet to a point on the South right of way line of the Illinois Terminal Railroad; thence North 88°-56'-14" East on said South right of way line, 20.00 feet; thence North 89°-55'-23" East on said South right of way line, 1118.77 feet; thence North 00°-43'-46" West, 20.00 feet; thence North 89°-56'-14" East, 200.00 feet to a point on the East line of the Northeast Quarter of aforesaid Section 11; thence South 00°-00'-00" East on said East line 225.03 feet to the point of beginning, containing 57.920 acres, more or less

Except therefrom a tract of land described as follows:

Beginning at the Quarter Corner of Section: 11 and 12, being the Northeast Corner of the Southeast Quarter of said Section 11; thence Westerly on and along the North line of said Southeast Quarter of said Section 11 a distance of 120 feet; thence North 100 feet; thence East 120 feet, more or less, to the East line of said Section 11; thence South on and along the East line of said Section 11 a distance of 100 feet, more or less, to the point of beginning, containing 0.275 acres, more or less.

Containing a total of 57.644 acres, more or less.

## Parcel 2A

Part of the Southeast Quarter of Section 11, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Northeast corner of the Southeast Quarter of said Section 11, South 00°-00'-00" East on the Section line for a distance of 675.88 feet; thence South 89°-35'-35" West, 803.30 feet; thence South 01°-05'-35" West, 54.00 feet, thence North 88°-54'-28" West, 294.60 feet to the point of beginning, thence South 00°-15'-43" West 215.69 feet; thence South 44°-24'-04" West, 121.33 feet; thence South 87°-30'-19" West 111.79 feet; thence North 40°-34'-36" West, 38.69 feet; thence North 01°-14'-43" West, 94.06 feet; thence North 00°-26'-38" East, 862.93 feet; thence South 89°-33'-32" West, 22.30 feet; thence North 00°-03'-05" West 26.43 feet; thence South 89°-22'-03" East, 246.96 feet; thence South, 00°-37'-57" West 446.50 feet; thence North 89°-22'-03" West 20.00 feet; thence South 00°-37'-57" West, 147.21 feet; thence South 08°-58'-41" East, 111.14 feet to the point of beginning, containing 5.00 acres, more or less.

## Parcel 2B

Part of the Southeast Quarter of Section 11, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Northeast corner of the Southeast Quarter of said Section 11, South 00°-00'-00" East on the Section line for a distance of 675.80 feet; thence South 85°-35'-35" West, 803.30 feet; thence South 01°-05'-35" West, 803.30 feet; thence South 01°-05'-35" West, 54.00 feet to the point of beginning, thence South 00°-37'-35" West, 363.30 feet; thence South 28°-01'-22" West, 82.41 feet; thence South 55°-17'-14" West, 110.63 feet; thence South 01°-54'-34" West 186.57 feet; thence South 87°-27'-36" West 356.30 feet; thence North 00°-05'-34" East 353.07 feet; thence North 88°-46'-12" West, 47.82 feet; thence North 01°-27'-07" West, 169.19 feet; thence North 00°-26'-38" East, 835.47 feet; thence South 89°-05'-12" East, 5.96 feet thence North 00°-03'-05" West, 27.67 feet; thence North 89°-33'-32" East, 22.30 feet; thence South 00°-26'-38" West 862.93 feet; thence South 01°-14'-43 East, 94.06 feet; thence South 40°-34'-36" East, 38.69 feet; thence North 87°-30'-19' 111.79 feet; thence North 44°-24'-04" East 121.33 feet; thence North 00°-15'-43" East 215.69 feet; thence South 88°-54'-28" East, 294.60 feet to the point of beginning, containing 6.514 acres, more or less.

Parcel 2C

Part of the Southeast Quarter of Section 11, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Northeast corner of said Southeast Quarter of Section 11, West on the North line of said Southeast Quarter, 1824.08 feet; thence South 00°-05'-41" West 100.00 feet to the point of beginning, thence continuing South 00°-05'-41" West, 712.81 feet; thence South 88°-38'-58" East, 474.72 feet; thence North 00°-26'-38" East, 708.47 feet; thence North 89°-05'-12" West, 477.58 feet to the point of beginning, containing 7.766 acres, more or less.

Parcel 2D

Part of the South Half of Section 11, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Northeast corner of the Southeast Quarter of said Section 11, thence South 00°-00'-00" East on the East line of said Southeast Quarter 2388.83 feet to the point of beginning; thence North 89°-36'-10" West, 980.00 feet; thence North 00°-23'-50" East, 130.00 feet; thence North 89°-36'-10" West, 340.00 feet; thence South 00°-23'-50" West, 130.00 feet; thence North 89°-36'-10" West, 1309.22 feet; thence North 00°-06'-52" East, 659.36 feet; thence North 20°-03'-16" West, 758.27 feet; thence North 89°-55'-28" East, 359.93 feet; thence North 00°-47'-45" East, 129.05 feet; thence South 89°-40'-07" East, 500.81 feet; thence South 00°-06'-45" West 746.18 feet; thence South 89°-28'-03" East, 2026.89 feet to a point on the East line of aforesaid Southeast Quarter; thence South 00°-00'-00" East on said East line, 751.48 feet to the point of beginning, containing 56.638 acres, more or less.

Parcel Numbers: 17-11.0-400-19, 020, 021

AND

A tract of land beginning at center Section 11, Township 16 North, Range 2 West of the Third Principal Meridian; thence South 1040.23 feet; thence North 89 degrees 57 minutes West 28.38

feet; thence North 1 degree 34 minutes East 1041.22 feet to point of beginning, containing 0.34 acres;

Also a tract of land known as Water Treatment, beginning at the center of Section 11, Township 16 North, Range 2 West, Third Principal Meridian; thence North 177.7 feet; thence North 89 degrees 05 minutes East 801.5 feet; thence South 1093.6 feet; thence North 89 degrees 48 minutes West 700.8 feet; thence South 0 degrees 42 minutes West 129.5 feet; thence North 89 degrees 57 minutes West 99.12 feet; thence North 1040.23 feet to the point of beginning; containing 20.36 acres.

Parcel Number: 17-11.4-400-022

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #3                      NAME: David Mendenhall

DOCKET NUMBER: 2018-051

ADDRESS: 19800 Borden Road, Illiopolis, IL 62539

PETITIONER: TerraNavigator, LLC

PRESENT ZONING CLASSIFICATION: "I-2" General Industrial District.

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

AREA: 156.38 acres

COMMENTS: None

OBJECTORS: None

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. The subject property is also zoned I-2 which allows for more intense uses than a solar farm.**

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: <b>2018-051</b>
<b>TerraNavigator, LLC</b> )	)
)	PROPERTY LOCATED AT:
)	<b>19800 Borden Road</b>
)	<b>Illioopolis, IL 62539</b>

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:

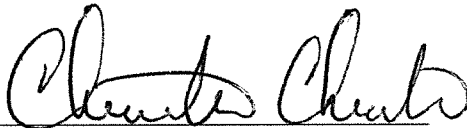
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **19800 Borden Road, Illioopolis, IL 62539** and more particularly described as:

**See Exhibit A**

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- 3. That the present zoning of said property is **“I-2” General Industrial District.**
- 4. That the present land use of said property is **industrial.**
- 5. That the proposed land use of said property is a **solar farm.**
- 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  
 706



MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 **Tony Mares**.

The vote of the Board was as follows:

YES:           **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:   **Gina Lathan**

  
RECORDING SECRETARY

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

Case #: **2018-051**

Address: **19800 Borden Road, Illiopolis**

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. The subject property is also zoned I-2 which allows for more intense uses than a solar farm.**

- (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.

**The petition states "The proposed project on the former Formosa Industrial property is a compatible use and therefore will have no negative impact on nearby property." Staff agrees the proposed use is compatible with the I-2 zoning on the subject property and should not negatively impact nearby property compared to other potential I-2 uses.**

- (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**