ROLL CALL:
Members:  
Tony Savino, Vice-Chair  
Brian Van Laar, Chair  
Joan Krumm  
Mark Rhode  
Steve Schabacker  

Staff:  
Shelly Griswold, Boone County Planning Consultant  
Ken Terrinoni, County Administrator  
Justyn Miller, Assistant to the County Administrator  
Deb Clarkson, Transcriptionist

MINUTES:  Approval of Minutes from July 26, 2016.

PUBLIC COMMENT:

UNFINISHED BUSINESS:

NEW BUSINESS:

14-2016; Hall:  The application of Willard A. Hall, 8105 Huber Road, Belvidere, IL 61008, requesting a zoning variance under Sub-Section 3.2.4 (Lot Development Standards) of Section 3.2 (Agricultural Preservation Area District) of Chapter 3 (Districts and General Provisions) of the Boone County Zoning Ordinance to allow a fifteen-foot (15') side yard setback to construct a pole barn at 8105 Huber Road, Belvidere, Illinois, 61018, in unincorporated Spring Township, Boone County, Illinois (PIN: 08-16-100-021).
Staff (Approval); ZBA ( )

16-2016; Eurek:  The application of Jane Eurek, 9716 Wilcox Drive, Belvidere, Illinois, 61008, requesting a zoning variance under Sub-Section 3.5.4 (Lot Development Standards) of Section 3.5 (Single Family Residence District) of Chapter 3 (Districts and General Provisions) of the Boone County zoning ordinance, to allow a six-foot (6') side yard setback to construct a garage at 9716 Wilcox Drive, Belvidere, Illinois, 61008, in unincorporated Bonus Township (PIN: 06-18-226-011).
Staff (Approval); ZBA ( )

17-2016; Angelic Organics:  The application of Angelic Organics Association, 1547 Rockton Road, Caledonia, Illinois, 61011, requesting a special use permit under Section 2.7 (Special Uses) and Sub-Section 3.16.1 (Table of Permitted Uses) of the Boone County Zoning Ordinance to allow a charitable organization to operate the Angelic Organics Learning Center’s Visiting Students Program at 1936 Rockton Road, Caledonia, Illinois, 61001, in the A1 (Agricultural Preservation) Zoning District in unincorporated Manchester Township, Boone County, Illinois (PIN: 01-17-400-004).
Staff (Approval); ZBA ( )

18-2016; Goad:  The application of Robert O. Goad and Betty Goad, 113 Galahad Court SE, Poplar Grove, IL 61065, requesting a special use permit under Section 2.7 (Special Uses) and Sub-Section 3.16.1 (Table of Permitted Uses) of the Boone County Zoning Ordinance to allow an auction sales yard at 11860 Illinois Route 173, Capron Illinois, 61012, in the A1
(Agricultural Preservation) Zoning District in unincorporated Boone Township, Boone County, Illinois. (PIN: 04-01-400-004) and (PIN: 04-01-400-006).

Staff (Approval); ZBA ( )

OTHER BUSINESS: None

DISCUSSION: None

COMMUNICATIONS/PLANNING REPORTS:

Previous Case Update

Staff Report

ADJOURNMENT
With a quorum present Chairman Brian Van Laar called the meeting to order at 7:00 P.M.

MINUTES:

It was moved and seconded (Rhode/Krumm) to approve the minutes of June 28, 2016.

COMMENT:

Joan Krumm commented on watching what is going on with some of the conventions and people's opinions and she's happy to see what is a sensible kind of government right here.

The other item of business was the new member of the board, Steve Schabacker, was sworn in.

UNFINISHED BUSINESS:

10-2016: Diveley: The application of Alysia Diveley, 420 Talladaga Drive SW, Poplar Grove, Illinois 61065, on behalf of the owners Richard G. and Alysia A. Diveley, 420 Talladaga Drive SW, Poplar Grove, Illinois 61065, requesting a zoning variance to decrease the required rear setback from 35 feet to 20 feet to construct a deck at 420 Talladaga Drive SW, Poplar Grove, Illinois 61065, in the R-1 Single Family Residential District (Boone County Zoning Ordinance Section 3.5.4.A.) Lot Development Standards —
Residential Uses and Section 2.8 Variances) in Poplar Grove Township (PIN: 03-27-452-016).

The public hearing opened at 7:06 P.M.

Ms. Shelly Dunham was sworn in and summarized the staff report. Ms. Dunham recommended that the application does meet all of the required findings under Section 2.8.5 of the Boone County Zoning Ordinance and the planning staff recommended approval of this application. There were some comments from the other departments. The Boone County Engineer had no comment but it was located within a private community. Drew Bliss of the Building Department said there is no objections but wanted to note that the application will require a building permit if the case is approved. The Health Department stated it was not public health related and does not have a position on it.

There was some discussion held regarding the lot being on a cul-de-sac and due to the wedged shape of the lot, the house had to be positioned further back on the property which is the unique circumstance and why a variance was needed.

Richard Dively of 420 Talladega Drive, Poplar Grove, IL, was sworn in and explained the need to rebuild the deteriorating balcony and add a rear exit for the home.

Ms. Krumm questioned Mr. Dively concerning the number of feet requested and asked for clarification on how the measurement was ascertained. Mr. Dively clarified that the measurement would be to the bottom of the stairs. The deck itself is 12 feet but the way the steps come down from the height brings it to 15 feet. Ms. Krumm also asked about the green space and if it belonged to Candlewick. Mr. Dively stated it was and there was nothing buildable behind him.

There were no further questions for the applicant.

It was moved and seconded (Krumm/Rhode) to close the public hearing. A motion to accept the findings of fact (Rhode/Krumm) was made. The motion carried 4-0 voice vote. It was moved and seconded (Krumm/Schabacker) to accept the variance as proposed in case 10-2016. The motion was approved with a 4-0 roll call vote.

NEW BUSINESS:

12-2016: Hicks: The application of Brian Hicks, 9201 Hill Road, Genoa, Illinois 60135, requesting a zoning variance Sub-Section 3.3.5 (Lot development standards) of Section 3.3 (Agricultural Residence District (A-2) of Chapter 3 (Districts and general provisions) of the Boone County, Illinois Zoning Ordinance to allow a thirty foot (30’) front yard; a twenty-eight foot (28’) west side yard; and a twelve foot (12’) rear yard at the subject property located at 9201 Hill Road, Genoa, Illinois 50135 in unincorporated Spring Township (PIN: 08-34-300-002).

The public hearing opened at 7:15 P.M.

Shelly Dunham having been previously sworn in summarized the staff report. Ms. Dunham stated the applicant is looking for these setback variances in order to build an addition to his house including an attached garage. There is a house there. There was a detached garage, which has been demolished, and he's seeking to build an addition and also an attached garage along with it. The comments from the other departments, the Boone County Soil and Water Conservation District said no NIR report is required. The Boone County Engineer reviewed the application and said he does not object and
approved of the request for the front yard setback variance with the condition at some future if the road needed to be widened and an additional right-of-way, the deck would need to be removed at the homeowner's expense. Drew Bliss of the Building Department stated he has no objection and noted they will need a building permit. The Health Department did not submit comments. The findings of fact is that the application does meet all of the required findings of fact under the Boone County Zoning Code. The planning staff recommends approval of the case because it meets all of the requirements of the findings of fact.

Joan Krumm had a concern about the porch and further discussion was held regarding the location of the porch in relation to the roadway. Ms. Dunham stated that her review of the drawing did not show the porch being any closer to the road. Steve Schabacker stated from what he could see granting this variance for the other structure would bring the property into compliance. Shelly Dunham commented it definitely would do so with the variance.

Brian Hicks who lived at 9234 Hill Road in Genoa was sworn in. He addressed concerns and questions the Board had regarding the porch and he stated he was removing an existing porch and adding a new one and adding a garage on the other side of the property. Chairman Van Laar asked if any neighbors had any concern about this and Mr. Hicks stated he lived across the street and didn't have any problem with it as he was developing the property.

There were no further comments for the applicant.

It was moved and seconded (Rhode/Schabacker) to close the public hearing.

It was moved and seconded (Rhode/Krumm) to accept the findings of fact. The motion carried with a 4-0 voice vote.

It was moved and seconded (Schabacker/Rhode) to approve case 12-2016. The motion was approved with a 4-0 roll call vote.

**13-2016: Haas:** The application of James Haas, 4607 Manheim Road, Rockford, Illinois 61108 requesting a Special Use Permit under Sub-Section 3.14.5 (Special Uses) of Section 3.14 (US Highway 20 Corridor) of Chapter 3 (Districts and general provisions of the Boone County Illinois Zoning Ordinance to conduct automobile sales at the subject property, located at 3204 U.S. Route 20, Belvidere, Illinois 61008 in unincorporated Belvidere Township (PIN: 05-22-100-017).

The public hearing opened at 7:26 P.M.

Shelly Dunham having been previously sworn in summarized the staff report.

Other department comments came from the Soil and Water Conservation who states a NRI report is not required. The County Engineering reviewed the application and said he had no comment on the access issue and a state highway controlled by the State of Illinois. He stated that a storm water detention facility will not be required as long as no additional impervious areas are added to the lot. Should additional expansion of the parking lot or other Impervious expansion occur, then, the owner would be required to install storm water detention facility. The Building Department stated they had no objection to the special use and that a building permit would be required for any additions or remodeling or signage. The Boone County Health Department did not submit comment. The Comprehensive plan for the subject property is designated as planned business by the Boone County
Comprehensive Plan.

As to the findings of fact Ms. Dunham recommended an affirmative finding of the first one, that it does meet the zoning ordinance. There is some discretion that the Zoning Board and the county will have to take on as to how much weight they want to give to the U.S. 20 overlay corridor district plan. The Comprehensive Plan that is planned in that area is indoor commercial and even though auto lots are allowed as a special use, that is contrary to what the Comprehensive Plan says for the indoor commercial.

Finding of fact No. 2 appears it does meet that finding. Finding No. 3 has the same issue as No. 1 in that it’s not an indoor commercial product. No. 5 are a number of specific requirements for a special use in the U.S. Highway 20 corridor overlay district and they are labeled A through J in the findings. There are a couple of them that there is not enough information to make that determination such as landscaping because there is a percentage of the lot that has to be 20 percent minimum landscaping and the signage. There is not enough information on the proposed signage to know if the proposed use is in compliance with that.

No. 6 has the same consideration for you to think about as far as future development trends. Ms. Dunham did repeat it is an allowed special use in the zoning district.

The planning department’s recommendation would be that any special use permit that would be permitted would come with a condition that the U.S. 20 corridor overlay requirements be met to the satisfaction of the Building and Zoning Department prior to any permits being issued.

Another issue that Ms. Dunham brought up for consideration was a special use permit of a limited time period for a number of years, you can review land uses in the area to see if the land use trends are compatible. If you do a special use Sunset clause then it wouldn’t be allowed after that date.

Discussion was held by the Zoning Board regarding the Sunset issue. Drew Bliss was sworn in and talked about the Sunset Law and suggested it may be appropriate to get a legal opinion on that issue.

Ms. Krumm expressed concern about the overlay district and about the indoor commercial use. Discussion was also held regarding signage and landscaping and whether review by all of the different county departments would be of assistance and be approved prior to the issuance of a building permit. Ms. Dunham recommended that since the applicant did not submit enough information, they should put in a condition that all of the conditions A through J be met.

Chairman Van Laar addressed concerns regarding the zoning for the surrounding area and the land use map indications for a single family residential planned neighborhood for the area but that it also had mentioned that the adjacent properties are B-2 businesses. Ms. Dunham responded that it was allowed as a special use and it was just something for the Board to decide on how much weight to put on that because of the future land use map. She did state that the Board was not bound by that map.

The other concern expressed by Chairman Van Laar was whether the applicant planned on repairing automobiles at that location.

Attorney Natalie Barber, 5305 S. State Street, No. 200, Belvidere, IL and applicant James Haas, 3204 U.S. 20, Belvidere, IL were sworn in.
Attorney Barber spoke of the Comprehensive Plan and her interpretation regarding the indoor commercial use and outdoor use. The applicant also requested that the ordinance be a permanent one and not subject to any Sunset requirements. She agreed with the suggestion for No. 5. She stated there may be plans to expand the parking lot in the future and the green space and any improvements to the building would be submitted in a final professional drawing and that the applicant looks forward to working closely with the Planning Department.

Mr. Schabacker had questions regarding the current structure and any alterations such as an overhead door or other repairs. Mr. Haas addressed this question and stated he believed there was a door prior and the header was already there and he would like to do that if possible. Mr. Schabacker suggested he contact the Building Department for the proper permits. He also inquired of Mr. Haas’ business history and learned that Mr. Haas has been in business since 1980. Mr. Haas also stated he did not intend to do any automobile repairs at this facility. If they were going to do so later on, he would have to expand.

Chairman Van Laar asked if the property was on septic and was informed that it was. There was a discussion regarding the Health Department’s input and Mr. Bliss responded that the applicant would need to have all department approval prior to issuing a building permit and that the requirements of the Health Department were extensive.

Ms. Dunham also said the Board would be hard pressed to find another auto lot that has that much green space.

Mr. Terrinoni, after having been sworn in, asked about the setbacks along Route 20 and there was further discussion from both Attorney Barber and Mr. Rhode.

Mr. Bob Walberg was sworn in. He brought up the fact that there is a 110 foot area that crosses the property that was purchased by the State of Illinois for the purpose of widening the highway. He had concerns about cars being parked on this area. Ms. Dunham responded that the applicant could not sell his cars on the IDOT’s right-of-way.

Chairman Van Laar asked if there were any questions from the audience. Dan Wainscott who lived at 3583 Route 20, Belvidere, IL, was sworn in. He brought up his concerns about the lights and hours of operation. Mr. Haas addressed this by stating he planned on using the current lights and didn’t plan on operating his business after 6:00 P.M. Chairman Van Laar also stated that the zoning ordinance has quite a bit about lights and that it should protect the neighbors across the street.

No further questions were asked of the applicant.

It was moved and seconded (Krumm/Rhode) to close the public hearing.

It was moved and seconded (Rhode/Schabacker) to accept the finding of facts. There was comments from Ms. Krumm that the requirements be documented within the findings of fact. Further discussion was held regarding this point. Chairman Van Laar pointed out that the motion was made to accept the findings of fact as is. If that goes through then the next motion will be to accept the case, grant the special use, and then within that motion language can be added. Other discussion was held regarding other businesses in the same district.
The motion to accept the findings of fact carried with a 4-0 voice vote.

It was motioned and seconded (Schabacker/Rhode) to approve case 13-2016. the motion was approved with a 4-0 roll call vote.

**OTHER BUSINESS:** None.

**DISCUSSION:** None.

**COMMUNICATIONS/PLANNING REPORTS:**

Mr. Terrinoni stated that the Peaker Plant is back on the agenda but it may not be doable as soon as next month. In addition there are a couple of variances in the pipeline for the August hearing for Angelic Organics Learning Center. There may be four or five matters next month. Mr. Terrinoni also discussed how many cases should be set at each hearing and the time attributable to each of the cases that are to be set.

The meeting was adjourned at 8:20 P.M.

Recorded by:  

Reviewed by:

Deborah Clarkson  

Ken Terrinoni  

Transcriptionist  

County Administrator
CASE NO.: 14-2016    APPLICANT: Hall 8105 Huber Rd, Belvidere

REQUEST AND LOCATION:
The applicant, Willard A. Hall, 8105 Huber Road, Belvidere, Illinois 61008, is requesting a zoning variance under Sub-Section 3.2.4 (Lot Development Standards) of Section 3.2 (Agricultural Preservation Area District) of Chapter 3 (Districts and General Provisions) of the Boone County Zoning Ordinance to allow a fifteen-foot (15’) side yard setback to construct a pole barn at 8105 Huber Road, Belvidere, Illinois, 61018, in unincorporated Spring Township, Boone County, Illinois. The property is legally described as:

E 164.85 OF W 494.44’ OF SW1/4 NE1/4 8105 HUBER RD (PIN 08-16-100-021)

EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: Agriculture
Adjacent properties:  
North, South, East and West: Agriculture

CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: A-1 Agricultural Preservation Area District
Adjacent properties:  
North, South, East and West: A-1 Agricultural Preservation Area District

COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: Agricultural/Rural
North, South, East and West: Agricultural/Rural

BACKGROUND:
The subject property is located at 8105 Huber Road, Belvidere, Illinois, in Spring Township, rural Boone County. The five-acre subject parcel (08-16-100-021) is owned by Willard and Sharon Hall. The applicant is requesting a zoning variance to Sub-Section 3.2.4 (Lot Development Standards) of Section 3.2 (Agricultural Preservation Area District) of Chapter 3 (Districts and General Provisions) of the Boone County zoning ordinance, to allow a fifteen-foot (15’) side yard setback to construct a pole barn at the subject property

OTHER PLANNING CONSIDERATIONS:
The Boone County Soil and Water Conservation District states that their review does not apply in this case.
The Boone County Engineer Richard A. Lundin reviewed the application and states that he does not object to the approval of the variance.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that he had no objection to the zoning variance request, but that if the variance is approved, a building permit will be required.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that:

- The department has a plan review process in place. The owner will need to come to the department to initiate the process. The fee is $50.00.
- The owner will need to provide a scale drawing of the property with any new buildings also depicted on it.

**TREND OF DEVELOPMENT:**
The subject property is located in rural Boone County. The entire area is zoned A1 – Single Agricultural Preservation Area and is used for agricultural operations.

**COMPREHENSIVE PLAN:**
The subject property is designated as "Agricultural/Rural" by the Boone County Comprehensive plan adopted November 10, 1999

**FINDINGS OF FACT:**
According to Section 2.8.5 of the Boone County Zoning Ordinance, a zoning variance shall not be granted unless the County Board finds the following facts:

1. **Required:** The particular physical surroundings, shape, topographical, or other on-site condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out.

   **Finding:** While the parcel is five acres in area, it is rather narrow (approximately 164.85 feet). In order to place the pole barn near the other buildings, while at the same time maintaining access to the considerable portion of the property south of the dwelling and keep an appropriate distance from the septic field, the barn would need to be located within fifteen feet (15') of the side lot line.

2. **Required:** The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification.

   **Finding:** The combination of the narrow lot, the location of the septic field, and the need to maintain access to the southern portion of the lot make this a situation that would not be applicable, generally, to other property within the same zoning classification.

3. **Required:** The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   **Finding:** The owner is seeking the variance in order to add a pole barn, which is a common amenity on agricultural land.
4. **Required:** The owner of the property has not created the alleged difficulty or hardship.

**Finding:** The hardship is due to the geometry of the parcel and the location of the septic field.

5. **Required:** The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

**Finding:** The variation and subsequent use of the property are in keeping with the current use of the subject property and surrounding properties and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. **Required:** The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public.

**Finding:** The proposed variation and planned use as proposed by the owner will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public. The primary use will remain unchanged.

7. **Required:** That the potential public benefits of the variation outweigh any potential adverse impacts of the variation after taking into consideration the applicant's proposal and any requirement recommended by the applicant to ameliorate such impacts.

**Finding:** The granting of this variance has no foreseeable adverse impacts. The property is situated amongst primarily agricultural land and no additional traffic, noise, or other impacts are anticipated.

**SUMMARY OF FINDINGS:**

The Halls’ property offers few viable options for construction of a pole barn near the existing buildings. Allowing a smaller side yard in order to maintain distance from the septic field and maintain access to the rear of the property is a reasonable solution.

**RECOMMENDATION:**

Planning staff recommends the approval of case number 14-2016 because it meets the requirements of Section 2.8.5 of the Boone County Zoning Ordinance, which state that a zoning variance shall not be granted unless the County Board finds facts in the seven categories listed above.
Submitted by:

[Signature]

Shelly R. Dunham, AICP
Interim Planner

**ZONING BOARD OF APPEALS/COUNTY BOARD ACTION**

After the holding of the public hearing, the Zoning Board of Appeals shall make and forward findings of fact as to the compliance of the proposed variance with the standards and give a recommendation to the County Board. The Zoning Board of Appeals may recommend and the County Board may impose conditions as necessary to secure compliance with the standards. The County Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Zoning Board of Appeals in whole or in part; or the County Board may refer the matter back to the Zoning Board of Appeals for further consideration; or, in the case of rejecting the Zoning Board’s recommendation and findings, the County Board may grant or deny the special use request.
APPLICATION FOR VARIANCE
BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

Belvidere City Hall
401 Whitney Blvd. Suite 400
Belvidere, Illinois 61008

FOR OFFICE USE ONLY
Belvidere Boone County
Case Number 14-10
Filing Date 7-20-16
PZC Date
ZBA Date 8/23/16
Zone District A-1

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is:
8105 Huber Rd Belvidere IL 61008
and its Parcel Identification Number is:
and the legal description for the subject property is: Lot , Block , Tract , Subdivision Name
(NOTE - If there is no lot, block, or tract, then attach a legal boundary description hereto.)

2) Applicant Name: Willard A Hall
Mailing Address: 8105 Huber Rd Belvidere IL 61008
Daytime Phone: 586-897-381 Fax: Email: whall@mic.com

3) Property Owner Name: Willard A. & Sharon K. Hall
Mailing Address: 8105 Huber Rd Belvidere IL
Daytime Phone: 586-897-380 Fax: Email:

4) Attorney Name:
Mailing Address: Zip:
Daytime Phone: Fax:

5) Project Manager: In order to reduce confusion, planning staff requests one contact person
be designated to discuss issues concerning this petition.
Name:
Mailing Address: Zip:
Daytime Phone: Fax: Email:
NOTICE TO APPLICANT

A Variation is a zoning adjustment, which permits minor changes of district requirements where individual properties have proven hardships. Variances are restrictive and the degree of Variation is limited to the minimum change necessary to overcome the practical difficulty inherent on the property. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts. Use Variations are specifically prohibited.

A Variation recognizes that the same district requirements do not affect all properties equally; it is intended to permit minor changes to allow hardship properties to enjoy equal opportunities with similarly zoned properties. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties, a Variation cannot be granted. The remedy for a general hardship is a change to the Zoning Map or to the text of the Zoning Ordinance.

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent you from making any reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a Variation: 1) Proof that a Variation would increase the financial return from the land, 2) Personal hardship, and 3) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

A proposed Variation which will adversely affect surrounding property or the general neighborhood cannot be granted. All Variations must comply with the intent and purpose of the Zoning Ordinance.

6) Variance for __________ Setback Requirement ____________________________
   (what type of Variance)
   From _______ ft. to _______ ft.
   To Permit: __________ Pole Barn ____________________________
   (what type of construction)

Reasons for Variance Request

7) Which of the following types of modifications will allow you a reasonable use of your land:
   □ Change in setback requirement
   □ Change in lot-coverage requirement
   □ Change in side yard restriction
   □ Change in off street parking requirement
   □ Change in area requirement
   □ Other (describe) ____________________________
8) Describe how this variation is the minimum variation that will make possible the reasonable use of the land, structure, or buildings in question.

   The property is narrow and has an existing septic field and stable. Access to the back part of the property would be maintained with this variance.

9) What characteristics of your property prevent it from being used in a reasonable manner?

   Too narrow  X  Elevation  
   Too small  
   Too shallow  
   Soil  
   Slope  
   Subsurface  
   Shape  
   Other  

10) Describe the items checked, giving dimensions where appropriate and how the characteristics are different than other properties in the district.

   The property is 165 ft wide, a 40 ft setback would place the pole barn too close to my septic field.

11) In what way do the above site conditions prevent any reasonable use, commonly enjoyed by owners of other properties in the same zoning district?

   

12) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having an interest in the property after the Zoning Ordinance or applicable part thereof became law? Yes  X  No  
    If "No", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variations).

   

13) Are the conditions on your property the result of other manmade changes, such as the relocation of a road or highway? If so, describe.

   No

14) Will granting the variation requested give the applicant any special privilege that is denied by the Zoning Ordinance to owners of other lands, structures, or buildings in the same district? Explain your answer.

   No
15) Specify how the granting of the variation requested will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

I have asked both neighbors and they both approve.

The neighbor at 8141 Huber has 15 feet offset on his building.

16) LIST THE OWNERS OF RECORD: Boone County applicants shall list the owner of record for all properties located adjacent to and across the street or alley from the perimeter of the subject property. City of Belvidere applicants shall list the owner of record for all properties located within 250 feet of the subject property (exclusive of public right-of-ways). This information is found at the Supervisor of Assessments Office, 1208 Logan Ave. or the Planning Office. Verifying the accuracy of information is the responsibility of the applicant (use additional pages if necessary).

<table>
<thead>
<tr>
<th>PIN#</th>
<th>Name/Trust No.</th>
<th>Street</th>
<th>City</th>
<th>Zip</th>
</tr>
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<tbody>
<tr>
<td>08-16-300-062</td>
<td>West Grant Development</td>
<td>Po Box 345</td>
<td>Rockton</td>
<td>61072</td>
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<tr>
<td>08-16-100-020</td>
<td>Dale May Jones</td>
<td>8031 Huber Rd.</td>
<td>Belvidere</td>
<td>61008</td>
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<tr>
<td>08-16-100-013</td>
<td>Gary Hodnikson</td>
<td>8141 Huber Rd.</td>
<td>Belvidere</td>
<td>61008</td>
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<td>08-16-100-001</td>
<td>West Grant Development</td>
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<td>Rockton</td>
<td>61072</td>
</tr>
</tbody>
</table>
17) SUPPORTING INFORMATION: Attach a site plan drawn to scale showing lot dimensions, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the property in question.

Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

Natural Resources Information: Pursuant to state law, a copy of this completed application must be provided to the Boone County Soil and Water Conservation District (SWCD). They are located at 211 N. Appleton Road, P.O. Box 218, Belvidere, and may be contacted at (815) 544-2677. Their business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. The SWCD must send a report to the Planning Department for your application to proceed.

DECLARATION

I, the applicant, of the above legally described property on which the variance is proposed, have provided answers to the questions herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a variance on said property.

By virtue of my application for a variance, I do hereby declare that the appropriate appointed and elected officials who are responsible for the review of my application are given permission to visit and inspect the property proposed for variance in order to determine the suitability of the request.

Applicant Signature: [Signature] Date Signed: 7/20/2016

Owner(s) Signature: [Signature] Date Signed: 7/20/2016

Date Signed:

STAFF SIGNATURE: [Signature] Date Signed: 7/20/16

Filing Fee - Amount Paid: 350.00 Check Number: 2139
July 20, 2016

SWCD NRI #: 1508

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted for the property listed in this letter. We will supply a written reply to your office as indicated below:

- x Our review does not apply in this instance.
- Other (see attached)

Location of Site:

PIN(S): 08-16-100-021

Contact:  
Willard Hall  
Phone: 586-899-7381  
E-Mail: whall@mich.com

Petitioner:  
Willard Hall  
Phone: 586-899-7381  
E-Mail: whall@mich.com

Owner:  
Willard Hall  
Phone: 586-899-7381  
E-Mail: whall@mich.com

Request: Variance for new barn construction and driveway

Sincerely,

Jennifer Becker  
Boone County Soil & Water Conservation District

Cc: Willard Hall
Justyn Miller

From: Ken Terrinoni
Sent: Wednesday, July 20, 2016 1:52 PM
To: Justyn Miller
Cc: sgriswold@fehr-graham.com
Subject: Hall Variance

Justyn,

I spoke to Mr. Hall and he said the new barn would be approximately 18’, the house is approximately 17’, and the house will still be 6’ higher than the new barn due to the topography is resides upon.

We have Mr. Hall’s permission to add this to the application.

Thanks,

Ken

Kenneth Terrinoni | County Administrator | Boone County, Illinois
1212 Logan Avenue Suite 102 | Belvidere Illinois 61008
Phone: 815.547.4770 | Fax: 815.547.3579 | ktboone@boonecountyil.org
160712 PoleBarnSite.txt

1: Property 165ft wide, top of photo is north
2: Small shed north of proposed barn is removed
3: Existing Stable 28x40ft, 30ft setback
4: Proposed Barn 28x45ft, 15ft setback

Ken Terrinoni 815-547-4770
Paperwork in by July 26
Hearing Aug 23 @7pm

Parcel 08-16-100-021
Boone Cty SWCD
211 N Appleton 815 544 2677

Page 7 of 8 Publishing
August 10, 2016

Mr. Ken Terrinoni, County Administrator  
1212 Logan Ave., Suite 102  
Belvidere, Illinois 61008

RE: Variance Case 14-2016; Hall, 8105 Huber Road

Dear Mr. Terrinoni,

I have reviewed the Variance request for the above captioned case to reduce the side yard setback to fifteen for the construction of a pole barn.

Access: The existing access with Huber Road will remain as is.

Detention: This Variance addition will not adversely affect the water runoff in the area. No detention will be required.

From the aerials it appears many of the structures in the neighboring lots are not at the 40 foot setback due to the narrow lot width including the Hall’s house.

This office does not object to the approval of the Variance based on the reasons presented in the request.

Richard A. Lundin  
Boone County Engineer
August 16, 2016

To: Ken Terrinoni  
   County Administrator  

From: Drew Bliss  
   Senior Building Inspector  

RE: 14-2016; Hall, 8105 Huber Rd, Belvidere, Illinois

Dear Mr. Terrinoni,

Our office has no objections to the variance request. Please notify the applicant that a building permit will be required if the case is approved.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,

Drew Bliss  
Senior Building Inspector  
Boone County Building Department
August 11, 2016

Ken Terrinoni
Boone County Planning Dept.
1212 Logan Ave.
Belvidere, IL 61008
Fax 815-547-3579

Re: 14-2016; Hall, 8105 Huber Road Belvidere, IL

Dear Ken,

We are in receipt of the variance request for the above referenced case.

The Boone County Health Department has a process of a plan review in place for situations like this. The property owner will need to come into our office to initiate this process. A to scale overhead of his property will be printed out and the building will need to be drawn onto it. The plan then will go to the inspector for review. The fee for this process is $50.00

Thank you,

William L. Hatsfield
Director of Environmental Health

skm
ADVISORY REPORT

CASE NO.: 16-2016  APPLICANT:  Eurek (99716 Wilcox Drive, Belvidere)

REQUEST AND LOCATION:
The applicant, Jane Eurek, 9716 Wilcox Drive, Belvidere, Illinois 61008, is requesting a zoning variance under Sub-Section 3.5.4 (Lot Development Standards) of Section 3.5 (Single Family Residence District) of Chapter 3 (Districts and General Provisions) of the Boone County zoning ordinance, to allow a six-foot (6') side yard setback to construct a garage at 9716 Wilcox Drive, Belvidere, Illinois, 61008, in unincorporated Bonus Township. This property is legally described as:

WILSHIRE BLUFF EST PLAT 1 LOT 12 9716 WILCOX DR SE102, SW232.34, W177.92, NE271.51 (PIN 06-18-226-011).

EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: Residential
Adjacent properties:
North, South and East: Residential
West: Residential, Agricultural

CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: R1 – Single Family Residential District
Adjacent properties:
North, South and East: R1 – Single Family Residential District
West: R1 – Single Family Residential District, A1 – Agricultural Preservation District

COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: Agricultural/Rural and Environmental Corridor
North, South, East and West: Agricultural/Rural and Environmental Corridor

BACKGROUND:
The subject property is located at 9716 Wilcox Drive in Bonus Township, east of Belvidere in rural Boone County. The subject parcel (06-18-226-001) is owned by Jane Eurek. The applicant is requesting a zoning variance to Sub-Section 3.5.4 (Lot Development Standards) of Section 3.5 (Single Family Residence District) of Chapter 3 (Districts and General Provisions) of the Boone County zoning ordinance, to allow a six-foot (6') side yard setback to construct an attached garage at the subject property.
OTHER PLANNING CONSIDERATIONS:
The Boone County Soil and Water Conservation District states that their review does not apply in this case.

The Boone County Engineer Richard A. Lundin reviewed the application and states that he has no objection to the approval of the variance.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that he had no objection to this zoning variance, but if the variance is granted, a building permit will be required.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that
- The department has a plan review process in place. The owner will need to come to the department to initiate the process. The fee is $50.00.
- The owner will need to provide a scale drawing of the property with any new buildings also depicted on it.

TREND OF DEVELOPMENT:
The subject property is located in rural Boone County. The entire area is zoned R1 – Single Family Residential District and is developed with single family homes. To the west is Piscasaw Creek and a wide swath of floodplain and floodway, which will prevent additional residential development to the west.

COMPREHENSIVE PLAN:
The subject property is designated as "Agricultural/Rural" and “Environmental Corridor” by the Boone County Comprehensive plan adopted November 10, 1999

FINDINGS OF FACT:
According to Section 2.8.5 of the Boone County Zoning Ordinance, a zoning variance shall not be granted unless the County Board finds the following facts:

1. **Required**: The particular physical surroundings, shape, topographical, or other on-site condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out.

   **Finding**: Because the western portion of the property is located in a regulatory floodway, constructing a garage to the rear of the home is not possible. Adding an additional attached garage stall to the north of the existing garage is the most feasible solution.

2. **Required**: The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification.

   **Finding**: The combination of the wedge-shape of the parcel and the existence of regulatory floodway on the western portion of the property limit the owner’s options for building an additional garage stall. Because of its proximity to floodplain and
floodway, it would be preferable to build to the garage to the north of the house rather than build to the south and add additional impervious surface so close to the flood hazard areas.

3. **Required:** The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   **Finding:** The owner is seeking the variance in order to add additional a third garage stall, which is a common amenity in residential subdivisions.

4. **Required:** The owner of the property has not created the alleged difficulty or hardship.

   **Finding:** The hardship is due to the existence of the regulatory floodway and the shape of the land parcel.

5. **Required:** The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

   **Finding:** The variation and subsequent use of the property are in keeping with the current use of the subject property and surrounding properties and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. **Required:** The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public.

   **Finding:** The proposed variation and planned use as proposed by the owner will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public. The property will still contain a single family residential dwelling, so the primary use will remain unchanged.

7. **Required:** That the potential public benefits of the variation outweigh any potential adverse impacts of the variation after taking into consideration the applicant's proposal and any requirement recommended by the applicant to ameliorate such impacts.

   **Finding:** The granting of this variance has no foreseeable adverse impacts. The property is situated amongst primarily agricultural land and no additional traffic, noise, or other impacts are anticipated.

**SUMMARY OF FINDINGS:**

Ms. Eurek’s property, due to its wedge-shape and the fact that the western portion of the parcel, has few options for expansion of the attached garage. The expansion to the...
north, taking advantage of (rather than substantially adding to) impervious surface on the property, is the preferred solution.

RECOMMENDATION:
Planning staff recommends the approval of case number 16-2016 because it meets the requirements of Section 2.8.5 of the Boone County Zoning Ordinance, which state that a zoning variance shall not be granted unless the County Board finds facts in the seven categories listed above.

Submitted by:

______________________________
Shelly R. Dunham, AICP
Interim Planner

ZONING BOARD OF APPEALS/COUNTY BOARD ACTION
After the holding of the public hearing, the Zoning Board of Appeals shall make and forward findings of fact as to the compliance of the proposed variance with the standards and give a recommendation to the County Board. The Zoning Board of Appeals may recommend and the County Board may impose conditions as necessary to secure compliance with the standards. The County Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Zoning Board of Appeals in whole or in part; or the County Board may refer the matter back to the Zoning Board of Appeals for further consideration; or, in the case of rejecting the Zoning Board’s recommendation and findings, the County Board may grant or deny the special use request.
APPLICATION FOR VARIANCE

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

Belvidere City Hall
401 Whitney Blvd. Suite 400
Belvidere, Illinois 61008

FOR OFFICE USE ONLY

Case Number
Filing Date
Zone District

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is:

9716 Wilcox Drive
Belvidere, IL 61008

and its Parcel Identification Number is: 00-18-326-011

and the legal description for the subject property is: Lot 12, Block 1, Tract , Subdivision Name Wilshire Bluff Estates

(NOTE - If there is no lot, block, or tract, then attach a legal boundary description hereto.)

2) Applicant Name:

Jane Eurek

Mailing Address: 9716 Wilcox Dr.
Belvidere IL
Zip: 61008

Daytime Phone: 815-544-8217 Fax: 815-231-8125 Email: jaeureka@aol.com

3) Property Owner Name:

Jane Eurek

Mailing Address: 9716 Wilcox Dr.
Belvidere IL
Zip: 61008

Daytime Phone: 815-544-8217 Fax: 815-231-8125

4) Attorney Name:

Mailing Address:

Daytime Phone: Fax:

5) Project Manager: In order to reduce confusion, planning staff requests one contact person be designated to discuss issues concerning this petition.

Name: Jane Eurek

Mailing Address: 9716 Wilcox Dr.
Belvidere IL
Zip: 61008

Daytime Phone: 815-544-8217 Fax: 815-231-8125 Email: jaeureka@aol.com

Page 1 of 8
NOTICE TO APPLICANT

A Variation is a zoning adjustment, which permits minor changes of district requirements where individual properties have proven hardships. Variances are restrictive and the degree of Variation is limited to the minimum change necessary to overcome the practical difficulty inherent on the property. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts. Use Variations are specifically prohibited.

A Variation recognizes that the same district requirements do not affect all properties equally; it is intended to permit minor changes to allow hardship properties to enjoy equal opportunities with similarly zoned properties. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties, a Variation cannot be granted. The remedy for a general hardship is a change to the Zoning Map or to the text of the Zoning Ordinance.

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent you from making any reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a Variation: 1) Proof that a Variation would increase the financial return from the land, 2) Personal hardship, and 3) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

A proposed Variation which will adversely affect surrounding property or the general neighborhood cannot be granted. All Variations must comply with the intent and purpose of the Zoning Ordinance.

6) Variance for _______________________
From ____________________________ ft. to ____________________________ ft.
To Permit: ____________________________

Reasons for Variance Request

7) Which of the following types of modifications will allow you a reasonable use of your land:
   X ______ Change in setback requirement
   _____ Change in lot-coverage requirement
   _____ Change in side yard restriction
   _____ Change in off street parking requirement
   _____ Change in area requirement
   _____ Other (describe) ____________________________
8) Describe how this variation is the minimum variation that will make possible the reasonable use of the land, structure, or buildings in question.

Need space to hold multiple vehicles and maintenance equipment.

9) What characteristics of your property prevent it from being used in a reasonable manner?

Too narrow X
Too small
Too shallow
Elevation
Slope
Shape
Soil
Subsurface
Other

10) Describe the items checked, giving dimensions where appropriate and how the characteristics are different than other properties in the district.


11) In what way do the above site conditions prevent any reasonable use, commonly enjoyed by owners of other properties in the same zoning district?


12) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having an interest in the property after the Zoning Ordinance or applicable part thereof became law? Yes X No If "No", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variations).


13) Are the conditions on your property the result of other manmade changes, such as the relocation of a road or highway? If so, describe.

NO

14) Will granting the variation requested give the applicant any special privilege that is denied by the Zoning Ordinance to owners of other lands, structures, or buildings in the same district? Explain your answer.

NO
15) Specify how the granting of the variation requested will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

*Front elevation will be almost identical to current design. It will also contain items that could be unsafe if not used properly.*

16) LIST THE OWNERS OF RECORD: **Boone County applicants** shall list the owner of record for all properties located adjacent to and across the street or alley from the perimeter of the subject property. **City of Belvidere applicants** shall list the owner of record for all properties located within 250 feet of the subject property (exclusive of public right-of-ways). This information is found at the Supervisor of Assessments Office, 1208 Logan Ave. or the Planning Office. Verifying the accuracy of information is the responsibility of the applicant (use additional pages if necessary).

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<td>Marquette Trust Bank</td>
<td>15754-2001</td>
<td>L.N. Napa, CA 94504</td>
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Page 4 of 8
17) **SUPPORTING INFORMATION:** Attach a site plan drawn to scale showing lot dimensions, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the property in question.

Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

**Natural Resources Information:** Pursuant to state law, a copy of this completed application must be provided to the Boone County Soil and Water Conservation District (SWCD). They are located at 211 N. Appleton Road, P.O. Box 218, Belvidere, and may be contacted at (815) 544-2677. Their business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. **The SWCD must send a report to the Planning Department for your application to proceed.**

**DECLARATION**

I, the applicant, of the above legally described property on which the variance is proposed, have provided answers to the questions herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a variance on said property.

By virtue of my application for a variance, I do hereby declare that the appropriate appointed and elected officials who are responsible for the review of my application are given permission to visit and inspect the property proposed for variance in order to determine the suitability of the request.

---

Applicant Signature: [Signature] Date Signed: 7-25-16

Owner(s) Signature: [Signature] Date Signed: 7-25-16

Date Signed: [Blank]

STAFF SIGNATURE: [Signature] Date Signed: 7-25-16

Filing Fee - Amount Paid: $350.00 Check Number: 5742
July 25, 2016

To Whom it May Concern:

I am requesting a set-back variance to my property at 9716 Wilcox Dr., Belvidere, IL in order to construct a 3rd car garage. It is currently a home with a 2 car garage.

Since the purchase of the property in 1987, my husband and I have acquired additional vehicles for his work and mine. We now need storage for a covered trailer, open trailer, Ford Explorer, and Chevrolet Tahoe in addition to other maintenance and recreational vehicles. We currently park them outside in the elements and it is an eye sore to the community.

This variance will allow all items to be contained in a weather safe, theft proof building. It will also prevent wandering children from climbing on or around the vehicles.

Thank you for your consideration.

Jane Eurek
Property Owner
9716 Wilcox Dr.
Belvidere, IL 61008
### Boone County, Illinois

#### Summary

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<th>Parcel ID</th>
<th>Unit Address</th>
<th>Total Current Assessed Value</th>
<th>Website Updated</th>
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#### Owner Information

- **Owner(Current):** EUREK JANE A
- **Owner/Mail Address:** 9716 WILCOX DR, BELVIDERE IL 61008
- **Sale Date:** 03/29/1993
- **Document No.:**

#### Location/Description

- **Parcel No.:** 06-18-226-011
- **Tax District:** 06001
- **Township No.:** 006
- **Parcel Address:** 9716 WILCOX DR, BELVIDERE
- **Acres:** .8100
- **Legal Description:** WILSHIRE BLUFF EST PLAT 1 LOT 12 9716 WILCOX DR SE102, SW232.34, W177.92, NE271.51

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#### Assessment Information

- **Current Land Value:** $35,000
- **Current Imp. Value:** $102,488
- **Total Current Assessed Value:** $137,488

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http://booneil|propertymax.governmaxa.com/propertymax/GRM/tab_parcel_v1001.asp?PrintView=True&r_nm=tab%5Freport&l_wc=%7Cparcelid%3D06%2D1... 1/1
July 25, 2016

SWCD NRI #: 1510

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted for the property listed in this letter. There is a 100 year flood plain present on this property; however it is not within the prospective area where the garage is to be built. No other natural resource concerns were present. We will supply a written reply to you office as indicated below:

- x Our review does not apply in this instance.
- Other (see attached)

Location of Site: 9716 Wilcox Drive Belvidere, IL 61008

PIN(S): 06-18-226-011

Contact: Jane Eurek
Phone: 815-544-8217
E-Mail: jaeurek@aol.com

Petitioner: Jane Eurek
Phone: 815-544-8217
E-Mail: jaeurek@aol.com

Owner: Jane Eurek
Phone: 815-544-8217
E-Mail: jaeurek@aol.com

Request: Variance for garage extension

Sincerely,

Jennifer Becker
Boone County Soil & Water Conservation District

cc: Jane Eurek
Legal Description:

Lot 12 as designated upon Plat No. 1 Wilshire Bluff Estates, being a subdivision of part of the Northeast Quarter of Section 18, Township 44 North, Range 4 East of the Third Principal Meridian, the Plat of which is recorded in Book 6 of Plats on page 32 in the Recorder's Office of Boone County, Illinois. Situated in the County of Boone and State of Illinois.

I hereby certify that I have surveyed the above described property for the purpose of determining the boundaries thereof, and that the above plat is a true and correct representation of said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dimensions are given in feet and decimals of a foot.

Given under my hand and seal this 7-25-16.

Date: 7-25-16

GARY R. SUMNER, P.L.S. No. 2508
Expires 11-30-16

GARY R. SUMNER - LAND SURVEYING
1655 OLD FIELD COURT, ROCKTON, IL 61072
PH. (815) 624-4231
August 10, 2016

Mr. Ken Terrinoni, County Administrator
1212 Logan Ave., Suite 102
Belvidere, Illinois 61008

RE: Variance Case 16-2016; Eurek, 9716 Wilcox Dr.

Dear Mr. Terrinoni,

I have reviewed the variance request for the above captioned case to reduce the side yard setback to six feet for the addition of a third car garage on an existing two car garage.

The addition will not cause a change in the driveway access. The existing access is acceptable.

The garage addition will not adversely affect the water runoff on neighbors since the lot backs up to the Piscasaw Creek. No detention would be required.

The subdivision plat does not show a utility easement or a drainage easement along the property line.

This office does not object to the approval of the variance based on the above reasons.

Richard A. Lundin
Boone County Engineer
August 16, 2016

To: Ken Terrinoni  
   County Administrator

From: Drew Bliss  
   Senior Building Inspector

RE: 16-2016; Eureka, 9716 Wilcox Drive, Belvidere, Illinois

Dear Mr. Terrinoni,

Our office has no objections to the variance request. Please notify the applicant that a building permit will be required if the case is approved.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,

Drew Bliss  
Senior Building Inspector  
Boone County Building Department
August 12, 2016

Ken Terrinoni
Boone County Planning Dept.
1212 Logan Ave.
Belvidere, IL 61008
Fax 815-547-3579

Re: 16-2016; Eurek, 9716 Wilcox, Belvidere, IL

Dear Ken,

We are in receipt of the zoning variance request for the above referenced case.

The Boone County Health Department has a process of a plan review in place for situations like this. The property owner will need to come into our office to initiate this process. A to scale overhead of his property will be printed out and the building will need to be drawn onto it. The plan then will go to the inspector for review. The fee for this process is $50.00

Thank you,

[Signature]

William L. Hatfield
Director of Environmental Health
skm
ADVISORY REPORT

CASE NO.: 17-2016  APPLICANT: Angelic Organics Association (1936 Rockton Road, Caledonia)

REQUEST AND LOCATION:
The applicant, Angelic Organics Association, 1547 Rockton Road, Caledonia, IL 61101, are requesting a special use permit under Section 2.7 (Special Uses) and Sub-Section 3.16.1 (Table of Permitted Uses) of the Boone County Zoning Ordinance to allow a charitable organization to operate the Angelic Organics Learning Center's Visiting Students Program at 1936 Rockton Road, Caledonia, Illinois, 61001, in the A1 (Agricultural Preservation) Zoning District in unincorporated Manchester Township, Boone County, Illinois. The property is legally described as:

17-46-3 E 10 AC OF S 1/2 SE 1/4 1936 ROCKTON RD, as recorded in the Recorder's Office in Boone County, Illinois; situated in Boone County, Illinois (PIN: 01-17-400-004).

EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: Agriculture
Adjacent properties:
North, South, East and West: Agriculture

CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: A1 – Agriculture Preservation District
Adjacent properties:
North, South, East and West: A1 – Agriculture Preservation District

COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: Agricultural/Rural, Environmental Corridor
North and South: Agricultural/Rural
East and West: Agricultural/Rural, Environmental Corridor

BACKGROUND:

The subject property is located on Rockton Road in unincorporated Manchester Township, Boone County. The property is comprised of one ten-acre parcel of farmland and oak savannah located at 1936 Rockton Road, Caledonia, Illinois. The North Kinnikinnick Creek crosses the property from east to west varying from approximately 295 feet to 425 feet north of the south property line. Currently the property has a residential dwelling (2,400 square feet main level; 2,000 square feet lower level), two 2-car garages, a facility shed, and a livestock barn. Angelic Organics Association
purchased the property from Judy Moffat, a neighbor to Angelic Organics Learning Center who expressed her hope that the planned charitable educational enterprise – a Visiting Students Program – would serve as a tribute to her family. The subject property is located adjacent to Kinnikinnick Fields, a 70-acre parcel owned by Angelic Organics Learning Center, a 501(c)(3) charitable educational nonprofit and member of the United Way of Rock River Valley.

The Angelic Organics Association, a community land trust, will protect the land in perpetuity for organic agriculture, farming education, and land conservation, and provide facilities for Angelic Organics Learning Center to operate a Visiting Students Program.

Once the facility is renovated to meet commercial codes, the applicant plans to host small groups for week-long residential programs across the full calendar year – school groups (September to May) and Summer Farm Camps for youth (June to August).

The applicant’s plan is to renovate the house into an ADA-accessible, 15-bunk educational center with a commercial teaching kitchen sized to host one classroom at a time. The applicant states its commitment to small group sizes in order to provide a high quality learning experience, to embed the program safely in the farm, and to ensure operations to not produce significant traffic or noise. The applicant states it will seek American Camp Association accreditation to ensure that best practices are followed. The applicant states the enterprise will generate up to four (4) full time jobs and provide seasonal employment for counselors, educators, janitors, nurses and cooks.

OTHER PLANNING CONSIDERATIONS:
The Boone County Soil and Water Conservation District states that their review does not apply in this case.

The Boone County Engineer Richard A. Lundin reviewed the application and stated that:
- The proposed entrance will need to be approved in writing by the Manchester Township Road Commissioner prior to construction.
- A sketch of the location or geometrics of the drive should be included.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that he has no objection to this Special Use Permit, but if the application is approved, a building permit will be required.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that:
- The department has a plan review process in place for cases like this.
- The property owner should come to the health department to initiate the process. The fee is $50.00.
- The department will need a scale drawing of the property with any proposed buildings depicted on the drawing.
- An inspector will review the drawing.
- If the house is to be used as a dormitory/teaching site, additional investigation will need to be done on the well and septic system.
A small part of the subject property surrounding Kinnikinnick Creek is located within a FEMA flood hazard area. Applicant will be required to meet all applicable flood management regulations for development within a flood hazard area.

TREND OF DEVELOPMENT:
The subject property is located in unincorporated Manchester Township, in northwest Boone County, Illinois, north of Caledonia. The subject property and surrounding properties are all zoned A-1 Agriculture Preservation District and are used for agricultural operations.

COMPREHENSIVE PLAN:
The Comprehensive Plan’s Planned Land Use Map indicates agricultural/rural and environmental corridor for the subject and surrounding properties.

FINDINGS OF FACT:
According to Section 2.7.3 of the Boone County Zoning Ordinance, a Special Use Permit shall not be granted unless the County Board finds the following facts:

1. **Required:** The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community.

   **Finding:** The proposed use will provide a service in the interest of the public and contribute to the general welfare of the neighborhood and community in that it will enable Angelic Organics to continue and expand its community education programming that began in 1999.

2. **Required:** The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare.

   **Finding:**

   **Traffic:** The applicant has planned the proposed use to have a minor impact on traffic in Rockton Road by 1) limiting the capacity of programs to 30 individuals, all of whom can be dropped off on Monday and picked up on Friday by a single bus; 2) making the summer programs week-long, with parents dropping children off on Sunday or Monday and picking them up on Friday or Saturday, which would create a maximum of 30 vehicles a day for two days a week for participants; 3) by proposing a circular driveway for easy and safe drop-off and pickup. The applicant has received an approval letter from the Manchester Township Road Commissioner for the curb cut required for the circular drive.

   **Parking:** The VSP will have a designated and paved parking spot for handicapped parking in front of the main building. A paved circular drive will facilitate drop off and pick up by buses, vans and cars and eliminate any potential congestion on Rockton Road. Since parents or buses will drop off participants, there is not significant need for parking. Staff and visitor parking will be provided along the paved driveway that extends from the back garage to the equipment shed.
Health and Safety: Trained staff will be on site 24/7 when students are present and will be trained in CPR, fire safety, and farm safety. The main building has easy access for ambulance and first responders, a fact affirmed by a site visit from Harlem Roscoe Fire Department. All visitors will receive training upon arrival on health and safety procedures. The applicant will install a perimeter fence to prevent participants from accidentally wandering off the property and to restrict entry from non-participants.

Noise: The applicant has taken the following steps to ensure that the VSP will not create a noise issue: 1) students will be supervised at all times by trained staff and chaperones; 2) most programs will involve children and youth and as such will fall under a “lights out” policy of no later than 11:00 pm. Noise levels are not expected to exceed any existing noise levels in the area from barking dogs, airplanes taking off and landing, gunfire for target practice, and large and small motorized farm equipment.

Neighboring Properties: The closest neighbor’s house is approximately 500 feet away from the main house on the subject property. There are visual blocks between the two houses. The neighbor has a livestock barn that sits less than two feet from the east property line where it meets Rockton Road. It blocks the direct view from his home to the house on the subject property. In addition, the neighbor has placed a series of tall kennels along the subject property’s property line to house hunting dogs. These kennels extend above eye-level, also providing a visual block to the subject property. The applicant is willing to add shrubs along this section of the property line to help create further visual barriers, if necessary. The other nearby neighbors’ homes are approximately 4100 feet to the north, 2800 feet to the east, 5500 feet to the south, 1500 feet to the southwest, and 2500 feet to the west and northwest of the main house on the subject property.

3. **Required:** The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

   **Finding:** The applicant’s project plans and efforts to mitigate any potential impacts to traffic, parking, noise, and other impacts to the area will allow the development and use of neighboring property in accordance with the applicable district regulations.

4. **Required:** Such other standards and criteria as are established by the ordinance for a special use as set forth in section 2.7.4 and as applied to planned developments as set forth in section 2.10 shall apply to the property for as long as the special use permit is in effect.

   **Finding:** The development will be subject to review and conformance of local, state and federal regulations, including but not limited to zoning, planning, building, public health, and flood management.

5. **Required:** That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the county board pursuant to the recommendations of the zoning board of appeals.
**Finding:** The use and development will be subject to review by the appropriate County departments and issuance of all necessary permits and certifications.

6. **Required:** That the potential public benefits of the special use outweigh any potential adverse impacts of the special use after taking into consideration the applicant’s proposal and any requirement recommended by the applicant to ameliorate such impacts.

**Finding:** This use, implemented in full compliance with Boone County’s planning, zoning and building regulations, and all other applicable state and federal regulations, has potential public benefits that outweigh any potential adverse impacts by providing youth education programming that has a demonstrated public demand, based on Angelic Organics’ existing programs.

**SUMMARY OF FINDINGS:**

Angelic Organics Association is proposing to house a charitable organization at the subject property which will operate the Visiting Students Program.

**RECOMMENDATION:**
Planning staff recommends the approval of case number 17-2016 because it meets the requirements of Section 2.7.3 of the Boone County Zoning Ordinance, which state that a Special Use Permit shall not be granted unless the County Board finds facts in the six categories listed above.

Submitted by:

______________________________
Shelly R. Dunham, AICP
Interim Planner
Application for Special Use

Presented by Angelic Organics Association
To Boone County

July 25, 2016

Contents:

1. A certified plat, site plan, survey or other professional illustration.
   a. Boundary Survey of 1936 Rockton Road (10 acres)
   b. Architectural Drawings from Christopher Fye & Associates
      • Site Plan – 1936 Rockton Road (10 acres)
      • House Upper Level -- As-Built Plan (existing)
      • House Upper Level -- Floor Plan (with remodeling)
      • House Lower Level -- As-Built Plan (existing)
      • House Lower Level -- Floor Plan (with remodeling)
   c. Vicinity Map – Google maps of Rockton Road just east of Free Church Road with neighbor families listed

2. A detailed written statement explaining the reason for the request.
   a. See “Visiting Students Program” narrative on proposed programs that require a special use permit (10 pages)

3. Legal Description of the property
   a. See “Exhibit A: Legal Description”

4. Completed application with the appropriate signatures.
   a. See completed Application For Special Use attached.

5. Application Fee as per fee schedule.
   a. $500 check enclosed as per instructions

6. NRl Report or letter from the SWCD
   a. Letter dated July 5, 2016, from Jennifer Becker, Boone County Soil and Water District

7. Other information
   a. Promotional Flyer for The Country Experience (comparable summer farm camp program in Jo Daviess County) – provides a sense of the spirit of the summer farm camp program that is proposed for 1936 Rockton Road
   b. Letter from Manchester Township Road Commissioner Bill Adams in response to AOA request to make a ‘curb cut’ for the circular driveway at 1936 Rockton Road
c. Letters of Support:
   - Judy Moffat, heir to Bob and Ida Price, 1936 Rockton Road, Caledonia, IL 61011
   - Joe Haverly, Professor, Rock Valley College – hosts youth and adult groups at Angelic Organics Learning Center
   - Jennifer Chyota, Biology Teacher, Guilford High School – hosts biology, history, math and other classes at Angelic Organics Learning Center
   - Rosanne Roraback, parent of youth participant in on-farm program at Angelic Organics Learning Center
   - Dan Kane, Director, Boone County Conservation District (BCCD)
   - Andrew Larson, Extension Educator, Local Food Systems and Small Farms, University of Illinois Extension for Boone, DeKalb and Ogle Counties – promotes local food and farm economy
   - Rachel Schneider, Hawthorne Valley Place-Based Learning Center, Ghent, NY – operator of successful Visiting Students Program
   - Gordon Kaplan, Executive Director Emeritus, American Camping Association: Illinois – certifier of camp programs

d. Board of Directors, Angelic Organics Learning Center

Contact Person:
Thomas R. Spaulding
President, Angelic Organics Association
1547 Rockton Road
Caledonia, IL 61011
815-243-1554
BOUNDARY SURVEY OF
PART OF THE SOUTHEAST QUARTER OF
SECTION 17, TOWNSHIP 46 NORTH, RANGE 3
EAST OF THE THIRD PRINCIPAL MERIDIAN

BOONE COUNTY, ILLINOIS
JANUARY 2015

AREA:
10.00 ACRES

Legal Description:
The East 10 Acres of the South Half (1/2) of the Southeast Quarter (1/4) of Section 17, Township 46 North, Range 3 East of the Third Principal Meridian, bounded and described as follows, to wit: Beginning at the Southeast corner of said Quarter (1/4) Section; thence South 89° 25' 27" West along the South line of said Quarter (1/4) Section, 330.23 feet (330.34 = Deed); thence North 01° 45' 31" East parallel with the East line of said Quarter (1/4) Section, 1318.87 feet (1318.91 = Deed) to the North line of the South Half (1/2) of said Quarter (1/4) Section; thence North 89° 25' 27" East, along the North line of the South Half (1/2) of said Quarter (1/4) Section, 330.23 feet (330.34 = Deed) to the East line of said Quarter (1/4) Section; thence South 01° 45' 31" West, along the East line of said Quarter (1/4) Section, 1318.40 feet (1318.91 = Deed) to the point of beginning. Subject to the rights of any public conveyances. Situated in the County of Boone and State of Illinois. Containing 10,000 Acres.

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF LOCATING THE BOUNDARIES AND CORNERS THEREOF AND THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT.

FIELD WORK FOR THIS SURVEY WAS COMPLETED ON JANUARY 21, 2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.


[Signature]

THOMAS R. EDDIE, I.P.L.S. 3635
EXPIRATION DATE: 11/30/2016

THOMAS R. EDDIE, I.P.L.S.
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS

PREPARED BY:
R.K. JOHNSON & ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
1315 WINDSOR ROAD, LOVES PARK, ILLINOIS 61111
(815) 633-3997 (815) 633-4992 FAX
ILLINOIS PROFESSIONAL ENGINEER LICENSE NO. 2000064525
JANUARY 23, 2015 JOB NO. 16438
PREPARED FOR: DENNIS PRICE
Visiting Students Program
Angelics Learning Center

Youth, adults and families benefit from knowing where their food comes from! Angelic Organics Learning Center offers programs to experience life on a vibrant working farm in Boone County, Illinois.

A. Introduction
In late February, 2016, Judy Moffat, a neighbor to Angelic Organics Learning Center offered to sell her 10 acres of farmland and oak savannah with a 2,400 sq. ft. house (main level), a 2,000 sq. ft. lower level, two 2-car garages, a facility shed, and a livestock barn. Judy expressed her hope that our planned charitable educational enterprise -- a Visiting Students Program -- will serve as a tribute to her family. The 10 acres at 1936 Rockton Rd. is located adjacent to Kinnikinnick Fields, a 70-acre parcel owned by Angelic Organics Learning Center, a 501(c)(3) charitable educational nonprofit and member of the United Way of Rock River Valley.

The Angelic Organics Association, a community land trust, closed on the 10 acres on June 1, 2016. The community land trust will protect the land in perpetuity for organic agriculture, farming education, and land conservation, and provide facilities for Angelic Organics Learning Center to operate a Visiting Students Program.

These ten acres are the future home for the Learning Center’s Visiting Students Program. This facility, when renovated to meet commercial code, will allow us to host small groups for week-long residential programs across the full calendar year -- school groups (September to May) and Summer Farm Camps for youth (June to August).

B. Land and Facilities
10 acres of oak savannah remnant with a split level house that sits on the south-facing limestone bluff above the winding north branch of the Kinnikinnick Creek. The livestock barn, built with 5 separate stalls, and the facility shed sit just behind the home. All are in excellent condition. Paths leading off to the west connect participants with an outdoor living classroom: A 200-acre farm and learning center.

C. Plans for the Educational Facility
Our plan is to renovate the house into an ADA accessible, 15-bunk bed educational center with a commercial teaching kitchen – sized to host one classroom at a time. We are committed to small group sizes so that we can provide the high quality learning experiences we are known for and embed the program safely in the farm without significant traffic or noise. American Camp Association accreditation will insure that we are following the industry’s best practices. The enterprise will generate up to 4 full time jobs and provide seasonal employment for counselors, educators, janitors, nurses, and cooks.
**D. Business Model**
The Angelic Organics Visiting Students Program is projected to break even in three years. At this point, the program will generate more than $400,000 in annual revenue, primarily from fees for summer farm camp and school/adult group programming. Supplemental fundraising will provide scholarships for eligible youth, adults and families.

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**Maps - 1936 Rockton Road and Angelic Organics Association**

The 10-acre parcel at 1936 Rockton Road is identified on the aerial map above with the red balloon as “1936 Rockton Road” (right hand side of map). In the center of the map, inside the large red rectangle is the “Kinnikinnick Fields,” a 70-acre parcel owned by Angelic Organics Learning Center. The Kinnikinnick Creek runs diagonally across both the 70 and 10 acres from the northwest corner (top left) to the southeast corner (bottom right). The main entrance to Angelic Organics Farm is in the bottom left hand corner of the map. The parcel is 4.5 miles east of interstate 90 Rockton Road exit.

**E. More Information**
If you would like to explore how you can help, please contact Tom Spaulding at 815-243-1554 or Tom@LearnGrowConnect.org for more information.
F. Background on Angelic Organics Learning Center:
- is dedicated to building a local sustainable food and farm system
- is a tax exempt 501(c)(3) charitable organization since 1999
- is a member agency of the United Way of Rock River Valley where we deliver agricultural educational programs to youth, adults and families living in the Rockford Housing Authority. We are a United Way agency in good standing, meeting all standards for best practices for charitable organizations.
- is an Illinois nonprofit in good standing with the Secretary of State
- has 15 full-time staff and 15 part-time seasonal staff operating from three offices – the farm office on Rockton Road, and two program offices in Rockford and Chicago
- has a $1.3 million annual operating budget in 2016
- its largest single program is the farmer training initiative, dedicated to helping beginning farmers in their first ten years of startup to create viable farms – 70% of our graduates are farming, recognized as one of the top training programs in the nation
- has a cooperative agreement with Angelic Organics vegetable farm, a community supported agriculture farm growing for more than 2,000 area families each season, to serve as the outdoor classroom for experiential training and educational programs
- is a member of Angelic Organics Association, a community land trust dedicated to protecting in perpetuity nearly 200 acres of farmland for organic agriculture, farming education, and land conservation

G. Background on Angelic Organics Association:
- is dedicated to protecting land in perpetuity for organic/biodynamic agriculture, farming education and land conservation
- is a nonprofit community land trust since 2013
- has a board of trustees representing the community, the farm, and the Learning Center
- owns majority equity in “AO North LLC” -- 39.25 acres at 1547 Rockton Road
- purchased the 10 acres at 1936 Rockton Road on June 1, 2016

H. Features of On-Farm Education Programs since 1999:
- Fun and hands-on experiences on a working farm (with soils, plants, animals and farmers)
- A safe environment to experience agriculture – on a certified organic farm, including 60 acres of diversified vegetables, 70 acres of rotationally grazed livestock (cows, pigs, goats and chickens), and 70 acres of natural lands (oak savannah).
- Educational programming that utilizes cutting-edge and holistic learning methodologies – engaging the "head, heart, and hands" of all learners.
- Day programs are led by trained on-farm educators
- 97% of all 2015 program participants report that they're 'strongly satisfied' or 'satisfied' with their on-farm educational program
- 100% of teachers in 2015 report that the program 'met or exceeded their goals and expectations' and that they would recommend the program to other educators
- 98% of parents of youth and summer programs in 2015 reported that their children would like to attend another program
I. Safe Learning Environment:
Angelican Organics Learning Center provides a safe learning environment on a nearly 200-acre “living classroom” (ie, the farm). Learning Center policies include:

- no drug policy for all staff and participants
- child abuse protection policy
- hiring policy - full background checks for all staff
- “head, hearts and hands” holistic learning methodology

J. Trained Staff:
Angelican Organics Learning Center staff leaders include:

- Thomas R. Spaulding
  - Prior to co-founding Angelican Organics Learning Center in 1999, Tom worked 11 years with YMCA of the USA servicing programming needs of local YMCAs
  - Has served or is serving on the following local, state and federal bodies:
    - Illinois Extension Board (Boone County)
    - Illinois Local Food Farms and Jobs Council (Appointed by IL Governor)
    - USDA Advisory Committee on Beginning Farmers and Ranchers (Appointed by the U.S. Secretary of Agriculture)
    - Collaborative Regional Alliance for Farmer Training, Steering Committee
- Kathleen Townsend
  - 20 years leading the Atwood Environmental Education Center, a resident camp for youth and schools

K. Proposed Visiting Students Program at 1936 Rockton Road

Benefit Flows: The proposed Visiting Students Program will:

1. Educate youth, adults and families about agriculture.
   a. As our country has become more urban, most people don’t know where our food comes from or what it takes to grow it. We offer hands-on not-for-profit charitable educational programs on a working farm to provide an essential education in food and farming.
   b. The Visiting Students Program will immerse young people into the daily rhythms and tasks of a working farm growing vegetables, fruit, and livestock. Young people gain exponentially more when their exploration and lessons are reinforced through multi-day experiences.
   c. Our charitable educational programs align with the learning standards of teachers – whether the Next Generation Science Standards, Common Core Math or Common Core English – and help educators to bring lessons home for students through creative and experiential methodologies.
   d. After a day program on the farm, one teacher shares: “Thank you so much for providing our students with a fantastic learning experience on your farm. They came away so excited (and so tired!), and they truly enjoyed their time. I appreciate that you were flexible with the program to meet our curricular needs. Linking the farm trip to our curriculum was really meaningful for my
Item 2: Narrative

more testimonials are available upon request. Please see the letters of support for the statements of regional educators who favor approval of the special use permit and launch of the Visiting Students Program.

e. As part of its charitable mission, the Learning Center provides scholarships to schools and community-based organizations with low-income students. One of the Learning Center's operational guidelines is that we "welcome participants regardless of their ability to pay."

2. Create Jobs.
   a. The Visiting Students Program will add up to 4 full-time jobs with benefits and up to 20 seasonal part-time educator, counselor, janitor, nurse, and cook jobs for our County.

3. Protect agricultural and environmental assets.
   a. This project will contribute to the County's Comprehensive Plan and the Greenways Plan of Boone and Winnebago Counties.
   b. Angelic Organics Association is a community land trust dedicated to protecting in perpetuity nearly 200 acres of farmland and wild space on Rockton Road for organic agriculture, farming education and land conservation.
   c. The Boone County Conservation District states that our property is home to the oldest known red oak in the county – estimated at 350 years old and boasting a trunk measuring a 58-inch diameter.
   d. The Natural Land Institute and Illinois EPA, DNR, BCCD, and other state agencies have helped to identify hundreds of native plants, insects, and animals on the property through a series of "Bioblitz" scientific events for the public.

I. Summary of the Visiting Students Program
The proposed Visiting Students Program (VSP) will focus primarily on two seasonal program streams:

1. September to May – for week-long custom-built educational programs for schools and other community groups
2. June to August – for week-long Summer Farm Camp experiences for youth

The VSP will primarily run week-long programs (running primarily Monday to Friday) for a maximum group size of 30 persons at any one time. This allows for accommodation of a single class from a school with teachers and adult chaperones.

The VSP will be coordinated from renovated facilities at 1936 Rockton Road. This property has several ideal features:

- it is adjacent to our existing farm, providing access on foot to the nearly 200-acre farm via trails through the oak savannah restoration area (70 acres at 1560 Rockton Road – owned by Angelic Organics Learning Center)
- it has an expansive two-level ranch home, renovated in the 1990s, that will serve as dormitory space (up to 15 bunk beds distributed across four large rooms with a maximum of 30 persons) and a commercial teaching kitchen
- it has a small barn with five stalls that can house a small herd of goats used for educational programs and for oak savannah restoration (replicating restoration efforts done with goats by the Boone County Conservation District)
M. Background on Christopher Fye, Architect:

Angelic Organics Learning Center has selected Christopher Fye & Associates PC (cf&a) to serve as architect for the Visiting Students Program. cf&a is a firm from our local region that has experience and expertise in the design of outdoor recreational facilities, including a successful residential summer farm camp in Jo Daviess County.

cf&a offers complete Architectural services for both residential and commercial projects. Since 1987 cf&a has designed hundreds of thousands of square feet and millions of dollars worth of projects, including facilities at regional church camps and The Country Experience, a visiting students program in Elizabeth, Illinois. For more information on Christopher Fye:

Christopher Fye & Associates
105 W. Main Street #100
Freeport, IL 61032
815-233-2215
http://www.fyearch.com/

N. Preparation for the VSP and special use permit:

In preparation for purchase of the property (June 1, 2016) and the special use permit application, Angelic Organics Learning Center has consulted with and/or hosted at the 1936 Rockton Road property the following public servants:

- Bob Walberg, Chairman, Boone County Board
- Gina Del Rose, Associate Planner, Belvidere-Boone County Planning Department
- Mary Alice Peterson, Boone County Department of Public Health
- William Hatfield, Boone County Department of Public Health
- Ryan Alms, Harlem Roscoe Fire Department
- Brian Harbison, North Boone Fire District 3
- Drew Bliss, Senior Building Inspector, Boone County Building Department
- Michelle Courier, State’s Attorney, Boone County (via Drew Bliss inquiry on our proposed use)
- Patricia Elder, Chief County Assessment Officer, Boone County
- Felicia Burton, Accessibility Specialist, Capital Development Board, State of Illinois
- Gordie Kaplan, Executive Director, American Camp Association, Illinois
- Ray Morse, Chairman, Manchester Township Board
- Bill Adams, Road Commissioner, Manchester Township Board
- Mayor Mike Chamberlain, Belvidere

In preparation for purchase of the property (June 1, 2016) and the special use permit application, Angelic Organics Learning Center has consulted with and/or hosted at the 1936 Rockton Road property the following private individuals and/or firms:

- Christopher Fye, Architect (preliminary sketches and site plan)
Item 2: Narrative

- Bloyer Well (well inspection and estimate based on flow requirements from William Hatfield)
- Brian Schindler, Audio Engineering (fire alarm and notification system estimate)
- Bob Spain Construction (septic system expansion estimate based on flow requirements from William Hatfield)
- Roald Gunderson, Architect (consult on ecological construction options)
- Len Salvig, RE Powered, Inc. (estimate on renewable energy options)
- T6 Mobile (high speed internet assessment)
- Orville Quante (septic system assessment)
- Scott Carter, Property Inspection (assessment of residential/commercial property)
- Curt Tobin, attorney
- Robert Torbert, attorney
- Chris Logli, attorney
- John Morgan, Neighbor
- Michael Shriver, Neighbor
- John & Haidy Peterson, Neighbors
- Bill Hall, Neighbor
- Gregg and Patricia Borchardt, Neighbors
- Nancy Carner, Neighbor
- Judy Moffat (heir to Bob Price), seller of the 10 acres
- Mayor Mike Chamberlain, Belvidere
- Jerry Paulson, Natural Land Institute
- Dan Kane, Boone County Conservation District

0. Items of Potential Concern:

1. Traffic.
   a. The VSP will have a minor impact on the traffic on Rockton Road.
   b. The Manchester Township Road Commissioner sees no significant issues with this project’s proposed ‘curb cut’ on Rockton Road. See his letter attached to the application.
   c. For the majority of the year (from September to May), the VSP will reduce traffic impacts through use of bus transportation for schools and community groups. Since the VSP capacity is 30 individuals, a single bus can drop off participants on a Monday and pick up on a Friday.
   d. A circular driveway added at Rockton Road will allow for easy and safe drop off and pick up. The Manchester Township Road Commissioner visited the location and approved the “curb cut” for the circular bus drive. See his letter attached.
   e. For the summer months, families will drop off their children for Summer Farm Camp. Their vehicles will primarily drop off on a Sunday/Monday and pick up on a Friday/Saturday so traffic will be kept to a minimum. The maximum increase in number of vehicles for a given week in the summer would be sixty vehicle trips per week (assuming all 30 children came in separate vehicles).

2. Parking.
   a. The VSP will have a designated and paved parking spot for handicapped parking right in front of the main building.
b. We plan to add a paved circular driveway at the entrance to Rockton Road to facilitate drop off and pick up by buses, vans and other vehicles and to eliminate any chance of congestion on Rockton Road.

c. The VSP, served the majority of the year with bus transportation, will not need significant parking for automobiles, just a few spots for staff. Buses drop or pick up and leave. In the event a bus needed to park, the circular drive will function as a bus parking lane.

d. For staff vehicles (from 1-5 per day depending on programming) and for visitor parking, we have ample space for parking along the paved driveway that extends from the back garage to the equipment shed. (This needs to be added to the draft site plan)

3. Health and Safety.
   a. Trained staff will be on site 24/7 when students are present. All staff will be trained in CPR, fire safety, and farm safety procedures.
   b. The main building has easy access for ambulance and first responders. Ryan Alms from Harlem Roscoe Fire Department visited the site and affirmed the easy access.
   c. All visitors will receive training upon arrival on their first day on health and safety procedures.
   d. The main building has an excellent “area of refuge” for participants to seek shelter below ground level during storms and other dangers.
   e. We will install a perimeter fence around the property to prevent participants from accidentally wandering off the property and to restrict entry from non-participants.
   f. American Camp Association accreditation will insure that we are following the industry’s best practices.

   a. We believe the VSP program will not create a noise issue.
   b. Most programs offered through the proposed Visiting Students Program involve children and youth and as such will fall under a “lights out” policy of no later than 11 pm.
   c. Students will be supervised at all times and trained staff and chaperones will be present 24/7 when students are on premises.
   d. We ask participants to turn off devices while on the farm so they can experience the quiet of the place and hear the sounds that come from nature and the farm.
   e. We do not believe our noise levels will be any louder than the existing noise levels in the area from barking dogs, airplanes taking off and landing, gunfire for target practice, and large and small motorized farm equipment.

5. Vicinity of Neighbors
   a. We are respectful of our neighbors.
   b. We have met with all four adjacent neighbors to alert them to the project and the application for special use. We have shared our plans in full and asked for feedback and any concerns. We have attempted to address any and all concerns shared with us.
c. The proposed VSP main house has only one neighbor that lives nearby (about 500 feet distance from his house to the main house). All other neighbors live in homes that are:
   i. 4100 ft to North
   ii. 2800 ft to East
   iii. 5500 ft to South
   iv. 1500 ft to Southwest
   v. 2500 ft to West and Northwest

d. There are visual blocks between the house and our closest neighbor. Our neighbor has a livestock barn that sits less than two feet from our eastern property line where it meets Rockton Road. It blocks the direct view from his home to the house at 1936 Rockton Road. In addition, this neighbor has placed along our adjacent property line a series of tall kennels to house hunting dogs. These cages extend to above eye-level, also providing a visual block to our property. If this is not adequate visual separation, we would be willing to consider adding shrubs along this section of the property line to help create further visual barriers and protection for our nearest neighbor. We have discussed the project with our neighbor on multiple occasions to make sure we are addressing their concerns. We have shared our desire to upgrade the fencing along our common property line, and he has expressed a willingness to work together on the upgrade of the fencing.

P. Competitors:

There are no competitors in Boone County for our proposed Visiting Students Program focused on agriculture.

In terms of the school year (September to May), while there are environmental education centers in the region serving schools, there are no existing centers in Boone County focused on multi-day programs on a working farm and focused on agriculture.

In terms of summer season (June to August), the nearest program that is similar to our proposed Summer Farm Camp is offered in Jo Daviess County under the name “The Country Experience”. They are in their first several years of startup. Ed Amstutz, the owner, is a graduate of our farmer training program (Stateline Farm Beginnings is offered annually by Angelic Organics Learning Center). The Country Experience is doing very well in its first few years of operation and is a positive contribution to the community.

- www.thecountryexperience.com
- Ed Amstutz, owner
- Elizabeth, Illinois
- 312-852-7400

The flagship program for a Visiting Students Program serving schools from September to May is offered in New York state through Hawthorne Valley Association. A support letter from Rachel Schneider of Hawthorne Valley is attached.

See more information on their Visiting Students Program here:
http://hawthornevalleyfarm.org/place-based-learning-center/programs-for-children/residential-programs/visiting-students-program/

Here is a description of the VSP program at Hawthorne Valley:

*Over the course of their five-day stay, younger students (Grades 3 through 8) have the opportunity to bake bread, clean the barn, work in the garden, help prepare meals for the group and many others. Activities for older students (Grades 9 through 12) change slightly depending on the age of the group. Activities may include botany walks, geological explorations, caving, brush cutting, among others.*

*Students, teachers, and farmers live, work, and learn together. The rhythms of nature and farm life take children beyond the classroom. Awakening to the environment, children rediscover the joy of learning and working together.*

*Living with classmates and friends enhances all of the experiences on the farm. Relationships are warmed, and many problems solved through shared events, activities, and the demands of group work projects. Serving each other in the dining hall, helping with dishes, and working side by side in the barn or the garden foster a cooperative spirit among the children.*
EXHIBIT A

LEGAL DESCRIPTION

East Ten (10) acres of the South One-Half of the Southeast Quarter of Section 17, Township 46 North, Range 3 East of the Third Principal Meridian, Town of Manchester, Boone County, Illinois, described as follows: Beginning at a stone monument at the Southeast corner of aforesaid Section 17, thence South 88 degrees, 44 minutes, 50 seconds West along the South line of Section 17, 330.34 feet to an iron pin; thence North, parallel with the East line of Section 17, 1318.99 feet to the North 88 degrees, 45 minutes, 40 seconds East along the North line, 330.34 feet to an iron pin in the East line of Section 17, thence South along said East line, 1318.91 feet to the place of beginning; situated in Boone County, State of Illinois.

Address: 1936 Rockton Road, Caledonia, IL 61011
PIN: 01-17-400-004
APPLICATION FOR SPECIAL USE
BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

Belvidere City Hall
401 Whitney Blvd. Suite 400
Belvidere, Illinois 61008

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If this application is approved, it is understood that it shall only authorize the special use described in the application with any conditions placed on the special use per the governing body. If the conditions are not met and/or the use is not established (or substantially underway) within one (1) year from the date of approval, the special use shall be null and void.

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is: 1936 Rockton Road, Caledonia, IL 61011 and its Parcel Identification Number is: 61-17-000-004

and the legal description for the subject property is: Lot _______ Block _______

Tract _______ Subdivision Name _______

(NOTE - If there is no lot, block, or tract, then attach a legal boundary description hereto.)

2) Applicant Name: Angelic Organics Association
Mailing address: 1547 Rockton Road
Caledonia, IL
Zip: 61011
Daytime Phone: 815-389-8455 Fax: 925-969-0317 Email: tjc@learngrowconnect.org

3) Property Owner Name: Angelic Organics Association - community land trust
Mailing Address: 1547 Rockton Road
Caledonia, IL
Zip: 61011
Daytime Phone: 815-243-1554 Fax: 925-969-0317

4) Attorney Name: Robert C. Torbert, Howard & Hardyman, LLP
Mailing Address: 124 N. Water Street, Suite 100
P.O. Box 17146 Rockford, IL
Zip: 61101-7146
Daytime Phone: 815-964-8600 Fax: 815-964-8719 Email: rtorbert@howardhardyman.com
5) **Project Manager:** In order to reduce confusion, planning staff requests one contact person be designated to discuss issues concerning this petition.

Name: [Name]

Mailing Address: [Address]

Daytime Phone: [Phone]

Fax: [Fax]

Email: [Email]

6) Describe the current use of the subject property: **residential - agriculture**

7) List the Special Use, as specified within the Zoning Ordinance, that you are seeking the approval of and describe the proposed use of the subject property in detail:

   **Charitable Institutions**

8) Total number of acres the Special Use will occupy: **10 acres**

9) **LIST THE OWNERS OF RECORD:** *Boone County applicants* shall list the owner of record for all properties located adjacent to and across the street or alley from the perimeter of the subject property. *City of Belvidere applicants* shall list the owner of record for all properties within 250 feet of the subject property (exclusive of public right-of-ways). This information is found at the Supervisor of Assessments Office, 1208 Logan Ave. or the Planning Office. Verifying the accuracy of information is the responsibility of the applicant (use additional pages if necessary).

Justyn Miller instructed us to leave this blank and his office will fill this in. 7/18/16

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Page 2 of 7
10) SUPPORTING INFORMATION: Attach a vicinity map and a site plan drawn to scale regarding your proposal. Illustrate any existing and proposed buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, refuse and service areas, and dimensions of setbacks and yard areas, as they apply to this application and as may be required by the Zoning Ordinance. Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

Natural Resource Information: Pursuant to state law, a copy of this application is to be provided to the Boone County Soil and Water Conservation District (SWCD). The SWCD is located at 211 N. Appleton Road, P.O. Box 218, Belvidere, and may be contacted at (815) 544-2677. Their business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. The SWCD must send a report to the Planning Department for your application to proceed.

NOTE: The "Endangered Species Act" entitles the Illinois Department of Natural Resources (IDNR) to review all special use permit applications for their impact on endangered or protected species. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the IDNR, via the EcoCAT website at DNR.EcoCAT@illinois.gov.

The "National Historic Preservation Act" entitles the Illinois Historic Preservation Agency to review all special use permit applications for their impact on cultural or historical resources if the proposed development involves State or Federal funding. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the Illinois Historic Preservation Agency at (1-217-782-4836).
DECLARATION

I, the applicant, of the above legally described property on which the special use is proposed, have provided answers to the questions given herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a special use on said property.

By virtue of my application for a special use, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a special use in order to determine the suitability of the request.

Applicant Signature: [Signature] Date Signed: 7/23/16

Owner(s) Signature: [Signature] Date Signed: 7/23/16

STAFF SIGNATURE: [Signature] Date Signed: 7/25/16

Filing Fee - Amount Paid: $500.00 Check Number: 74128

FILING PROCEDURE

A. Submit this form and supporting information accompanied by an application fee (make checks payable to the Boone County Treasurer). See the attached fee schedule.

B. Submit application and supporting information with fee to the Boone County Soil and Water Conservation District.

C. Selection of newspaper publication. See the attached newspaper selection sheet.

D. City of Belvidere Applicants must appear before the Belvidere Planning and Zoning Commission, Building, Planning and Zoning Committee and the Belvidere City Council.

Boone County Applicants must appear before the Boone County Regional Planning Commission, Boone County Zoning Board of Appeals, Planning, Zoning and Building Committee, and the Boone County Board. Boone County applicants must appear before the Joint Planning Commission rather than the County Commission if their property is located within 1.5 miles of Belvidere.
Special Use for Corporations, Partnerships, and Joint Venture
(If Applicable)

1. Is the petitioner or applicant a corporation, partnership or joint venture?
   non-profit corporation, charitable 501c3 organization

2. State the name for which the business is conducting business under.
   Angelic Organics Association

3. Are you acting for yourself, or in the capacity of agent, alter ego or representative of a principal?
   President, Angelic Organics Association

4. State the name(s) and address(es) of the actual and true principal(s).
   Please see attached list of Trustees for Angelic Organics Learning Center, fiscal sponsor in Item 7.d.

5. State the names and address of all officers, directors and all stockholders or shareholders owning any interest in excess of 20% of all outstanding stock of such corporation (use a separate sheet if necessary).
   Please see attached list of Trustees for Angelic Organics Learning Center, fiscal sponsor in Item 7.d.
Item 5:

Check made out to Boone County Treasurer in the amount of $500 is enclosed.

Date: 7-25-16
Check Number: 8448
July 5, 2016

SWCD NRI #: 1505

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted for the property listed in this letter. We will supply a written reply to you office as indicated below:

- Our review does not apply in this instance.
- Other (see attached)

Location of Site:

PIN(S): 01-17-400-004

Contact:
Thomas Spalding
Phone: 815-243-1554
E-Mail: tom@learngrowconnect.org

Petitioner:
Thomas Spalding
Phone: 815-243-1554
E-Mail: tom@learngrowconnect.org

Owner:
Angelic Organics Association
Address: 1547 Rockton Rd.
Caledonia, IL 61011

Request: Special use for learning center

Sincerely,

Jennifer Becker
Boone County Soil & Water Conservation District

CC: Angelic Organics Association-Thomas Spalding
The Country Experience is a week-long, sleepaway camp for 7-12 year olds, where hands-on experiences and real-world tools allow campers to become contributing members of a 34-acre family farm.

The youth-sized environment has been prepared so campers can be "inside the fences," making new friends as they care for animals, run and play on the wide lawn, and prepare meals from a garden they've helped tend.

Register Now | www.thecountryexperience.com | (312) 852-7400
I have inspected the property for Angelic Organics Learning Center and can see no problem putting in another driveway.

Bill Adams
Manchester Highway Dept.
6-15-16

Tom and staff at Angelic Organics,

I feel the need to express to all of you, especially Tom, my deepest gratitude for your purchase of my parents' homestead. I could not have asked for a relationship more accommodating and easy to work with than Angelic Organics.

I have confidence that all of your hopes and dreams for the Rockton Road "complex" will be realized. It would be a very satisfying tribute if "Price" could be somehow implemented in the "name" of the property. I would be willing to help in any way if this becomes possible.

In closing, my best wishes to all of you and most of all success in the development of your recent purchase.

Sincerely,

Judy

Letter from Judy Moffat, heir to Bob & Ida Price,
1936 Rockton Road, Caledonia, IL 61011
Letter of Support from Rosanne Roraback, parent of a youth participant at Angelic Organics Learning Center, will be submitted when received (not available on 7/25/16 when this packet was submitted on time)
Tuesday, July 19, 2016

Mr. Thomas R. Spaulding
Executive Director
Angelic Organics Learning Center
1547 Rockton Road
Caledonia, IL 61011

Dear Tom:

Congratulations on the acquisition of the Moffat parcel adjacent to the 70-acre woods owned by Angelic Organics Learning Center. I’ve always thought that it was a wonderful piece of property so I was thrilled to hear that the previous owner felt passionately enough about agriculture, conservation and education to approach you first when it came to selling the property. It will serve as an excellent site for an outdoor education learning experience for people of all ages in the region.

It is my understanding that the next step in this process is the application for a Special Use Permit from the Boone County Board. I hope you will attach this letter to show my strongly support. Below, I have shared a few points for the board members to consider as this process moves forward:

- As a formal educator at Rock Valley College and Angelic Organics Learning Center On-Farm Educator, I recognize the need for learning opportunities that extend outside of the classroom. More and more, those working in the field of education are realizing the power of “place-based” and “experiential” learning opportunities such as those offered at Angelic. The proposed Visiting Student Program perfectly mirrors the goals and objectives of those teaching strategies and will no doubt allow youth, adults and families to gain first-hand knowledge about food and agriculture. Such an education will surely lead to more sustainable decision making about our health, community and environment.
- As someone whose vocation allows them to teach both short-term workshop as well as semester-long courses, I understand the power and shortcomings of both. In my opinion the “farm camp” learning opportunities in your proposal will help assure that the learning that occurs is more rich and impactful than typical overnights we currently offer at the AOLC.

Outdoor/field experiences are few and far between and Angelic Organics Learning Center is, more so than any other local entity, the logical provider of this kind of education and I hope that the County Board will strongly consider not only approving your proposal but will do all they can to promote such an endeavor. I look forward to developing some curriculum with you and bringing Rock Valley College students there for what will surely be great, experiential learning opportunities.

Sincerely,

Joe Haverly
Professor of Life Sciences
Rock Valley College
July 25, 2016

Mr. Thomas R. Spaulding  
Executive Director  
Angelica Organics Learning Center  
1547 Rockton Road  
Caledonia, IL 61011

Dear Tom:

I am writing to support the application by Angelica Organics Learning Center for a special use permit from Boone County to operate the Visiting Students Program at 1936 Rockton Road, Caledonia, IL 61011.

This project will help youth, adults and families to know where their food comes from and to experience agriculture with hands-on education on a working farm.

In the Rockford School District as well as many other districts around our region there is a movement towards Career Academies to help students see how their education is relevant to their future career. In order to make this work, students need experiences in the field (literally in this particular case). When students have the opportunity to be immersed for a week-long experience they can get a much more accurate in-depth feel for how a farm works. More importantly, students will see how what they are learning in the classroom connects with the real world.

Angelica Organics Learning Center is an ideal provider of this kind of educational experience. They are one of the oldest and largest community-supported agriculture farms in the U.S., and they have a very successful and effective Learning Center already in place with many different lessons to choose from. Their teachers are knowledgeable, experienced and passionate. If students were able to come for up to a week, they could take advantage of many of the experiences instead of being limited to what will fit into one day. The increased time will also allow more formal and informal discussions to enrich the learning process.

I have been teaching biology since 1993, and I have taken students on many types of field trips. The visit to Angelic Organics is one of the most well-organized and richest field trips I have found. I started bringing honors biology students many years ago, I expanded it to include my regular biology students, and then we created a "Farm to Table" interdisciplinary unit for all of our freshman students which included this experience. The knowledge students gain from this field trip supports a wide variety of standards not only in biology, but also in every other subject. We have lessons connected in English,
World History, Math, and our Freshman Seminar courses. I use the Angelic Organic experience to teach many units throughout the school year including Ecology, Genetics, Energy Dynamics, Cells & Microorganisms, and Evolution.

I strongly encourage Boone County to approve this request for a special use permit so that kids, adults and families learn where their food comes from. If I can provide any additional information or answer any questions, please feel free to contact me by email (Jennifer.chycota@rps205.com) or on my cell phone (815) 520-3985.

Sincerely,

Jennifer Chycota
Biology Teacher
Guilford H.S. RPS 205
National Honors Society Adviser
Monday, July 25, 2016

Justyn Miller
Boone County Planning Department
1212 Logan Ave., Suite 102
Belvidere, IL 61008

Mr. Miller:

I am writing in support of the Special Use Application submitted by Mr. Thomas R. Spaulding on behalf of Angelic Organics Learning Center, an organization that provides student with unique agricultural education programming at a working farm. This project will expand the educational capabilities of this organization and provide exposure and hands on experiences to youth who would otherwise not be afforded this type of opportunity.

Boone County has a rich agricultural history and agriculture is a strong and essential element of this community’s economic engine. I encourage the Boone County Planning Department and the various boards of review to consider this application by the Angelic Organics Learning Center as a positive reflection of the Boone County Comprehensive Plan. I have interacted with Mr. Spaulding on various programs and projects including local tours associated with the Boone County Conservation Easement and Farmland Protection Commission and can attest to benefits that the Angelic Organics Learning Center contributed to those efforts.

Please feel free to contact me if you have any questions relating to this letter of support.

Sincerely,

[Signature]

Daniel J. Kang, Executive Director
Boone County Conservation District

c. District Files
   Mr. Thomas Spaulding, Angelic Organics Learning Center
7/25/2016

Mr. Thomas R. Spaulding
Executive Director
Angelic Organics Learning Center
1547 Rockton Road
Caledonia, IL 61011

Dear Tom,

I am writing to support the application by Angelic Organics Learning Center for a special use permit from Boone County to operate the Visiting Students Program at 1936 Rockton Road, Caledonia, IL 61011. This project will help youth, adults and families to know where their food comes from and to experience agriculture with hands-on education on a working farm.

As a Local Food Systems and Small Farms Educator in Boone County, I have come to understand Boone County’s unique niche as a bastion of diversified agriculture and scenic farmscapes between expanding metropolitan areas. However, these metros are also home to a large population of youth who are becoming further and further removed from the food and agriculture system that supports them. Having worked with the Angelic Organics Learning Center for over a decade, I believe they are uniquely positioned to help these kids experience a wide variety of agricultural pursuits, in particular those enterprises which result in food products for human consumption. I don’t think there is any better way for a kid to connect with agriculture than to actually harvest and taste the fruits of their labor, especially within a context where kids are also learning science, technology, math, and conservation.

If we want area children to support the agricultural character of Boone County, steward its natural resources, and possibly even consider a career in the food and farm sector, I encourage Boone County to approve this request for a special use permit.

Sincerely,

Andrew L. Larson
Local Food Systems and Small Farms Educator
University of Illinois Extension

http://web.extension.illinois.edu/bdo
July 24, 2016

Mr. Thomas R. Spaulding
Executive Director
Angelics Organics Learning Center
1547 Rockton Road
Caledonia, IL 61011

Dear Tom:

I am writing to express my strong and enthusiastic support for the application by Angelics Organics Learning Center for a special use permit from Boone County to operate the Visiting Students Program at 1936 Rockton Road, Caledonia, IL 61011.

Having had the privilege of observing the ongoing work of Angelics Organics Learning Center over many years, I have both admired and even modeled some of our own programming at Hawthorne Valley after the highly effective and well implemented activities at AOLC. I am certain that this new and residential project will further help youth, adults and families to know where their food comes from and to experience agriculture with hands-on education on a working farm. My own deeply held belief is that this work is crucial to the well-being and healthy growth of our young people.

As Director of the Hawthorne Valley Place Based Learning Center I oversee a Visiting Students Program very similar to the one proposed by AOLC. Over the past 45 years of our VSP’s existence we have seen thousands of children and provided part time and full time positions for hundreds of young people. Our program allows up to 30 children each week to spend time on our farm with their teachers and chaperones. They work with our animals, in our gardens and kitchens, hike in our forests and along our streams and swim in our ponds. The programming we provide is sensitive to the requests of their teachers and we allow direct farm based experiences to support each school’s curriculum. Our VSP runs for 37 weeks with a 4 week break in December. In addition to the 900 children we see in this modality, we also see roughly 40 children each session over 4 sessions of summer camp through July and August. That is a total of another 160 residential campers plus another 75 children in our day camps over 6 weeks. We employ 5 full time staff, 3 part time staff and 8 educational interns during the school year – 4 each semester. In the summer, the number of interns rises to 20 young people as camp counselors.
At this scale, we are able to offer our visiting students a full and at the same time intimate farm experience. Our group activity size is one adult to 6 or 7 students. Our Main House accommodations have no more than 6-9 students or campers per dorm room and the each bus that delivers children can enter our hamlet modestly, without overwhelming our environment. Also, at this smaller scale we can insure the safety of our students and campers because they are all always within site and in an unhurried and calm atmosphere on our farm. In the 45 years of this program, we are grateful to say we have never experienced a major safety accident or health incident of any kind. We have excellent relationships with our state health inspectors who appreciate the care we bring to our kitchen food safety and medical protocols and the careful way we provide good record keeping. All this becomes more possible because of our scale. Unlike larger summer camps in our county which can host 600 children or more at a time, for example, we have never had an outbreak of a food-borne illness or a pathogen outbreak of any kind.

In my opinion, the Angelic Organic Learning Center is in a perfect position to model a Visiting Students Program similar to our own. They are consummate professionals who already have a proven track record in farm based education that is wholesome and at a scale that allows children to have deeper farm experiences. They have provided excellent support to Hawthorne Valley when we opened our own day programming Learning Center and we are so very happy to provide the same support to AOLC as their leadership develops their own residential program.

I encourage Boone County to approve this request for a special use permit for Angelic Organics Learning Center. Keeping our agricultural counties thriving requires that all people understand the importance of agriculture to the health and welfare of our families. The best way to garner that kind of support is to let these families actually experience the strong connection to Nature and to the living land that a farm can inspire and from there to appreciate the hard work that goes into growing our food.

Sincerely,

Rachel Schneider
Senior Director
Hawthorne Valley Farm Place Based Learning Center
327 Route 21C
Ghent, New York 12075
Rachel@hawthornevalleyfarm.org
518-672-4465 x236
July 18, 2016

Mr. Thomas R. Spaulding
Executive Director
Angelics Organics Learning Center
1547 Rockton Road
Caledonia, IL 61011

Dear Tom:

I am pleased to provide this letter of wholehearted support for the application by Angelics Organics Learning Center for a special use permit from Boone County to operate the Visiting Students Program at 1936 Rockton Road, Caledonia, IL 61011.

This project will help youth, adults and families know where their food comes from and to experience agriculture with hands-on education on a working farm. This is an ideal use of this new building and parcel of land to enrich the education of future generations.

The concept of outdoor education/environmental education can be summarized as "what can best be taught in a classroom should be taught there, but what can best be taught with a direct experience should be taught in this way. While outdoor education has to some extent faded due to economic factors the validity of this approach and its need is stronger now than several decades ago when this was a popular learning medium. A working farm and/or summer “farm camp” for youth is an ideal way to expand the Angelics Organics Learning Centers mission.

Angelics Organics Learning Center is on the cutting edge of the growing movement to teach future generations about maintaining the ecological health of our planet. They do this by immersing participants in the care and sustainability of natural areas and food crops. They also enhance people’s awareness by reconnecting them with our precious earth.

I recently retired as Executive Director of the American Camp Association, Illinois and completed forty-nine years of not-for-profit work to help the public and camp professionals further our mission of “Better Camping For All.” Before retiring I visited the Angelics Organics Learning Center to provide staff with the ACA Camp Accreditation Standards Course; the first step in the process for this organization to earn ACA Camp Accreditation. I was impressed with the in-depth knowledge, multiple skills, on-target vision, and professional practice by the staff. ACA IL will be proud to have this exceptional program become ACA Camp Accredited during the 2017 summer camp season.

I encourage Boone County to approve this request for a special use permit so that kids, adults and families learn where their food comes from.

Sincerely,

[Signature]

Gordon E. Kaplan
Executive Director, Emeritus
Angelics Organics Learning Center

Board of Directors

Joseph Arden
Independent Software Architect

Lisa Carter
Business Development and Strategy, The Policy Circle

Melissa Flynn
Executive Director, Green City Market

Dominic Green
Co-Owner, The Gentleman Farmer

Mary Khoury, Board President
Aquatic Ecologist, The Nature Conservancy

Constance McCarthy, Board Secretary
Linguistic Editor, IBFD

Cliff McConville
Farmer and Founder, All Grass Farms

John Peterson, Board President Emeritus
Farmer and Founder, Angelic Organics Farm

Tom Spaulding
Executive Director, Angelic Organics Learning Center

Last Updated: July 21, 2016
August 10, 2016

Mr. Ken Terrinoni, County Administrator
1212 Logan Ave., Suite 102
Belvidere, Illinois 61008

RE: Special Use Case 17-2016; Angelic Organics, 1936 Rockton Road

Dear Mr. Terrinoni,

I have reviewed the Special Use request for the above captioned case to operate the Angelic Organics Learning Center.

The Special Use states a circular drive, which I agree with, will be constructed for use by vehicles to the AGLC. I did not see a sketch of the location or geometrics of the drive in the packet. The proposed entrance will need to be approved in writing by the Manchester Township Road Commissioner prior to construction.

The AGLC will not adversely affect the water runoff in the area due to the large number of acres owned by the AGLC and any runoff will go directly into the Kinnikinnick Creek. No detention will be required.

This office does not object to the approval of the Special Use based on the above reasons.

Richard A. Lundin
Boone County Engineer
BOONE COUNTY
BUILDING DEPARTMENT

1212 Logan Ave.  Suite 101  Belvidere, Illinois 61008
(815)544-6176  
(815)-547-0906(fax)

August 16, 2016

To:        Ken Terrinoni  
County Administrator

From:      Drew Bliss
Senior Building Inspector

RE:        17-2016; Angelic Organics, 1936 Rockton Road, Caledonia, IL

Dear Mr. Terrinoni,

Our office has no objections to the special use request. Please notify the applicant that a building permit will be required if the case is approved.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,

Drew Bliss
Senior Building Inspector
Boone County Building Department
August 12, 2016

Ken Terrinoni  
Boone County Planning Dept.  
1212 Logan Ave.  
Belvidere, IL  61008  
Fax 815-547-3579

Re: 17-2016; Angelic Organics, 1936 Rockton Road Caledonia, IL

Dear Ken,

We are in receipt of the special use permit request for the above referenced case.

The Boone County Health Department has a process of a plan review in place for situations like this. The property owner will need to come into our office to initiate this process. A to scale overhead of his property will be printed out and any new building will need to be drawn onto it. The plan then will go to the inspector for review. The fee for this process is $50.00

If the house on the property is going to be used as a dormitory/teaching site, additional investigation will need to be done on the well and septic system.

Thank you,

William L. Hatfield  
Director of Environmental Health

skm
CASE NO.: 18-2016  APPLICANT: Goad (11860 Illinois Route 173, Capron)

REQUEST AND LOCATION:
The applicants, Robert O. Goad and Betty Goad, 113 Galahad Court SE, Poplar Grove, IL 61065, are requesting a special use permit under Section 2.7 (Special Uses) and Sub-Section 3.16.1 (Table of Permitted Uses of the Boone County Zoning Ordinance) to allow an auction sales yard at 11860 Illinois Route 173, Capron Illinois, 61012, in the A1 (Agricultural Preservation) Zoning District in unincorporated Boone Township, Boone County, Illinois. The property is comprised of two parcels (04-01-400-004 – 9.95 acres and 04-01-400-006 – 5.53 acres) legally described as:

PT E 1/2 SE BEG 24.02' N & 400' E OF SW COR N 761' E 580' S 741.23' SW 321. 259' TO POB (EX PT FOR RD AS IN 99-1255) 1-45-4 11860 IL ROUTE 173 (PIN 04-01-400-004); AND

PT E 1/2 SE-BEG 781.75' N SE COR S 678.63' SW 352.62' N 741.23' E 346.99' T (EX PT FOR RD AS IN 99-1255) 1-45-4 (PIN 04-01-400-006).

EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: Agriculture
Adjacent properties:
North, South, East and West: Agriculture

CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: A1 – Agriculture Preservation District
Adjacent properties:
North, South, East and West: A1 – Agriculture Preservation District
East: All property to the east is in McHenry County

COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:
Subject property: Planned Neighborhood, Environmental Corridor
North, South and West: Planned Neighborhood, Environmental Corridor
East: All property to the east is in McHenry County

BACKGROUND:

The subject property is located on Illinois Route 173 in unincorporated Boone Township, Boone County. The property is comprised of two parcels. The first parcel, 04-01-400-004 is 9.95 acres. The second parcel, situated to the east of the first parcel, 04-01-400-006,
is 5.53 acres. Together the subject property is 15.48 acres. Currently the property is used for agricultural operations. There are agricultural buildings on the property, which will remain. The applicant plans to build an additional building on the property.

The subject property is owned by Robert and Betty Goad, 113 Galahad Court SE, Poplar Grove, Illinois 61065. The Goads are requesting a Special Use Permit under Section 2.7 (Special Uses) and Sub-Section 3.16.1 (Table of Permitted Uses of the Boone County Zoning Ordinance to allow an auction sales yard at the subject property.

NOTE: Section 3.16 (Table of Permitted Uses) of the Boone County Zoning Ordinance includes the following clarifying conditions to the “auction sales yards” use: Does not include livestock or motor vehicles. Shall not be held for more than 3 days in a one-week period. All articles not sold at the end of the auction for that one-week period shall be removed from the property. Farm produce, rebuilt, reconditioned and used household goods and appliances shall be offered for sale.

OTHER PLANNING CONSIDERATIONS:
The Boone County Soil and Water Conservation District states that their review does not apply in this case. They added that a request for a Natural Resource Information Report was submitted for the property and that there is one soil type, Piscasaw silt loam, found on parcel 04-01-400-004 where proposed structure will be built. This soil is not prone to flooding or ponding, is well drained, and is not hydric. There are no flood plains or indicators of wetlands where building is proposed; however a 100-year flood plain is present on the east side of this parcel. Parcel 04-01-400-006 is completely covered by a 100-year flood plain and has wetland soil indicators with wetlands expected to be present onsite.

The Boone County Engineer Richard A. Lundin reviewed the application and stated that:
- The applicant shall either widen the existing access to accommodate two-way traffic or construct a second access and have the two accesses one directional to provide good traffic flow.
- The addition of a new access point or widening of the existing access will require permission from the Illinois Department of Transportation.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that he had no objection to the Special Use Permit, but that if the application is approved, a building permit will be required.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that:
- The department has a plan review process in place for cases like this.
- The property owner will need to come to the department to initiate the process; the fee is $50.00.
- The department will need a scale drawing of the property with any new buildings depicted on it.
- The department’s inspector will review the drawing.
- A site verification could also be needed if the building is going to have a bathroom, because that would indicate a septic system and well would be required.
All of the eastern parcel, and a small part of the easternmost part of the western parcel, is located within the FEMA regulatory floodplain. However, the existing buildings are located outside the special flood hazard area, and the drawings submitted by the applicant depicting the proposed location of the new building also indicate that the new building will be outside the special flood hazard area.

TREND OF DEVELOPMENT:
The subject property is located in unincorporated Boone Township, Boone County, Illinois, east of the Village of Capron and adjacent to the Boone-McHenry county line. The subject property and surrounding properties are all zoned A-1 Agriculture Preservation District. However, the Comprehensive Plan’s Planned Land Use Map indicates planned neighborhood and environmental corridor for the subject property and adjacent Boone County properties.

COMPREHENSIVE PLAN:
The subject property is designated as "Planned Neighborhood" by the Boone County Comprehensive Plan. This map category encourages “a carefully planned mixture of predominantly single-family residential development (minimum of 60% of all dwelling units), combined with one or more of the following land use categories: neighborhood residential; two-family residential, multi-family residential, neighborhood office, neighborhood business, institutional, and active recreation”. Neighborhood business is defined in the comprehensive plan as “residential, office, and neighborhood supporting institutional and commercial uses which preserve the residential character through building scale, building appearance, landscaping and signage”.

FINDINGS OF FACT:
According to Section 2.7.3 of the Boone County Zoning Ordinance, a Special Use Permit shall not be granted unless the County Board finds the following facts:
1. **Required:** The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community.

**Finding:** The proposed use, when conducted with the clarifying conditions in Boone County’s Table of Permitted Uses (Section 3.16.1 of the Boone County Zoning Ordinance) will provide a service which is in the interest of the public.

2. **Required:** The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare.

**Finding:** Currently, the surrounding uses are agricultural in nature. Because adherence to the clarifying conditions, including the limit of three days per week for sales and the requirement that articles not sold be removed from the property following the auction, and because the property is large enough to accommodate off-street parking, the character of the neighborhood will not be substantially impacted.

3. **Required:** The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

**Finding:** The proposed new building will be required to comply with all applicable local and other regulations, including but not limited to building, zoning, public health, and flood management regulations.

4. **Required:** Such other standards and criteria as are established by the ordinance for a special use as set forth in section 2.7.4 and as applied to planned developments as set forth in section 2.10 shall apply to the property for as long as the special use permit is in effect.

**Finding:** This development shall be subject to Section 5.4.2 (Landscaping and Screening Regulations) of Chapter 5 (Development and Design Standards) of the Boone County Zoning Ordinance. This is particularly important given the planned land use standards for this and surrounding properties as provided in the Boone County Comprehensive Plan.

5. **Required:** That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the county board pursuant to the recommendations of the zoning board of appeals.

**Finding:** The use and development will be subject to review by the appropriate County departments and issuance of all necessary permits and certifications.

6. **Required:** That the potential public benefits of the special use outweigh any potential adverse impacts of the special use after taking into consideration the applicant’s proposal and any requirement recommended by the applicant to ameliorate such impacts.

**Finding:** This use, implemented in full compliance with Boone County’s planning, zoning and building regulations, and all other applicable state and federal
regulations, has potential public benefits that outweigh any potential adverse impacts.

SUMMARY OF FINDINGS:

The Goads are proposing an auction sales yard at 11860 Illinois Route 173, Capron, Illinois. The special use, if granted, will be subject to the clarifying conditions of Section 3.16.1 (Table of Permitted Uses) of the Boone County Zoning Ordinances, which 1) prohibit sales of livestock or motor vehicles; 2) limit auctions to not more than three (3) days in a one-week period; and 3) require that all articles not sold at the end of the auction for that one-week period be removed from the property.

RECOMMENDATION:
Planning staff recommends the approval of case number 18-2016 because it meets the requirements of Section 2.7.3 of the Boone County Zoning Ordinance, which state that a Special Use Permit shall not be granted unless the County Board finds facts in the six categories listed above.

Submitted by:

Signed: ________________________
Shelly R. Dunham, AICP
Interim Planner
APPLICATION FOR SPECIAL USE

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

Belvidere City Hall
401 Whitney Blvd., Suite 400
Belvidere, Illinois 61008

FOR OFFICE USE ONLY

Belvidere  Boone County

Case Number: 18-2010  PZC Date:  ZBA Date:
Filing Date: 7-26-11  CC Date:  PZB Date:
Zone District:  CC Date:  CB Date:

If this application is approved, it is understood that it shall only authorize the special use described in the application with any conditions placed on the special use per the governing body. If the conditions are not met and/or the use is not established (or substantially underway) within one (1) year from the date of approval, the special use shall be null and void.

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is:
   11860 Illinois Route 173, Capron, IL 61012

   and its Parcel Identification Number is: 04-01-400-004 and 04-01-400-006
   and the legal description for the subject property is: Lot Block
   Tract Subdivision Name See attached legal.
   (NOTE - If there is no lot, block, or tract, then attach a legal boundary description hereto.)

2) Applicant Name: Robert O. Goad and Betty Goad
   Mailing Address: 113 Galahad Court SE
                     Poplar Grove, IL 61065
   Daytime Phone: 815-765-2299  Fax:  Email: betmarupd@aol.com

3) Property Owner Name: Same
   Mailing Address:  Daytime Phone:  Fax:  Email:

4) Attorney Name: Natalie Hyser Barber, Tobin & Ramon
   Mailing Address: 530 South State Street, #200
                    Belvidere, IL 61008
   Daytime Phone: (815) 544-0316  Fax: (815) 544-4398  Email: natalie@tobinramon.com

Page 1 of 7
5) **Project Manager:** In order to reduce confusion, planning staff requests one contact person be designated to discuss issues concerning this petition:

Name: Betty Goad  
Mailing Address: 113 Galahad Court, SE  
Poplar Grove, IL 61065  
Daytime Phone: 815-765-2299 Fax: Email: betmarupd@aol.com

6) Describe the current use of the subject property: 15.48 acres total. Parcel 004 is 9.95 acres and Parcel 006 is 5.53 acres.

7) List the Special Use, as specified within the appendix of the Zoning Ordinance, that you are seeking the approval of and describe the proposed use of the subject property in detail:

Section 2.7 - Special Uses  Section 3.16(A) - Auction sales yards  
Section 3.2.(2 and 4D) - A-1 Uses and Lot Development Standards  
Section 5.2, 5.4 and 5.5 - Accessory Building Setback, Landscaping and Parking

8) Total number of acres the Special Use will occupy: 15.48 acres.

9) **LIST THE OWNERS OF RECORD:** *Boone County applicants* shall list the owner of record for all properties located adjacent to and across the street or alley from the perimeter of the subject property. *City of Belvidere applicants* shall list the owner of record for all properties located 250 feet from the perimeter of the subject property (exclusive of public right-of-ways). This information is found at the Supervisor of Assessments Office, 1208 Logan Ave. or the Planning Office. Verifying the accuracy of information is the responsibility of the applicant (use additional pages if necessary).

<table>
<thead>
<tr>
<th>PIN #</th>
<th>Name/Trust No.</th>
<th>Street</th>
<th>City</th>
<th>Zip</th>
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<tbody>
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<td>04-01-400-001</td>
<td>Tierney Farm c/o Alan Tierney</td>
<td>11532 IL Route 173</td>
<td>Capron</td>
<td>61012</td>
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<td>04-01-400-005</td>
<td>Richard Rosati, Jacqueline &amp; Barbara</td>
<td>5550 FM 727</td>
<td>Jefferson, TX</td>
<td>75657</td>
</tr>
<tr>
<td>04-12-200-005</td>
<td>Carole Spickler Tr. &amp; Sixty One Tr.</td>
<td>807 Emerson Drive</td>
<td>Rockford</td>
<td>61108</td>
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<tr>
<td>04-12-200-013</td>
<td>Curt A. Bottcher</td>
<td>11823 IL Route 173</td>
<td>Capron</td>
<td>61012</td>
</tr>
<tr>
<td>06-06-300-009</td>
<td>Carole Spickler Tr. &amp; Sixty One Tr. C/o John G. Wurtz</td>
<td>547 Sandy Court</td>
<td>Harvard</td>
<td>60033</td>
</tr>
</tbody>
</table>
10) **SUPPORTING INFORMATION:** Attach a vicinity map and a site plan drawn to scale regarding your proposal. Illustrate any existing buildings and proposed buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, refuse and service areas, and dimensions of setbacks and yard areas, as they apply to this application and as may be required by the Zoning Ordinance. Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

**Natural Resource Information:** Pursuant to state law, a copy of this application is to be provided to the Boone County Soil and Water Conservation District (SWCD). The SWCD is located at 211 N. Appleton Road, P.O. Box 218, Belvidere, and may be contacted at (815) 544-2677. Their business hours are Monday thru Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. **The SWCD must send a report to the Planning Department for your application to proceed.**

**NOTE:** The "Endangered Species Act" entitles the Illinois Department of Natural Resources (IDNR) to review all special use permit applications for their impact on endangered or protected species. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the IDNR, via the EcoCAT website at DNR.EcoCAT@illinois.gov.

The "National Historic Preservation Act" entitles the Illinois Historic Preservation Agency to review all special use permit applications for their impact on cultural or historical resources if the proposed development involves State or Federal funding. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the Illinois Historic Preservation Agency at (1-217-782-4836).
DECLARATION:

I, the applicant, of the above legally described property on which the special use is proposed, has provided answers to the questions given herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a special use on said property.

By virtue of my application for a special use, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a special use in order to determine the suitability of the request.

Applicant Signature: [Signature] Date Signed: 7-26-16
Owner(s) Signature: [Signature] Date Signed: 7-26-16
Attorney of Record Date Signed: ______

STAFF SIGNATURE: [Signature] Date Signed: 7-26-16

Filing Fee - Amount Paid: $700.00 Check Number: 01141

FILING PROCEDURE

A. Submit this form and supporting information accompanied by an application fee (make checks payable to the Boone County Treasurer). See the attached fee schedule.

B. Submit application and supporting information with fee to the Boone County Soil and Water Conservation District.

C. Selection of newspaper publication. See the attached newspaper selection sheet.

D. City of Belvidere Applicants must appear before the Belvidere Planning and Zoning Commission, Building, Planning and Zoning Committee and the Belvidere City Council.

Boone County Applicants must appear before the Boone County Regional Planning Commission, Boone County Zoning Board of Appeals, Planning, Zoning and Building Committee, and the Boone County Board. Boone County applicants must appear before the Joint Planning Commission rather than the County Commission if their property is located within 1.5 miles of Belvidere.
NARRATIVE

The applicant, Robert O. Goad and Betty Goad ("Applicant") is the owner of record for 11860 Illinois Route 173, Capron, IL 61012 (PINs: 04-01-400-004 and 04-01-400-006) which totals 15.48 acres (the "Subject Property"). The Applicant’s address is 113 Galahad Court SE Poplar Grove, IL 61065. The Applicant plans to use the Subject Property for an Auction Sales Yard and would like to build a storage building in connection with the same.

The Subject Property is zoned A1, and an Auction Sales Yard is permitted by Special Use with the following Clarifying Conditions as noted in 3.16 Table of Permitted Uses, of which the Applicant will comply:

"Does not include livestock or motor vehicles. Shall not be held for more than 3-days in a one week period. All articles not sold at the end of the auction for that one week period shall be removed from the property. Farm produce, rebuilt, reconditioned and used household goods and appliances shall be offered for sale."

Further, the Applicant will comply with following for the building and lot development:

Section 3.2.(2 and 4D) - A-1 Uses and Lot Development Standards

Section 5.2, 5.4 and 5.5 - Accessory Building Setback, Landscaping and Parking

Attached please find building rendering.

The Applicant will make every effort to facilitate an attractive overall design so that it is homogenous with the area and does not detract from the overall aesthetics of the surrounding development. To that end, the Applicant is requesting the above-mentioned Special Use. The Applicant is flexible and is willing to diligently work with staff on further and final details to the satisfaction of staff.

The Applicant's use of the Subject Property will not have a substantial adverse effect upon the surrounding and adjacent properties nor the character of the neighborhood, traffic conditions, utility facilities or other matters affecting public health, safety and general welfare because the use fits within the general character of the area. The Applicant will operate the Auction Sales Yard in a way that conforms to the current direction of development and use of the area in accordance with the applicable regulations. The public benefits outweigh any potential adverse impacts.
EXHIBIT A

LEGAL DESCRIPTION

Legal Description: PARCEL 1:

That part of the East Half of the Southeast Quarter of Section 1, Township 45 North, Range 4, East of the Third Principal Meridian, described as follows:

Commencing at the Southwest corner of the East Half of said Southeast Quarter and running thence North on the West line thereof, for a distance of 24.02 feet to a point on the Northerly right of way line of a public highway running in an Easterly and Westerly direction and known as State Route 173; thence East on the Northerly right of way line of said highway for a distance of 400 feet to a point for the place of beginning; thence parallel to the West line of the East Half of said Southeast Quarter for a distance of 761 feet to a point; thence East at right angles to the last described line, at the last described point, for a distance of 580 feet to a point; thence South parallel to the West line of the East Half of said Southeast Quarter, for a distance of 741.23 feet to a point on the Northerly right of way line of said Highway; thence Westerly on the Northerly right of way line of said Highway and being on a curve, convex Southerly and have a radius of 2824.80 feet, for a distance of 321.75 feet, chord measurement, to a point of tangency in said right of way; thence West on said right of way line and tangent to the last described curve, at the last described point, for a distance of 259 feet to the place of beginning, (except that part conveyed to the State of Illinois Department of Transportation by Deed recorded February 8, 1999 as document 1999R01255) situated in the County of Boone and the State of Illinois.

PARCEL 2:

Part of the East Half of the Southeast Quarter of Section 1, Township 45 North, Range 4, East of the Third Principal Meridian, bounded and described as follows, to wit; beginning at the point of Intersection of the East line of the East Half of said Quarter Section, with the curved Northerly Right of Way Line of State Route Number 173; thence North 00 Degrees 05 Minutes 28 Seconds East, along the East line of the East Half of said Quarter Section, a distance of 678.63 feet; thence North 89 Degrees 54 Minutes 28 Seconds West, a distance of 346.99 feet to a line parallel with and 980.0 feet East of the West Line of the East Half of said Quarter Section; thence South 00 Degrees 05 Minutes 32 Seconds West, along said line, a distance of 741.32 feet, more or less, to the curved Northerly Right of Way Line of said Route Number 173; thence Easterly, along the curved Northerly Right of Way Line of said State Route Number 173, being along a circular curve to the left having a radius of 2824.80 feet to the point of beginning (Chord across said curved course bears North 79 Degrees 51 Minutes 06 Seconds East, a distance of 352.62 feet), (except that part conveyed to the State of Illinois Department of Transportation by Deed recorded February 8, 1999 as document 1999R01255) situated in the County of Boone and the State of Illinois.

Permanent Index #’s: 04-01-400-004 and 04-01-400-006
Corner cut out

Scale 1" = 30’
General Parcel Information for PIN: 0401400004

Pin: 0401400004
Address
11860 IL ROUTE 173
CAPRON, 61012-

Acres
9.95000000

Property Code
400

Neighborhood Code
4101

Legal Desc.
PT E 1/2 SE BEG 24.02' N & 400' E OF SW COR N 761' E 580' S 741.23' SW 321. 259' TO POB (EX PT FOR RD AS IN 99-12 1-45-4 11860 IL ROUTE 173

http://ims.wingis.org/PrintPage_Boone.aspx?Pin=0401400004
### General Parcel Information for PIN: 04014000006

**Pin:** 0401400006  
**Address:**

<table>
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<th>Property Code</th>
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<td>300</td>
<td>4101</td>
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**Legal Desc:**  
PT E 1/2 SE-BEG 731.75' N SE COR S 678.63' SW 352.62' N 741.23' E 345.99' T (EX PT FOR RD AS IN 99-1255) 1-45-4
August 16, 2016

To: Ken Terrinoni
   County Administrator

From: Drew Bliss
      Senior Building Inspector

RE: 18-2016; Goad, 11860 Illinois Route 173, Capron, Illinois

Dear Mr. Terrinoni,

Our office has no objections to the special use request. Please notify the applicant that a building permit will be required if the case is approved.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,

Drew Bliss
Senior Building Inspector
Boone County Building Department
August 12, 2016

Ken Terrinoni  
Boone County Planning Dept.  
1212 Logan Ave.  
Belvidere, IL 61008  
Fax 815-547-3579

Re: 18-2016; Goad, 11860 Illinois Route 173, Capron, IL

Dear Ken,

We are in receipt of the special use permit request for the above referenced case.

The Boone County Health Department has a process of a plan review in place for situations like this. The property owner will need to come into our office to initiate this process. A to scale overhead of his property will be printed out and any new building will need to be drawn onto it. The plan then will go to the inspector for review. The fee for this process is $50.00

A site verification could also be needed if the building is going to have a bathroom. That would indicate a septic system installed and a well drilled.

Thank you,

William L. Hatfield  
Director of Environmental Health

skm
August 10, 2016

Mr. Ken Terrinoni, County Administrator
1212 Logan Ave., Suite 102
Belvidere, Illinois 61008

RE: Special Use Case 18-2016; Goad, 11860 Illinois Route 76

Dear Mr. Terrinoni,

I have reviewed the Special Use request for the above captioned case to operate an auction sales yard.

Access: The existing land parcel has a one single directional access location. The applicant shall either widen the existing access to accommodate two-way traffic or construct a second access and have the two accesses one directional to provide good traffic flow. The addition of a new access point or widening of the existing access will require permission from the Illinois Department of Transportation since Illinois Route 173 is a State Highway.

Detention: This Special Use addition will not adversely affect the water runoff in the area due to the large number of acres owned by the Goads and runoff drains directly into the branch of the Piscasaw Creek. No detention will be required.

This office does not object to the approval of the Special Use based on the above reasons.

Richard A. Lundin
Boone County Engineer