

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

ORDINANCE NO. 2025-0801

AN ORDINANCE DENYING A SPECIAL USE ON PROPERTY
LOCATED AT 7000 BLOCK OF N. STILLMAN RD.
IN SCOTT & MARION TOWNSHIP

WHEREAS USS Stillman Creek Solar, LLC, 233 S. Wacker Dr., Ste. 4400, Chicago, IL has filed a petition for a Special Use Permit (Petition No. 01-25SU) to allow the construction and operation of a 5MWac Community Solar Energy Facility in the AG-1 Agricultural District, described as Part of the G.L. 2 of Northwest Quarter (NW1/4) Fractional Section 18 Scott Township 42 North, Range 1 East of the 3rd P.M.; and part of the Southwest Quarter (SW1/4) Fractional Section 36 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 26.22 acres, more or less of the 89.56 acre site; part of 11-18-100-003 and part of 05-36-300-006, located at 7000 block of N. Stillman Rd., and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on July 24, 2025 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment, no member(s) of the public spoke in support of the petition, and 13 member(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested be denied as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated July 24, 2025, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has determined that granting the Special Use would be not consistent with the requirements established by Section 16-9-7G of the *Ogle County Amendatory Zoning Ordinance*;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of USS Stillman Creek Solar, LLC, 233 S. Wacker Dr., Ste. 4400, Chicago, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 01-25SU) to allow the construction and operation of a 5MWac Community Solar Energy Facility and legally described as shown in Exhibit "A" attached hereto, is hereby denied.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 19th DAY OF AUGUST 2025 A.D.

Bruce Larson, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and Recorder
Ex Officio Clerk of the Ogle County Board

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the G.L. 2 of Northwest Quarter (NW1/4) Fractional Section 18 Scott Township 42 North, Range 1 East of the 3rd P.M.; and part of the Southwest Quarter (SW1/4) Fractional Section 36 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 26.22 acres, more or less of the 89.56 acre site

Property Identification Number: Part of 11-18-100-003 and Part of 05-36-300-006

Common Location: 7000 block of N. Stillman Rd.

EXHIBIT B

**FINDINGS OF FACT AND RECCOMENDATION
OF THE ZONING BOARD OF APPEALS**

Ogle County Zoning Board of Appeals

911 Pines Road
Oregon, IL 61061
815.732.1190
Fax: 815.732.3709

FINDINGS OF FACT AND RECOMMENDATION OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of USS Stillman Creek Solar, LLC, 233 S. Wacker Dr., Ste. 4400, Chicago, IL has filed a petition for a Special Use Permit (Petition No. 01-25SU) to allow the construction and operation of a 5MWac Community Solar Energy Facility in the AG-1 Agricultural District, described as Part of the G.L. 2 of Northwest Quarter (NW1/4) Fractional Section 18 Scott Township 42 North, Range 1 East of the 3rd P.M.; and part of the Southwest Quarter (SW1/4) Fractional Section 36 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 26.22 acres, more or less of the 89.56 acre site; part of 11-18-100-003 and part of 05-36-300-006, located at 7000 block of N. Stillman Rd.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on July 24, 2025 in the Ogle County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-8C (Standards for Special Use Permits) of the *Ogle County Amendatory Zoning Ordinance* that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large.

Based on the evidence presented, it appears that a commercial solar garden may be unreasonably detrimental to the value of other properties in the neighborhood, and to the public health safety, morals, comfort and general welfare at large. STANDARD NOT MET.

2. That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of building, structures, walls and fences on the site; and,
 - b. The nature and extent of proposed landscaping and screening on the proposed site.

The proposed commercial solar garden will be enclosed by a security fence and landscaping, and will be well buffered from near-by uses. The proposed commercial solar garden will not adversely impact agricultural uses on adjacent properties or other properties in the vicinity. STANDARD MET.

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.

The site is large enough so that adequate off-street parking and loading areas can be provided. STANDARD MET.

4. That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided.

The site has inadequate utilities, ingress/egress to the site from Hales Corner Road and inadequate drainage. STANDARD NOT MET.

5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County.

Evidence indicates that the establishment of a commercial solar garden in the AG-1 zoning district may be detrimental to existing agricultural operations and established residential uses in the immediate area. The proposed special use is not essential or desirable to preserve and promote the public health, safety and general welfare for the citizens of Ogle County. STANDARD NOT MET.

6. That the proposed special use complies with all provisions of the applicable district regulations.

The proposed special use does not comply with all provisions of the AG-1 Agricultural District regulations. STANDARD NOT MET.

In presenting any application for a Special Use Permit, the burden of proof shall rest with the applicant to clearly establish that the proposed special use shall meet the above standards.

ROLL CALL VOTE: ROLL CALL VOTE: The roll call vote was 3 members for the motion to recommend denying, 2 opposed.

Respectfully submitted this 19th day of August, 2025 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Jamey Sulser
Mark Hayes
Rob Urish
Mark Probasco

Randy Ocken, Chairman

ATTEST:

Mark E. Miller, Secretary