

CASE # 2006-688-1  
RESOLUTION NUMBER \_\_\_\_\_

**TEXT AMENDMENT TO SANGAMON COUNTY ZONING ORDINANCE  
REGARDING BIODIESEL AND ETHANOL PLANTS, AND ~~BANQUET HALLS~~**

WHEREAS, the Sangamon County Board, pursuant to AN ACT IN RELATION TO COUNTY ZONING of the State of Illinois (Illinois Revised Statutes 1967, Chapter 34, Paragraphs 3151 through 3162) adopted a zoning ordinance in April of 1969; and

WHEREAS, in order to make the regulations more effective, it is necessary from time to time to consider amendments that correct deficiencies or that relate to current development circumstances; and

WHEREAS, it is desirable to enact new **Conditional Permitted Uses in the "A" Agricultural District include ethanol plants, biodiesel plants and ~~banquet halls~~**; and

WHEREAS, the Public Health, Safety & Zoning committee of the Sangamon County Board has reviewed the proposed text amendment and recommends approval; and

WHEREAS, in accordance with State Statutes, the Sangamon County Zoning Board of Appeals conducted a public hearing on **December 21, 2006** in order to seek public comment on the draft revision of the Zoning Ordinance; and

WHEREAS, the Sangamon County Zoning Board of Appeals recommends approval of the proposed text amendments to the Sangamon County Zoning Ordinance as Exhibit A attached hereto and made a part of this resolution.

**FILED**

DEC 29 2006

*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED**, by the Members of the Board of Sangamon County, Illinois, in session this 9<sup>th</sup> day of January, 2007 that the request to amend the text of the Sangamon County Zoning Ordinance as proposed in the attached Exhibit A is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of January, 2007.

Respectfully submitted,

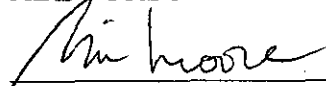
PUBLIC HEALTH, SAFETY & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
BILL MOSS

\_\_\_\_\_  
DON STEPHENS, JR.

\_\_\_\_\_  
ABE FORSYTH

  
\_\_\_\_\_  
TIM MOORE

\_\_\_\_\_  
TYRONE PACE

ATTEST:

  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

RECAP  
(FOR COUNTY USE ONLY)

DOCKET NUMBER: **2006-68**

ADDRESS: **N/A**

PETITIONER: **Tim Moore**

PRESENT ZONING CLASSIFICATION: **N/A**

REQUESTED ZONING CLASSIFICATION: **N/A**

AREA: **N/A**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO:	2006-68
Tim Moore )		
)	PROPERTY LOCATED AT:	
)	N/A	
)		
)		

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **text amendment** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **December 21, 2006** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the proposed changes are more particularly described in EXHIBIT A attached hereto and make a part hereof.
3. That required finding and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit (s).
4. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **text amendment** is in the public interest and is not solely in the interest of the petitioner (s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **text amendment** be **approved**.


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**CHAIRMAN**

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to recommend approval of this petition, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

**YES: Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor**

**NO:**

**ABSENT:**

  
\_\_\_\_\_  
RECORDING SECRETARY

EXHIBIT A

**17.10.020 Conditional Permitted Uses.** Conditional permitted uses in the A District are:  
Agricultural chemical sales (Res. 15-1, 03-11-97)

Airports

Antique stores

Archery, pistol, rifle, and shotgun ranges

Auction and wholesale establishments – restricted to sales of livestock, poultry, fur pelt, crops, plants and other similar agriculture produce (Res. 12-1, 05-02-94)

Bait shops (Res. 15-1, 12-3-90)

~~**Banquet Halls**~~

Bed and breakfasts (Res. 15-1, 12-3-90)

**Biodiesel Plants**

Camping and tenting parks

Cemeteries

Compost facilities, general (Res. 7-1, 11-19-91)

Compost facilities, landscape waste (Res. 7-1, 11-19-91)

Crematories

Disposal areas, in accord with other applicable County regulations

Dog kennels (Res. 12-1, 05-02-94)

**Ethanol Plants**

Fairgrounds

Feed sales (Res. 12-1, 05-02-94)

Fertilizer sales and service installation facilities (Res. 12-1, 05-02-94)

Field tile installation and facilities (Res. 12-1, 05-02-94)

Grain elevators (Res. 12-1, 05-02-94)

Greenhouses (Res. 12-1, 05-02-94)

Heliports

Hunting, fishing and game preserves (Res. 12-1, 05-02-94)

Landscaping companies (Res. 12-1, 05-02-94)

Lighted golf courses and driving ranges (Res. 15-1, 12-3-90)

Livestock buying stations

Machinery sales (Res 15-1, 12-3-90)

Mausoleums

Mining

Manufactured home parks

Manufactured home sales incidental to operation of manufactured home parks

Mushroom barns (Res. 12-1, 05-02-94)

Nurseries (Res. 12-1, 05-02-94)

- Picnic grounds
- Private outdoor recreation centers
- Public parks (Res. 5, 4-16-74)
- Railroad stations (Res. 12-1, 05-02-94)
- Restricted landing areas (Res. 15-1, 12-3-90)
- Riding stables (Res. 12-1, 05-02-94)
- Sawmills and lumberyards (Res. 15-1, 12-3-90)
- Seed houses (Res. 12-1, 05-02-94)
- Sewage treatment plants
- Slaughterhouses
- Veterinary hospitals (Res. 12-1, 05-02-94)
- Wind Energy Conversion Systems (Res. 11-1, 08-08-06)  
(Res. 16A, 11-19-85)

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CASE# 2006 – 68

**Amendment to the Text of the Sangamon County  
Zoning Ordinance**  
Regarding Biodiesel Plants, Ethanol Plants, and Banquet Halls  
as CPUs in the Agricultural Zoning District

**STAFF RECOMMENDATION**

Recommend approval.

Currently biodiesel plants and ethanol plants are only allowed in the I-2 District because of the industrial nature of their operation. It is recognized however that the raw materials for production at these plants can be agricultural products and location in an agricultural zoning district may be appropriate. Because of potential impact on adjacent properties, review as a conditional permitted use would assure compatibility with nearby land uses.

Likewise, banquet halls are currently allowed in any commercial or industrial zoning district. There are some locations however where the country aesthetics and special circumstances of a property would suggest a banquet hall would be appropriate in an agricultural zoning district but only if no negative impact on properties in the area would occur. Review as a conditional permitted use would assure compatibility with nearby land uses.