SPECIAL USE PERMIT

Case: SU-19-201
Re: BRANDEE & JASON VIAGER

The Rock Island County Zoning Board of Appeals will hold a public hearing at the request of JASON & BRANDEE VIAGER (petitioner) on behalf of the FRED & KIMBERLY A. NIGHTENGALE LIVING TRUST (owners) to consider a Special Use Permit for a Density Increase, in an AG-1, Agricultural Preservation District as authorized in Section 3-2-10.3.H of the Rock Island County Code of Ordinances on the following described property:

Address: P/O parcels 365 & 366, PINs 2436200003 & 2436200001, SA Lots 203 & 201, Sheet 37 supplemental for 1998, Section 36, T16N R1W, 4TH PM, Rural Township, Rock Island County, Illinois, containing approximately 7 acres.

WHEREAS, the Zoning Board of Appeals met on Wednesday December 5, 2018, at the Rock Island County Office Building, 1504 Third Ave., Rock Island, IL and voted to recommend to the Rock Island County Board that the Special Use Permit request be granted with conditions. There were no objectors present. A motion to approve the request was made by Mr. VanDaele and seconded by Mr. Coyne. The vote to approve was as follows: Chairman Fuhr – Yes; Ms. Parrish – Yes; Mr. Boyd – Yes; Mr. Coyne– Yes, and Mr. Van Daele – Yes. Motion carried.

The following findings of fact are based upon the evidence, documentation and testimony presented in open meeting at the Public Hearing:

Standards:
1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. A density increase achieves the goal of the ag preservation in the area remaining at one house per 40 acres.
2. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, and will be located and operated to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property. No new residential structures will be built as a result of the granting of this request, and therefore the spirit and the letter of the regulations are not affected.
3. That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts; the area is a farming area and will remain so.
4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided. No new facilities will be constructed as a result of the granting of this request.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; This parcel has similar access and egress to other like parcels in the general area.
6. 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.

(con’t)
Conditions:

1. The adjacent acreage, of approximately thirty three (33) acres, will be set aside for no further residential development unless and until the area is annexed into a municipal jurisdiction. This deed restriction will be recorded by the applicant or his agent and run with the land.

NOW, THEREFORE, BE IT RESOLVED by the Rock Island County Board that Special Use Permit for a Density Increase, in an AG-1, Agricultural Preservation District with the above conditions, for the property herein described be and the same is approved.

By: ________________________________
Gregory Thorpe; Secretary
Rock Island County Zoning Board of Appeals

ADOPTED THIS 18TH DAY OF DECEMBER 2018 BY THE ROCK ISLAND COUNTY BOARD.

______________________________
Richard H. Brunk, County Board Chairman

ATTEST:

______________________________
Karen Kinney, County Clerk
RE: SU-19-201
JASON & BRANDEE VIAGER

Dear Property Owner:

Notice is hereby given that the Rock Island County Zoning Board of Appeals will hold a public hearing at the request of JASON & BRANDEE VIAGER (petitioner) on behalf of the FRED & KIMBERLY A. NIGHTENGALE LIVING TRUST (owners) to consider a Special Use Permit for a Density Increase, in an AG-1, Agricultural Preservation District as authorized in Section 3-2-10.3.H of the Rock Island County Code of Ordinances on the following described property:

Legal Description: P/O parcels 365 & 366, PINs 2436200003 & 2436200001, SA Lots 203 & 201, Sheet 37 supplemental for 1998, Section 36, T16N R1W, 4TH PM, Rural Township, Rock Island County, Illinois, containing approximately 7 acres.

Said Public Hearing will be held on Wednesday, December, 5, 2018 at 6:00 P.M. at the Rock Island County Office Building, 1504 3rd Ave., Rock Island, IL, 3rd floor. To enter the building, please use the rear employee entrance. The petitioner will be present to describe his/her request. All persons in attendance at the public hearing shall have an opportunity to be heard. Any person who also wishes to appear with the right to cross-examine others at the hearing must complete and file a Statement of Interested Party Form with the Rock Island County Zoning & Building Department no later than five business days before the date of the hearing. Appearance forms are available on our website and from the Zoning & Building Dept during regular business hours. You can view these notices on our website at http://www.rockislandcounty.org/Zoning/ZBA/#ZBA. Please feel free to contact office staff with any questions.

Signed: _________________________________
Gregory Thorpe, Secretary
Zoning Board of Appeals

OFFICE OF
ZONING & BUILDING SAFETY
1504 3rd Avenue, Rock Island IL 61201
Phone:(309) 558-3771   Fax: (309) 786-4456