

**ORDINANCE NO. 2025-23**

**AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE  
AUTHORIZING A SPECIAL USE PERMIT FOR GROUND MOUNTED SOLAR  
COLLECTORS AT THE PROPERTIES WITH PINS 03-23-200-014 AND 03-23-200-017**

**WHEREAS**, the Village of Poplar Grove, Illinois (“Village”) has adopted Title 8, Zoning in accordance with the provisions of Illinois Compiled Statutes, to regulate the use of land and specify the minimum requirements for improvements on land in the Village of Poplar Grove; and

**WHEREAS**, special uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property and are reviewed on a case by case basis, and are permitted only by the Poplar Grove Village Board; and

**WHEREAS**, the applicant, Inkberry Solar, LLC, P.O. Box 310, Highland Park, IL 60035 on behalf of the property owner, Tahoe Trading Company, LLC, 1610 Candlewick Drive SW, Poplar Grove, IL 61065 petitioned the Village for a special use permit for ground mounted solar collectors at the properties with PINS 03-23-200-014 and 03-23-200-017; and

**WHEREAS**, after due notice pursuant to the Illinois State Statutes, the Village of Poplar Grove Planning and Zoning Commission (“PZC”) held a public hearing on July 8, 2025 and which hearing was continued to August 12, 2025 concerning the proposed special use; and

**WHEREAS**, the PZC voted in the affirmative to add the following additional conditions to the special use permit (i.e. in addition to the conditions recommended by Village staff):

- Applicant shall have the subject property platted (tentative and final) prior to building permit issuance. Such platting shall include easements being granted for public water, sewer and storm drainage infrastructure.
- Prior to building permit issuance, Applicant shall submit to the Village, for review and approval, a landscape plan which shall include a visual survey of the screening proposed to be installed by the Applicant (from the vantage point of the subdivision to the south of the solar development). Such landscape plan and visual survey shall be brought before the PZC for review and comment.
- Any proposed overhead lines on the subject property, shall be buried instead.

**WHEREAS**, the PZC, having examined said application and having considered the evidence, both oral and documentary, and being fully advised about the premises did make findings of fact as set forth in Exhibit A, attached hereto and incorporated herein; and

**WHEREAS**, the PZC did not give a positive recommendation on the granting of the special use permit and

**WHEREAS**, the corporate authorities of the Village have considered the findings of fact and recommendation of the PZC; and

**WHEREAS**, the corporate authorities desire to approve the special use permit, subject to the conditions set forth herein.

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF POPLAR GROVE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:**

**Section 1.** That the above-recitals are incorporated herein and made a part hereof.

**Section 2.** That a special use permit allowing for ground mounted solar collectors at the properties with PINS 03-23-200-014 and 03-23-200-017, and legally described in Exhibit B, attached hereto and incorporated herein, in the LI, Light Industrial District, is hereby granted, subject to the following conditions:

- A. Approval from the Illinois Department of Transportation be received prior to issuing any Building Permits.
- B. Approval from the Boone County Soil and Water Conservation District be received prior to issuing any Building Permits.
- C. Approval from the Fire District be received prior to issuing any Building Permits.
- D. Additional screening shall be provided as needed adjacent to the West Grove Subdivision.
- E. The drive access located in the right-of-way be improved with asphalt.
- F. The Village Engineer's Report and recommendations shall be followed.
- G. A decommissioning and reclamation plan shall be submitted to and approved by the Village of Poplar Grove prior to commencement of the development.
- H. A surety bond covering the complete execution of the decommissioning and reclamation plan for when the project ends shall be posted prior to the commencement of the development.
- I. Applicant shall have the subject properties platted (tentative and final) prior to building permit issuance. Such platting shall include easements being granted for public water, sewer and storm drainage infrastructure.
- J. Prior to building permit issuance, Applicant shall submit to the Village, for review and approval, a landscape plan which shall include a visual survey of the screening proposed to be installed by the Applicant (from the vantage point of the subdivision to the south of the solar development). Such landscape plan and visual survey shall be brought before the PZC for review and comment.
- K. Any proposed overhead lines on the subject property, shall be buried instead.

**Section 3.** The subject properties shall be used in accordance with the Village of Poplar Grove Zoning Code and shall not be used except as expressly authorized by the special use permit.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

**Section 5.** Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED UPON MOTION BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

BY ROLL CALL VOTE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

AS FOLLOWS:

VOTING "AYE": \_\_\_\_\_

\_\_\_\_\_

VOTING "NAY": \_\_\_\_\_

\_\_\_\_\_

ABSENT, ABSTAIN, OTHER \_\_\_\_\_

APPROVED \_\_\_\_\_, 2025

ATTEST:

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
PRESIDENT

## **EXHIBIT A- FINDINGS OF FACTS BY PZC**

Per section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- 1. The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.***

Two members of the PZC found that the special use would be detrimental to or endanger the public health, safety, morals, comfort or general welfare due to the proximity to homes, noise, reflection off of solar panels, visual intrusion to homeowners which all negatively affects comfort and general welfare.

The remaining two members of the PZC found that the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare given the conditions that were being imposed on the special use which would alleviate the concerns.

2-2 tie results in this finding of fact not being met.

- 2. The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.***

3 members of the PZC found that the special use would substantially diminish or impair property values within the neighborhood based on evidence presented by neighbors. These members felt the evidence provided by the applicant was biased as it was written by solar supporters. One member of the PZC found that the special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood due to the conditions being placed on the development.

3-1 that this finding of fact was not met.

- 3. The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.***

All members of the PZC found that this finding of fact was met due to the conditions that are being placed on the special use.

- 4. Adequate utilities, access roads, drainage and/or necessary facilities will be provided.***

All members of the PZC found that this finding of fact was met due to the conditions that are being placed on the special use.

**5. *Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.***

All members of the PZC found that this finding of fact was met due to the conditions that are being placed on the special use.

**6. *The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.***

All members of the PZC found that this finding of fact was met due to the conditions that are being placed on the special use.

## **EXHIBIT B- LEGAL DESCRIPTIONS**

PARCEL 1:

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 19 MINUTES 24 SECONDS EAST ALONG SAID EAST LINE, 165.28 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF WEST GROVE SUBDIVISION NO. 2 PER DOCUMENT NO. 2005R09773, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 44 MINUTES 05 SECONDS WEST ALONG SAID EASTERLY EXTENSION AND NORTH LINE THEREOF, 2,592.15 FEET TO THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 76 PER DOCUMENT NUMBER 93-11289; THENCE NORTH 00 DEGREES 03 MINUTES 55 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, 515.66 FEET; THENCE NORTH 04 DEGREES 49 MINUTES 44 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, 301.04 FEET; THENCE NORTH 04 DEGREES 41 MINUTES 54 SECONDS WEST ALONG SAID EAST RIGHT OF WAY LINE, 48.92 FEET TO THE SOUTH LINE OF AN INGRESS/EGRESS EASEMENT PER DOCUMENT NO. 86-4746, SAID SOUTH LINE BEING THE WESTERLY EXTENSION OF THE SOUTH LINE OF A TRACT OF LAND PER DOCUMENT 2017R04091; THENCE SOUTH 89 DEGREES 34 MINUTES 54 SECONDS EAST ALONG SAID WESTERLY EXTENSION AND SOUTH LINE THEREOF, 1,308.30 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE, 54.02 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 54 SECONDS EAST ALONG SAID SOUTH LINE AND THE SOUTHERLY LINE OF A TRACT OF LAND PER DOCUMENT NO. 200701917, 573.31 FEET TO THE SOUTHWEST LINE OF SAID TRACT; THENCE SOUTH 28 DEGREES 44 MINUTES 12 SECONDS EAST ALONG SAID SOUTHWEST LINE, 460.00 FEET TO THE SOUTHERLY LINE OF SAID TRACT; THENCE SOUTH 89 DEGREES 40 MINUTES 36 SECONDS EAST ALONG SAID SOUTHERLY LINE, 345.00 FEET TO THE WESTERLY LINE OF SAID TRACT, SAID WESTERLY LINE BEING PARALLEL WITH THE AFOREMENTIONED EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 19 MINUTES 24 SECONDS WEST ALONG SAID PARALLEL LINE, 300.00 FEET TO THE SOUTHERLY MOST LINE OF SAID TRACT; THENCE SOUTH 89 DEGREES 40 MINUTES 36 SECONDS EAST ALONG SAID SOUTHERLY MOST LINE, 125.00 FEET TO SAID EAST LINE; THENCE SOUTH 00 DEGREES 19 MINUTES 24 SECONDS WEST ALONG SAID EAST LINE, 186.68 FEET TO THE POINT OF BEGINNING, IN BOONE COUNTY, ILLINOIS.

PARCEL 2:

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 19 MINUTES 24 SECONDS EAST ALONG SAID EAST LINE, 165.28 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF WEST GROVE SUBDIVISION NO. 2 PER DOCUMENT NO. 2005R09773; THENCE SOUTH 89 DEGREES 44 MINUTES 05 SECONDS WEST ALONG SAID EASTERLY EXTENSION AND NORTH LINE THEREOF, 2,592.15 FEET TO THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 76 PER DOCUMENT NUMBER 93-11289; THENCE NORTH 00 DEGREES 03 MINUTES 55 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, 515.66 FEET; THENCE NORTH 04 DEGREES 49 MINUTES 44 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, 301.04 FEET; THENCE NORTH 04 DEGREES 41 MINUTES 54 SECONDS WEST ALONG SAID EAST RIGHT OF WAY LINE, 48.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 04 DEGREES 41 MINUTES 54 SECONDS WEST ALONG SAID EAST RIGHT OF WAY LINE, 50.20 FEET TO THE NORTH LINE OF A INGRESS/EGRESS EASEMENT PER DOCUMENT NO. 86- 4746; THENCE SOUTH 89 DEGREES 34 MINUTES 54 SECONDS EAST ALONG SAID NORTH LINE, 1,095.18 FEET TO THE EAST LINE OF SAID INGRESS/EGRESS EASEMENT, SAID EAST LINE BEING COINCIDENT WITH THE WEST LINE OF A TRACT OF LAND PER DOCUMENT NO. 2017R04091; THENCE SOUTH 02 DEGREES 09 MINUTES 44 SECONDS EAST ALONG SAID EAST LINE, 50.05 FEET TO THE SOUTH LINE OF SAID INGRESS/EGRESS EASEMENT; THENCE NORTH 89 DEGREES 34 MINUTES 54 SECONDS WEST ALONG SAID SOUTH LINE, 1,092.93 FEET TO THE POINT OF BEGINNING, IN BOONE COUNTY, ILLINOIS.