

**Lee County Board
Dixon, Illinois**

RESOLUTION NO. _____

**A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR THE
PURPOSE OF AN AMUSEMENT PARK**

(Desai)

WHEREAS, an amended Petition for the granting of a Special Use Permit for the purpose of owning and operating an Amusement Park, as defined by the *Lee County Revised Zoning Ordinance*, as amended, that would include a restaurant/tearoom, with indoor/outdoor amusement including, but not limited to an electric go kart track, arcade, mini golf and/or golf simulation, bowling and/or laser tag, on real estate described in Exhibit “A,” attached hereto and made a part hereof (hereinafter sometimes referred to as “Subject Realty”), has been filed with the Lee County Zoning Office as Petition No. 24-P-1631 (hereinafter referred to as “Petition”), by Sanjay Desai (hereinafter referred to as “Petitioner”); and

WHEREAS, the Zoning Board of Appeals of Lee County (hereinafter referred to as “Zoning Board of Appeals”) held public hearings on said Petition on November 7, 2024, in accordance with the law; and

WHEREAS, proper Notice of the filing of the Petition and of the impending November 7, 2024, ZBA hearing was published in the Dixon Telegraph on October 22, 2024; and

WHEREAS, United States Postal Service Certified mailings of the same Notice were sent to real estate property owners whose properties would be adjacent to the proposed Project’s boundaries with such mailings being postmarked on October 22, 2024; and

WHEREAS, timely notice was posted at the main entrance of the Subject Realty and along US Route 52 on October 22, 2024; and

WHEREAS, the Petitioner and Interested Parties were given the chance to present evidence, including witnesses and exhibits, cross-examine the witnesses of others, and to present a closing argument, statement, or public comments; and

WHEREAS, the Zoning Board of Appeals has made, and the County Board affirms, the Report & Findings of Fact and Recommendation, which is attached hereto as Exhibit “B” and made a part hereof; and

WHEREAS, the County Board of the County of Lee has received the recommendation of the Zoning Board of Appeals and has duly considered said recommendation; and

NOW, THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF LEE, ILLINOIS, as follows:

SECTION 1. That the *Lee County Revised Zoning Ordinance*, as amended, and as set forth in the Zoning District Map as described therein and on file in the Office of the County Clerk, is hereby

amended by the granting of a Special Use Permit for the purpose of owning and operating an Amusement Park, that would include a restaurant/tearoom, with indoor/outdoor amusement including, but not limited to an electric go kart track, arcade, mini golf and/or golf simulation, bowling and/or laser tag (hereafter referred to as "Special Use") on the Subject Realty. The aforesaid Special Use for an Amusement Park shall be conducted in accordance with the provisions of *Lee County Revised Zoning Ordinance*, as amended, subject to such variations, exceptions, and/or conditions as are hereinafter set forth.

Section 2. That the Subject Realty may be developed in accordance with the applicable Ordinance of the County, as are now in effect, except as specifically modified and/or varied below:

- A. Duration of Special Use Permit. Notwithstanding the provisions of Section 10-2A-3 of the Lee County Code, the Zoning Administrator shall revoke a special use permit granted when a building permit has not been secured within thirty-six (36) months from the date the special use was granted. If no building permit is secured by the end of the thirty-six (36) months, then the Special Use Permit automatically becomes null and void.
- B. Petitioner agrees to work with his neighbors to address the recreational path leading from Mendota Hills Campground to the Petitioner's property.
- C. Outdoor lighting must be shielded and downcast.
- D. No music shall be played outdoors after 11:00 p.m.

SECTION 3. That the Petition for the granting of a Special Use Permit for the purpose of owning and operating an Amusement Park, as requested in Zoning Petition No. 24-P-1631 (Desai) be **(approved/denied)**, with the aforementioned modifications and/or variances, by the Lee County Board.

_____ **PASSES AND APPROVED** by the County Board of the County of Lee, Illinois, this _____ day of November, 2024.

_____ **FAILS AND DENIED** by the County Board of the County of Lee, Illinois, this _____ day of November, 2024.

AYES:	
NAYS:	
ABSENT:	
ABSTAIN:	
HOLDING OFFICE:	

BY: _____
Lee County Board Chairman

ATTEST:

BY: _____
Lee County Clerk

EXHIBIT A

Part of the South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-one (31), Township Twenty (20) North, Range Eleven (11) East of the Fourth (4th) Principal Meridian, Lee County, Illinois, described as follows:

Beginning at the northwest corner of the said South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-one (31); thence North 89 degrees 09 minutes 20 seconds East, along the north line of said South Half ($S\frac{1}{2}$), a distance of 418.56 feet; thence South 1 degree 55 minutes 51 seconds West, a distance of 704.65 feet to a point on the northerly right-of-way of U.S. Route 52; thence North 57 degrees 20 minutes 05 seconds West, along said northerly right-of-way line, a distance of 472.78 feet to a point on the west line of said South Half ($S\frac{1}{2}$); thence North 0 degrees 25 minutes 01 seconds East, along said west line, a distance of 442.92 feet to the Point of Beginning, containing 5.414 acres, more or less.

EXHIBIT B

Lee County Zoning Board of Appeals

Petitioner: Sanjay Desai

Petition Number: 24-P-1631

Current Zoning: Ag-1, Rural/Agricultural District

Township: Lee Center

Requested Zoning: Special Use Permit

Date: November 7, 2024

Proposed Use: Amusement Park

Finding of Fact

1) *Effect of the proposed use upon the character of the neighborhood.*

- a. If it is built correctly, it will improve the aesthetics of the neighborhood.
- b. There could be a path from Mendota Hills Campground to the Petitioner's property that may negatively impact the neighbors.

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

2) *Effect of the proposed use upon traffic conditions.*

- a. There is going to be an increase in traffic on US Route 52.
- b. Illinois Department of Transportation has been contacted and will issue an access permit.

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

3) *Effect of proposed use upon public utility facilities.*

- a. Will need more electrical service.

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

4) *Effect of the proposed use upon public health, public safety, and/or general welfare.*

- a. The effect of additional traffic on the safety of the neighborhood.
- b. They will have their own water and septic systems.
- c. The will be oversight by the Lee County Health Department for the restaurant.

EXHIBIT B

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

5) *Effects of the proposed use upon the surrounding properties.*

- a. They will use landscaping to create barriers to neighboring properties.
- b. They will have security cameras and maybe two security guards.
- c. There is concerns from the neighbor regarding trespassing golf carts, and also lighting and music.

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

6) *Effects of the proposed use upon environmental concerns.*

- a. Retention ponds will be built according to County codes.
- b. They will have their own water and septic systems.

Mike Pratt made a motion to accept these findings, and a second was discerned. A vote was taken, and the motion passed (5-0).

***Recommendation to the Full Board:**

Approve

~~Deny~~

Additional Reasons / Statements:

Recommended Conditions:

1. Duration of Special Use Permit. Notwithstanding the provisions of Section 10-2A-3 of the Lee County Code, the Zoning Administrator shall revoke a special use permit granted when a building permit has not been secured within thirty-six (36) months from the date the special use was granted. If no building permit is secured by the end of the thirty-six (36) months, then the Special Use Permit automatically becomes null and void.
2. Petitioner agrees to work with his neighbors to address the recreational path leading from Mendota Hills Campground to the Petitioner's property.
3. Outdoor lighting must be shielded and downcast.
4. No music shall be played outdoors after 11:00 p.m.