

RECORD OF MINUTES AND DELIBERATIONS
TAZEWELL COUNTY ZONING BOARD OF APPEALS
WEDNESDAY, JANUARY 3, 2024
JAMES CARIUS COMMUNITY ROOM
101 S. CAPITOL STREET, PEKIN, ILLINOIS

CALL TO ORDER: Chairman Lessen called the meeting to order at 5:37 P.M.

ROLL CALL: Secretary Workman called the roll call and noted the presence of a quorum as follows:

MEMBERS: Amy McClanahan, Valerie Fehr, Angela Lapsley, Don Vaughn, (Alt.) Sam Miller & Chairman Duane Lessen

MEMBERS ABSENT: Shawn Cupi, Todd Bong

STAFF PRESENT: Jaclynn Workman, Community Development Administrator; Gabriel Guevara, Tri-County Regional Planning Commission, Melissa Kreiter, Chief Deputy Community Development Administrator, Denise Gryp, Community Development Assistant, and Land Use Members: Greg Sinn, Kaden Nelms, Mark Goddard, Sierra Smith, and Chairman Kim Joesting

OTHERS PRESENT: Petitioners and Interested Parties

MINUTES: Moved by Vaughn, seconded by Lapsley, to approve the minutes of the Wednesday, November 1, 2023 Zoning Board of Appeals meetings. **Motion carried by voice vote.**

Chairman Lessen gave an overview of the procedures and how the Hearing Process would be conducted.

PUBLIC HEARING

Chairman Lessen called upon Case No. 22-37-S. Matt Walsh appeared to testify on behalf of the proposed Extension of Special Use request. Curtis Meyer appeared to testify against the proposed Special Use request.

Chairman Lessen called upon Case No. 22-38-S. Isaac Meyer appeared to testify on behalf of the proposed Extension of Special Use request.

Chairman Lessen called upon Case No. 24-02-V. Steve Kerr, of Mohr and Kerr Land Surveying, appeared to testify on behalf of the proposed Variance request.

Chairman Lessen called upon Case No. 24-03-V. Steve Marshall appeared to testify on behalf of the proposed Variance request.

Upon the conclusion of all public testimony at 7:10 p.m., Chairman Lessen closed the Public Hearing portion of the Meeting. Following a short recess, deliberations began at 7:24 p.m.

(PLEASE REFER TO THE VIDEO RECORDING FOR ALL PUBLIC TESTIMONY AND RELEVANT INFORMATION TO EACH CASE PRESENTED DURING THE PUBLIC HEARING PORTION OF THE ZONING BOARD MEETING)

DELIBERATIONS

CASE NO. 22-37-S: The petition of Nexamp Solar, LLC for an Extension of a Special Use (as approved 10/4/2022) to allow the construction of a 5 Mega Watt Commercial Solar Farm in an Conservation District.

Moved by Vaughn, seconded by Fehr to recommend approval of **Case NO. 22-37-S** to the Tazewell County Board with the following conditions:

1. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f), subject to IDNR approval.
2. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility and all land outside of the perimeter fence identified in the agreement as a part of the lease is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.

3. Emergency and non-emergency contact information shall be kept up to date with the Community Development Department and be posted in a conspicuous manner at the main entrance to the facility and also visible from the public roadway.
4. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting for a distance of no less than 200', beginning at the center point of the Meyer dwelling, extending 100' East and 100' West along the South property line at edge of the right of way and in any other location as determined desirable by the Community Development Administrator.
5. The located of the facilities inverter shall be no closer to the southern boundary and the Meyer residence than what was indicated on the Site Plan submitted at the January 3, 2024 Public Hearing.

After considering all the evidence and testimony presented, the Zoning Board of Appeals reviewed the Report of the Land Use Planner. Following discussion, moved by McClanahan, seconded by Lapsley, to approve the findings of fact as discussed. **Motion carried by voice vote.**

On roll call to recommend approval **CASE NO. 22-37-S** the vote was:

Ayes: 5 – Fehr, Lapsley, McClanahan, (Alt.) Miller and Chairman Lessen

Nays: 1 - Vaughn

Absent: 2 – Bong & Cupi

Motion declared carried.

CASE NO. 22-38-S: The petition of EDPRNA DG Illinois Development, LLC for an Extension of a Special Use (as approved 10/4/2022) to allow the construction of a 4.95 Mega Watt Commercial Solar Farm in a Conservation District

Moved by McClanahan, seconded by Vaughn to continue **Case NO. 22-38-S** to the February 6, 2024 ZBA Public Hearing to allow the petitioner to provide a Site Plan depicting drainage patterns, panel and inverter placement, location of the laydown and parking areas, and to provide answers to 1) will there be removal of trees; and 2) are there any waterways or drainage paths within the affected area. **Motion carried by voice vote.**

CASE NO. 24-02-V: The petition of Judah International Ministries for a Variance to waive the requirements of §157.091(B)(1) to allow for a 13,500 sq. ft. addition of a Church (as approved in Case 23-62-S on 10/3/2023) to be 14' from the Side Property Line, which is 16' closer than allowed, in an A-1 Agriculture Preservation Zoning District.

Moved by McClanahan, seconded by Fehr to approve **Case NO. 24-02-V.**

After considering all the evidence and testimony presented the Zoning Board of Appeals arrived at a finding of fact. Following discussion, moved by Vaughn, seconded by Lapsley, to approve the findings of fact as discussed. **Motion carried by voice vote.**

On roll call to approve **CASE NO. 24-02-V**, the vote was:

Ayes: 6 –Fehr, Lapsley, McClanahan, (Alt.) Miller, Vaughn and Chairman Lessen

Nays: 0

Absent: 2 – Bong & Cupi

Motion declared carried.

CASE NO. 24-03-V: The petition of Steve Marshall for a Variance to waive the requirements of §157.150(A)(3) to allow the construction of an Accessory Structure to be 1' from the edge of the Right of Way, which is 24' closer than allowed in a R-1 Low Density Residential District

Moved by Vaughn, seconded by McClanahan to approve **Case NO. 24-03-V.**

After considering all the evidence and testimony presented the Zoning Board of Appeals arrived at a finding of fact. Following discussion, moved by Vaughn, seconded by (Alt.) Miller, to approve the findings of fact as discussed. **Motion carried by voice vote.**

On roll call to approve **CASE NO. 24-03-V** the vote was:

Ayes: 6 –Fehr, Lapsley, McClanahan, (Alt.) Miller, Vaughn and Chairman Lessen

Nays: 0

Absent: 2 – Bong & Cupi

Motion declared carried.

NEXT MEETING

The next meeting of the Zoning Board of Appeals will be **Tuesday, February 6, 2024** at 5:30 p.m. in the Tazewell County Justice Center, James Carius Community Room, 101 South Capitol Street, Pekin, Illinois.

ADJOURNMENT

There being no further business Chairman Lessen declared the Zoning Board of Appeals Deliberations adjourned at 7:59 p.m.

Jaclynn Workman, Secretary
(Transcribed by Melissa Kreiter)