

RECORD OF MINUTES AND DELIBERATIONS
TAZEWELL COUNTY ZONING BOARD OF APPEALS
TUESDAY, APRIL 2, 2024
JAMES CARIUS COMMUNITY ROOM
101 S. CAPITOL STREET, PEKIN, ILLINOIS

CALL TO ORDER: Chairman Lessen called the meeting to order at 5:32 P.M.

ROLL CALL: Secretary Workman called the roll call and noted the presence of a quorum as follows: Shawn Cupi, Valerie Fehr, Angela Lapsley, Amy McClanahan, Don Vaughn, Alt. Sam Miller & Chairman Duane Lessen; Members absent: Todd Bong

STAFF PRESENT: Jaclynn Workman, Community Development Administrator; Melissa Kreiter, Chief Deputy Administrator; Matt Drake, Assistant States Attorney; Gabriel Guevara, Tri-County Regional Planning Commission, and Land Use Members: Jay Hall, Kaden Nelms and Greg Sinn

OTHERS PRESENT: Petitioners and Interested Parties

MINUTES: Moved by Vaughn, seconded by Fehr, to approve the minutes of the February 6, 2024 and March 5, 2024 Zoning Board of Appeals meeting. **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. 23-38-S. Dewey Klurfield and Attorney Ben Jacobi appeared testify on behalf of the Special Use extension request. Max Chapman appeared in opposition.

Chairman Lessen called upon Case No. 24-11-Z. Attorney Noah Benckendorf appeared to testify on behalf of the proposed Rezoning request.

Chairman Lessen called upon Case No. 24-12-S. Chad Class appeared to testify on behalf of the proposed Special Use request.

Upon the conclusion of all public testimony at 7:22 p.m., Chairman Lessen closed the Public Hearing portion of the Meeting. Following a short recess, deliberations began at 7:36 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

(Petitioner's request for an Extension)

CASE NO. 23-38-S: The petition of Catmint Solar, LLC requesting a two (2) year extension on said Special Use application as originally approved by the Zoning Board of Appeals on May 31, 2023 to allow the construction of a 5 Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District located at the NE corner of the intersection of Wagonseller Rd. (Co. Hwy.10) and Hickory Grove Rd. (Co. Hwy 15), Green Valley, IL.

Moved by Cupi, seconded by Vaughn to recommend approval of a two (2) year extension of **Case No. 23-38-S** to the Tazewell County Board with the following conditions:

1. The Facility Owner shall maintain setbacks as specified by the State of Illinois;
2. A single perimeter fence shall be acceptable should it be adjacent to an active Solar Farm;
3. The maximum height shall be 20' at full tilt;
4. Vegetative screening **surrounding the project area** shall be a Blue Spruce or a similar species to be at least 7' at the time of planting and densely planted; **(amended by the ZBA 4/2/24)**
5. The project area shall be planted with a pollinator friendly ground cover per the vegetation plan;

6. Noise: the Facility shall comply with the sound limitations established by the Illinois Pollution Control Board under 35 Ill. Adm. Code Parts 900, 901, and 910;
7. The facility Owner shall provide the results and recommendations from consultation with the Illinois Department of Natural Resources that are obtained through the Ecological Compliance Assessment Tool (EcoCAT);
8. The Facility Owner shall provide results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review;
9. The Facility Owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission.
10. The Facility Owner shall provide evidence of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under the Illinois State Agency Historic Resources Preservation Act

On roll call to recommend approval of a two (2) year extension of **CASE NO. 23-38-S** to the Tazewell County Board the vote was:

Ayes: 5 – Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen
 Nays: 2 - Alt. Miller and Vaughn
 Absent: 1 – Bong

Motion declared carried.

CASE NO. 24-11-Z: The petition of Stanley and Jennifer Koch for a Map Amendment to the Official Elm Grove Township Zoning Map of Tazewell County to change the zoning classification of property from an A-1 Agriculture Preservation District to a R-R Rural Residential Zoning District located at 11845 Springfield Rd. (Co. Hwy. 1), Tremont, IL.

Moved by Cupi, seconded by Alt. Miller to recommend approval of **Case No. 24-11-Z** to the Tazewell County Board.

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 Vaughn, seconded by McClanahan, to approve the findings of fact as written. **Motion carried by voice vote.** Abstain: 1 – Fehr

On roll call to recommend approval of **CASE NO. 24-11-Z** to the Tazewell County Board the vote was:

Ayes: 6 – Cupi, Lapsley, McClanahan, Alt. Miller, Vaughn and Chairman Lessen
 Nays: 0
 Abstain: 1 – Fehr
 Absent: 1 – Bong

Motion declared carried.

CASE NO. 24-12-S: The petition of Chad Class for an Expansion of an Existing Special Use, Case No. 21-21-S approved 4/6/21, with conditions, to allow a seasonal wedding venue event space in an existing accessory structure. The expansion shall include; an enlarged main event hall, a Bridal Suite in a portion of an existing Accessory Structure (Pole Building), a Groom’s Dressing Room in an existing Accessory Structure (Grain Bin), the use of a non-permanent Tent and the placement of a portable Accessory Structure (Gazebo) in an A-1 Agriculture Preservation Zoning District located at 15479 Toepfer St., Tremont, IL.

Moved by McClanahan, seconded by Cupi to approve **Case NO. 24-12-S** with the following conditions:

1. There shall be no more than 100 guests and 4 employees allowed at any event on the premise until Tazewell County Health Department has permitted and inspected an upgraded septic system, wherein the maximum number of guests allowed shall then be increased to no more than 200 persons; and
2. The shall be no more than 99 guests allowed inside the main venue building at any time until the main venue building has been upgraded to comply with the requirements of the 2018 IBC, 2018 NFPA 101 Life Safety Code, wherein the maximum occupancy of the main venue will be increased to no more than 200 persons; and
3. Operating months shall be limited from April to November annually; and
4. All events shall end by no later than 10:00 p.m.; and

5. All music shall be played from inside the main venue building, with no bands or music equipment played or broadcasted on the exterior of the facility.

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 Vaughn, seconded by McClanahan, to approve the findings of fact as written. **Motion carried by voice vote.**

On roll call to approve **CASE NO. 24-12-S** the vote was:

Ayes: 6 – Cupi, Fehr, Lapsley, Alt. Miller, Vaughn and Chairman Lessen

Nays: 0

Absent: 2 – Bong, McClanahan

Motion declared carried.

NEXT MEETING

The next meeting of the Zoning Board of Appeals will be **Tuesday, May 7, 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 8:12 p.m.

Jaclynn Workman, Secretary
(Transcribed by Melissa Kreiter)