

RECORD OF MINUTES AND DELIBERATIONS
TAZEWELL COUNTY ZONING BOARD OF APPEALS
TUESDAY, AUGUST 6, 2024
JAMES CARIUS COMMUNITY ROOM
101 S. CAPITOL STREET, PEKIN, ILLINOIS

CALL TO ORDER: Chairman Lessen called the meeting to order at 5:35 P.M.

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

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: K. Russell Crawford, Kaden Nelms, Greg Sinn and Chairman Joesting

OTHERS PRESENT: Petitioners and Interested Parties

MINUTES: Moved by Bong, seconded by McClanahan, to approve the minutes of the July 2, 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 COMMENT: None

PUBLIC HEARING

(Continued at the July 2, 2024 ZBA Public Hearing)

Chairman Lessen called upon Case No. 24-30-S. Ronald Thomason appeared to testify on behalf of the proposed Special Use request. Mark Byland appeared in objection of the proposed Special Use request.

(Petitioner's Request for an Extension)

Chairman Lessen called upon Case No. 24-42.S. Tyler Badertscher of SolAmerica appeared to testify on behalf of the proposed Special Use Extension request.

Chairman Lessen called upon Case No. 24-33-S. Robert Koch appeared to testify on behalf of the proposed Special Use request.

Chairman Lessen called upon Case No. 24-34-S. Stacey Salmonson appeared to testify on behalf of the proposed Special Use request.

Chairman Lessen called upon Case No. 24-35-V. Robert Nafziger appeared to testify on behalf of the proposed Variance request.

Chairman Lessen called upon Case No. 24-36-V. Paul Baer appeared to testify on behalf of the proposed Variance request.

Chairman Lessen called for a short recess of the public hearing at 7:11 p.m. and reconvened at 7:19 p.m.

(Continued at the July 2, 2024 ZBA Public Hearing)

Chairman Lessen called upon Case No. 24-27-S. Attorney Jim Griffin and Matt Walsh appeared to testify on behalf of the proposed Special Use request.

(Continued at the July 2, 2024 ZBA Public Hearing)

Chairman Lessen called upon Case No. 24-28-S. Attorney Jim Griffin and Matt Walsh appeared to testify on behalf of the proposed Special Use request.

(Continued at the July 2, 2024 ZBA Public Hearing)

Chairman Lessen called upon Case No. 24-29-S. Attorney Jim Griffin and Matt Walsh appeared to testify on behalf of the proposed Special Use request.

Chairman Lessen called upon Case No. 24-32-A. Community Development Administrator, Jaclynn Workman gave an over of the proposed Amendment.

Upon conclusion of all public testimony at 8:18 p.m., Chairman Lessen closed the Public Hearing portion of the Meeting and following a short recess, deliberations began at 8:22 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

(Continued at the June 4, 2024 ZBA Public Hearing)

CASE NO. 24-30-S: The petition of Ronald Thomason for a Special Use to allow the operation of a Home Commercial Business, for the purpose of operating a trucking operation in an A-1 Agriculture Preservation Zoning District located at 1845 California Rd., Pekin, IL.

Moved by McClanahan, seconded by Bong to continue **Case No. 24-30-S** to the September ZBA Public Hearing to allow the petitioner to obtain an Entrance Permit from the Groveland Township Road Commissioner for an entrance to be established solely on the petitioner's property. **Motion carried by voice vote.**

(Petitioner's Request for an Extension)

CASE NO. 23-42-S: The petition of Tazewell County IL S1, LLC d/b/a SolAmerica Energy, LLC for an Extension of a Special Use (as approved 8/30/2023) to allow construction of a 2 Mega Watt Commercial Solar Farm (originally approved under expired Case No. 18-18-S on June 5, 2018) in an A-1 Agriculture Preservation District located at 21373 IL Route 122, Delavan, Illinois.

Moved by Cupi, seconded by Bong to recommend approval of an extension of **Case No. 23-42-S** to the Tazewell County Board with the following conditions:

1. The terraces on the property shall be protected. Crossing of terraces shall be bored (not trenched) and any soil conservation structures or underground drainage tile shall not be damaged.
2. The Facility Owner shall explore every option, including above ground raceways or the like installation methods, in an effort to prevent additional trenching on site. Where trenching cannot be prevented the Facility Owner, or their designee, shall provide written documentation outlining the necessity and inability to prevent the required trenching.
3. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f).
4. 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.
5. 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.
6. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting as proposed in the application and in any other location as determined desirable by the Community Development Administrator.
7. Cover crop, such as wheat/rye/oats, shall be established prior to construction to prevent sediment and erosion control issues during the construction phase and assist provide ground cover will the required pollinators are being established.
8. Decommissioning Plan compliant with the current standards of the Tazewell County Solar Energy Ordinance.

On roll call to recommend approval of an extension of **CASE NO. 23-42-S** the vote was:

Ayes: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Absent: 1 - Vaughn

Motion declared carried.

CASE NO. 24-33-S: The petition of Robert & Jennifer Koch for a Special Use to create one new dwelling site in an A-1 Agriculture Preservation District located at 10500 Northpoint Rd., Tremont, IL.

Moved by Bong, seconded by Cupi to approve **Case No. 24-33-S**.

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

On roll call to approve **CASE NO. 24-33-S** the vote was:

Ayes: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Absent: 1 - Vaughn

Motion declared carried.

CASE NO. 24-34-S: The petition of Jordan & Stacey Salmonson for a Special Use to allow for a Private Stable to house 3 horses from an existing Accessory Structure, and to allow no more than 10 Chickens on a zoning lot of less than 9.99 acres but more than 5.01 acres, pursuant to the regulations of §157.440(H)(1-10) located in a R-1 Low Density Residential District located at 19001 Springfield Rd., Groveland, IL.

Moved by Lapsley, seconded by McClanahan to approve **Case No. 24-34-S**.

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

On roll call to approve **CASE NO. 24-34-S** the vote was:

Ayes: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Absent: 1 - Vaughn

Motion declared carried.

CASE NO. 24-35-V: The petition of Robert & Frances Nafziger for a Variance to waive the requirements of §157.088 to allow the create of one new zoning lot of record, to be used for Agricultural purposes, to be 6.5 acres, which is 33.5 acres less than allowed in an A-1 Agriculture Preservation District located immediately North and adjacent to 27268 E. Wildlife Dr., Hopedale, IL.

Moved by Cupi, seconded by Bong to approve **Case No. 24-35-V**.

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

On roll call to approve **CASE NO. 24-35-V** the vote was:

Ayes: 5 – Bong, Cupi, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Abstain: 1 – Fehr

Absent: 1 – Vaughn

Motion declared carried.

CASE NO. 24-36-V: The petition of Paul Baer for a Variance to waive the requirements of §157.091(A)(3) to allow to construction of an Accessory Structure (Detached Garage) to be 25' from the centerline of the Right of Way of Peach Street, which is 25' closer than allowed in a R-1 Low Density Residential District located at 20615 Peach St., Tremont, IL.

Moved by Lapsley, seconded by McClanahan to approve **Case No. 24-36-V** with the following condition:

1. The proposed Accessory Structure shall be no closer to the Right of Way of Peach Street than 6', which is the distance of the existing Dwelling on the property.

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

On roll call to approve **CASE NO. 24-36-V** the vote was:

Ayes: 5 – Bong, Cupi, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Abstain: 1 – Fehr

Absent: 1 – Vaughn

Motion declared carried.

NEXT MEETING

The next meeting of the Zoning Board of Appeals will be **Wednesday, September 4, 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 9:36 p.m.

Jaclynn Workman, Secretary
(Transcribed by Melissa Kreiter)