

**TAZEWELL COUNTY ZONING BOARD OF APPEALS
TO CONVENE TUESDAY, AUGUST 5, 2025 AT 5:30 P.M.
TAZEWELL COUNTY JUSTICE CENTER
CHAIRMAN, DUANE LESSEN**

1. Roll Call.
 2. Explanation of public hearing procedures.
 3. Public Comment – ***on matters not listed below.***
 4. Action concerning minutes of the meeting held July 1, 2025
 5. Cases to be considered:

| | | | |
|------------------|-----------------|-------------|-----------------|
| Case No. 25-34-S | Bradley Bennett | Special Use | Cincinnati Twp. |
| Case No. 25-35-S | Sydney Frietsch | Special Use | Deer Creek Twp. |
| Case No. 25-36-V | Jason Bontemps | Variance | Dillon Twp. |
| Case No. 25-37-V | Paul Defenbaugh | Variance | Dillon Twp. |
 6. Deliberations.
 7. Other Business:
 8. Next Meeting: ***Wednesday***, September 3, 2025 at 5:30 p.m.
 9. Adjournment.
- Members: Chairman Duane Lessen, Vice Chairman Todd Bong, Shawn Cupi, Valerie Fehr, Angela Lapsley, Amy McClanahan and Donald Vaughn
- Alternates: 1st - Samuel Miller, 2nd – Vacant

CASE INFORMATION

CASE NO.: 25-34-S PETITIONER: Bradley Bennett

AGENT OR REPRESENTATIVE: _____

ADDRESS: 11923 Wagonseller Rd., Pekin, IL 61554 PHONE: 309-678-3291

REQUEST FOR: Special Use to allow the creation of one new dwelling site in an A-1 Agriculture Preservation District.

P.I.N.# pt. 10-10-32-100-024 PARCEL SIZE 2+/- PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 6/16/25 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Notified 7/11/25

HEALTH DEPT.: Notified 7/11/25

TCSWCD: Notified 7/11/25

TCFB: Notified 7/11/25

COUNTY HIGHWAY: Notified 7/11/25

COUNTY EMA: Notified 7/11/25

MUNICIPALITY: N/A

TOWNSHIP: Notified 7/14/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 7/16/25

PUBLICATION DATE: 7/16/25 WHERE: Janesville Chronicle

ACTION TAKEN:

ZONING BOARD OF APPEALS: _____ DECISION: _____

LAND USE COMMITTEE: _____ DECISION: _____

COUNTY BOARD: _____ DECISION: _____

OTHER COMMENTS: _____

TAZEWELL COUNTY COMMUNITY
DEVELOPMENT

APPLICATION FOR ZONING HEARING

PETITION FOR:

- ☒ Special Use (New Dwelling Site)
☐ Special Use (Other)

Staff Use Only:

Accepted by: MK

Date Filed: 6/16/25

CASE NO. 25-34-S

Filing Fee: 350.00

Publication Fee: _____

ZBA Hearing Date: 8/5/25

Decision Date: _____

☐ APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: BRADLEY D. BENNETT
Address: 11923 WAGONSELLER RD
City, State: PEKIN, IL 61554
Phone: 309-678-3291
Email: bbennett@robain.org
(daytime contact)

Owner:

Name: BRADLEY D. BENNETT
Address: 11923 WAGONSELLER RD.
City, State: PEKIN, IL 61554
Phone: 309-678-3291
Email: bbennett@robain.org
(daytime contact)

The property interest of the applicant, if not the owner: _____

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: IF GRANTED TO BE DETERMINED
- b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1st floor, McKenzie Building)

Current Zoning: AGRICULTURE Property ID Number: 10-10-32-100-24 & 025

Proposed Parcel Size/Acreage: 2.00 AC Soil Productivity Rate of Site: _____

Legal Description:

SEC 32 T24N R5W LOT 12 & N200 OF LOT 11 (EX W85) GARDEN ESTATES EXT 1 NW 1/4

- c. Describe all existing structures, physical attributes and current land use of the property:

LOT CURRENTLY HAS A 42'x60' POLE BARN. I WANT TO MOVE THE LOT LINE TO MAKE THIS LOT BARE. THE POLE BARN WILL BE COMBINED WITH L

- d. Previous Special Use/Variance requests for this property? ☒ No ☐ Yes-Case No. 10-10-32-100-2

3. State the Reason For and Nature of the Special Use:

TO BUILD A RETIREMENT HOME FOR MY WIFE AND I. THE STRUCTURE WILL BE BARNDOMINIUM STYLE IN CONSTRUCTION. HOME,

- a. Hours of operation: _____ Number of employees: _____
- b. Number of parking spaces: _____ Handicapped: _____ Parking Lot Surface: _____
- c. Signs (size and number of): _____
- d. Number of new buildings to be constructed and proposed use of each building: _____
- e. Future expansion and time schedule: _____

4. **New Dwelling Sites Only:** A livestock feeding operation is defined by the Tazewell County Zoning Code as: Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency. *(Contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance if you are uncertain regarding location of active livestock feeding operations.)

- a. Is the property located: (Check appropriate item)
1. Less than one-half ($\frac{1}{2}$) mile of a livestock feeding operation: ☐ Yes ☒ No
- *If less than $\frac{1}{2}$ mile is a Variance necessary? ☐ Yes ☐ No
2. More than one-half ($\frac{1}{2}$) mile of a livestock feeding operation: ☒ Yes ☐ No
- b. Type of livestock operation unknown Number of animal units: _____

5. The Zoning Board of Appeals makes a Finding of Fact for all Special Use. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. The site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties.
THE HOME WILL BE SITUATED MORE THAN 100' OFF OF HURT RD. AND AT LEAST 50' FROM EACH ADJACENT PROPERTY.
- b. The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.
THE STRUCTURE WILL BE OUR RETIREMENT HOME AND IMPROVE THE AREA AND SURROUNDING HOMES.
- c. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
THE STRUCTURE WILL BE OUR RETIREMENT HOME AND IMPROVE THE AREA AND SURROUNDING HOMES.
- d. The Special Use will not substantially diminish and impair property value within the neighborhood.
THE STRUCTURE WILL BE OUR RETIREMENT HOME AND IMPROVE THE AREA AND SURROUNDING HOMES.
- e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
PROPER WELL, SEPTIC AND DRAINAGE PER CODE WILL BE PROVIDED.
- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.
THE ENTRANCE WILL BE ON HURT ROAD (THERE IS AN EXISTING CULVERT AND MEANS OF INGRESS AND EGRESS)
- g. Granting the special use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels that would hinder the operation or expansion of such operation or granting the special use, which is located *more than one half mile* from a livestock feeding operation will not hinder the operation or expansion of such operation.
N/A
- h. The Special Use is consistent with the existing uses of property within the general area of the property in question.
15. THE NEW DWELLING ~~IS~~ NEAR OTHER HOMES

- YES, THE STRUCTURE WILL BE A RESIDENTIAL HOME.

B. O. Bennett

Edw. D. Bennett

Date _____

AGRICULTURE LAND USE EASEMENT

The creation of a non-farm family home in an agricultural area is incompatible with the agriculture areas in Tazewell County. The Tazewell County Zoning Board of Appeals, will review this application and the associated facts. In making a determination on whether to grant a Special Use they may consider an Agriculture Land Use Easement.

Further the Community Development Administrator will accept an Agricultural Land Use Easement when making a determination upon sites under Administrative Review.

If the Agricultural Land Use Easement is offered by the Applicant herein and if it is accepted by the County in making a determination herein, the Easement will be recorded on the deed and become a permanent part of the record of the aforementioned property. Proof of recording shall be submitted prior to Building Permit issuance.

If said Easement is granted by the Applicant, the County assumes no responsibility to the Grantor or any Grantees.

WHEREAS, BRADLEY D. BENNET & KRISTINA K. BENNET, are the owners of real property described as follows:

(Legal Description or P.I.N.# & Address): 10-10-32-100-24

In accordance with the Special Use granted by the Tazewell Zoning Board of Appeals, or Administrative Review by the Community Development Administrator known as Case No. 25-34-S, approving a permit for residential development on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to, or in close proximity, to the above described property, a perpetual nonexclusive easement as follows:

1. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include:
 - a. Wide, slow moving farm equipment on roads or in fields at various times of the day or night;
 - b. Dust or odors from operation of machinery as well as herbicides, pesticides, fertilizers, and manure being applied to farmland;
 - c. Wind blown debris such as corn stalks, soybean residue, or other materials;
 - d. On occasions, airplanes applying herbicides, pesticides or other materials;
 - e. Odors from livestock/poultry operations or stray livestock;
 - f. Drainage problems or short term flooding, which may occur during heavy rainfall;
 - g. Other customary and normal agricultural/livestock operations and procedures;

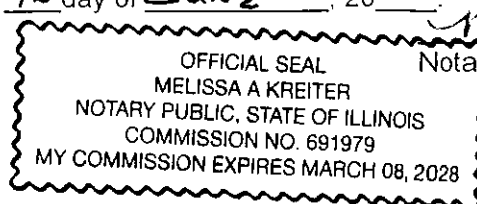
These activities ordinarily and necessarily produce noise, dust, smoke, odors, and other conditions that may conflict with the Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes and grantors hereby grant an easement to adjacent or nearby property owners for such activities.

2. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to, or in close proximity, to the above described property and shall bind to their heirs, successors, and assigns of Grantors and shall endure for the benefit of the adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of the easement.

IN WITNESS WHEREOF, the Grantors have executed this easement dates this 16 day of June, 2025
Bradley D. Bennett Grantor
Kristina K. Bennett Grantor

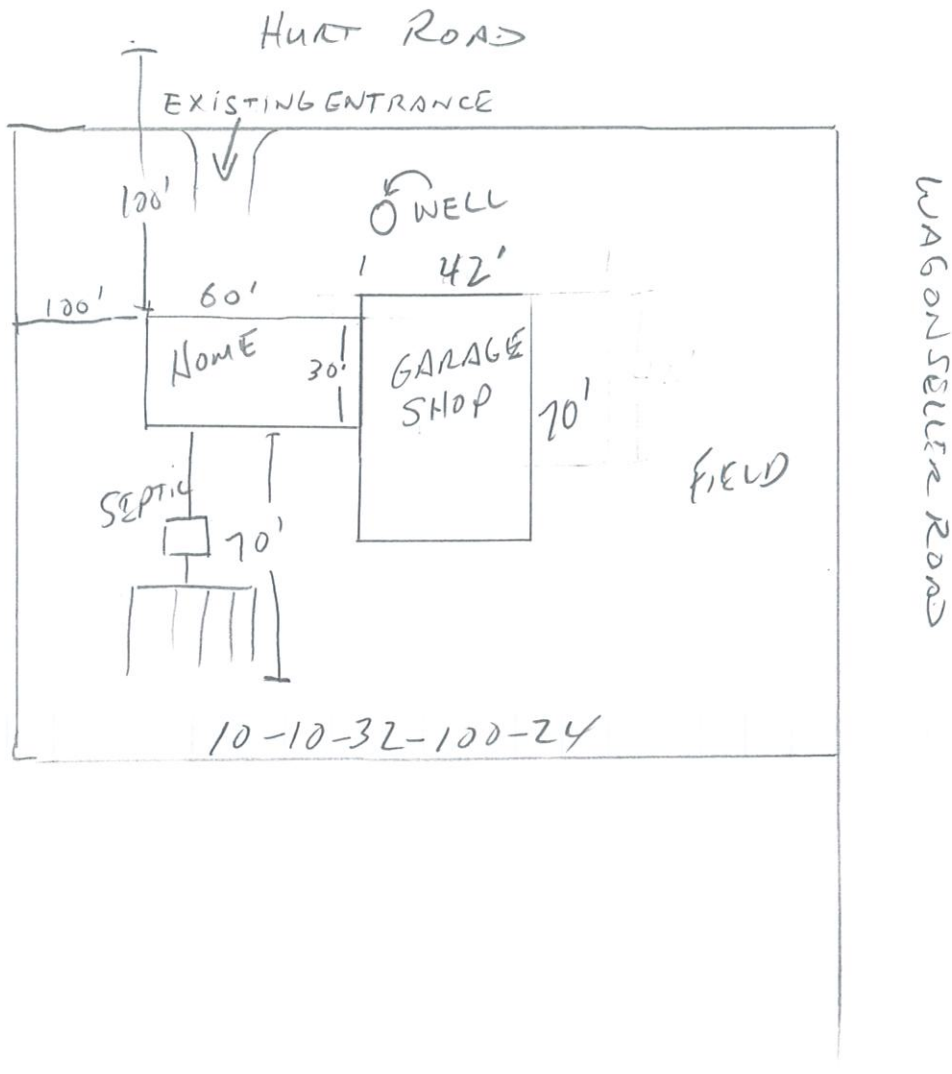
Subscribed and sworn to before me this 16 day of June, 2025



Melissa A Kreiter
Notary Public

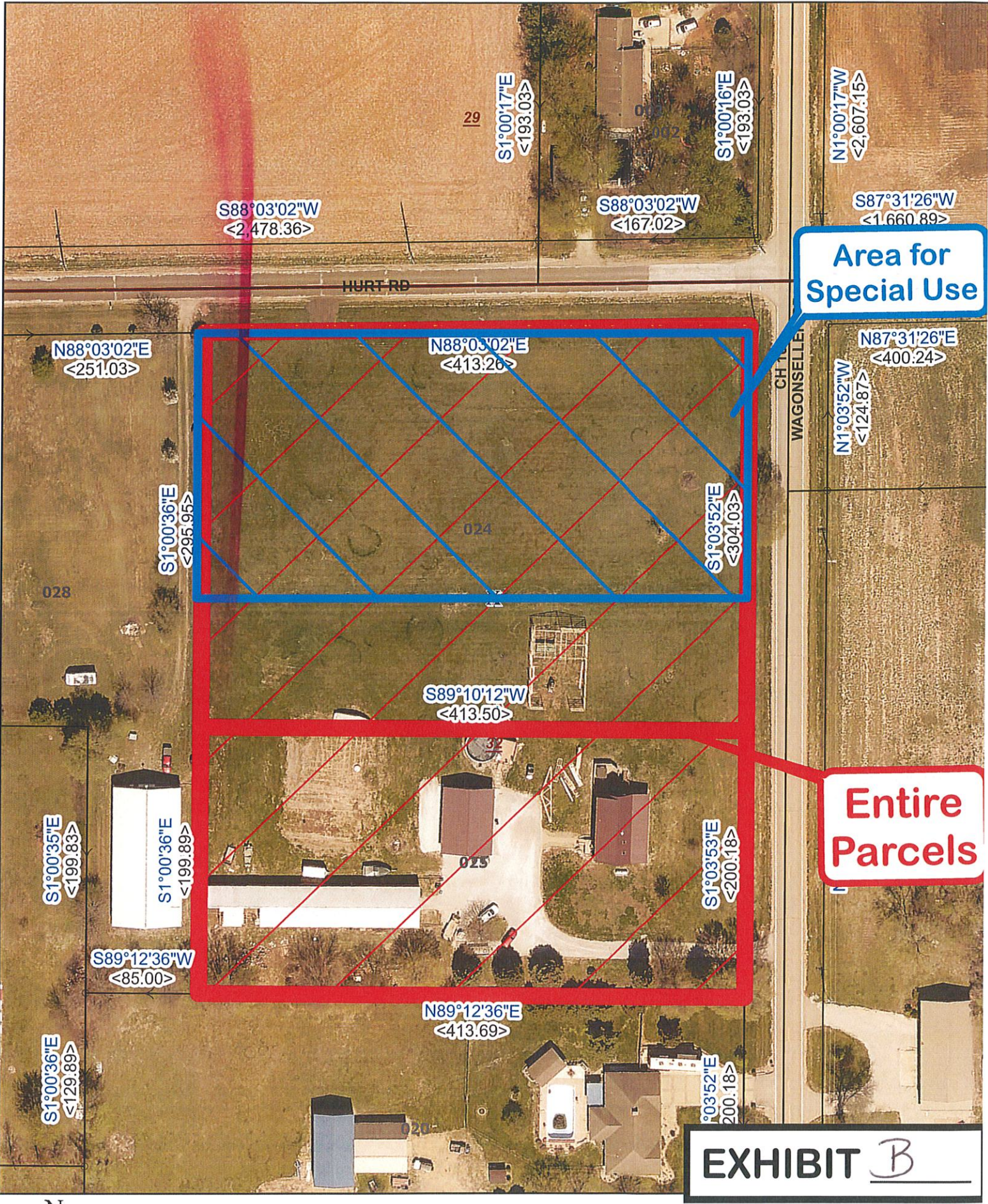
Special Use Application

BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES,
LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS "REFER TO CHECKLIST"
NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!



SITE PLAN

EXHIBIT A



Zoning

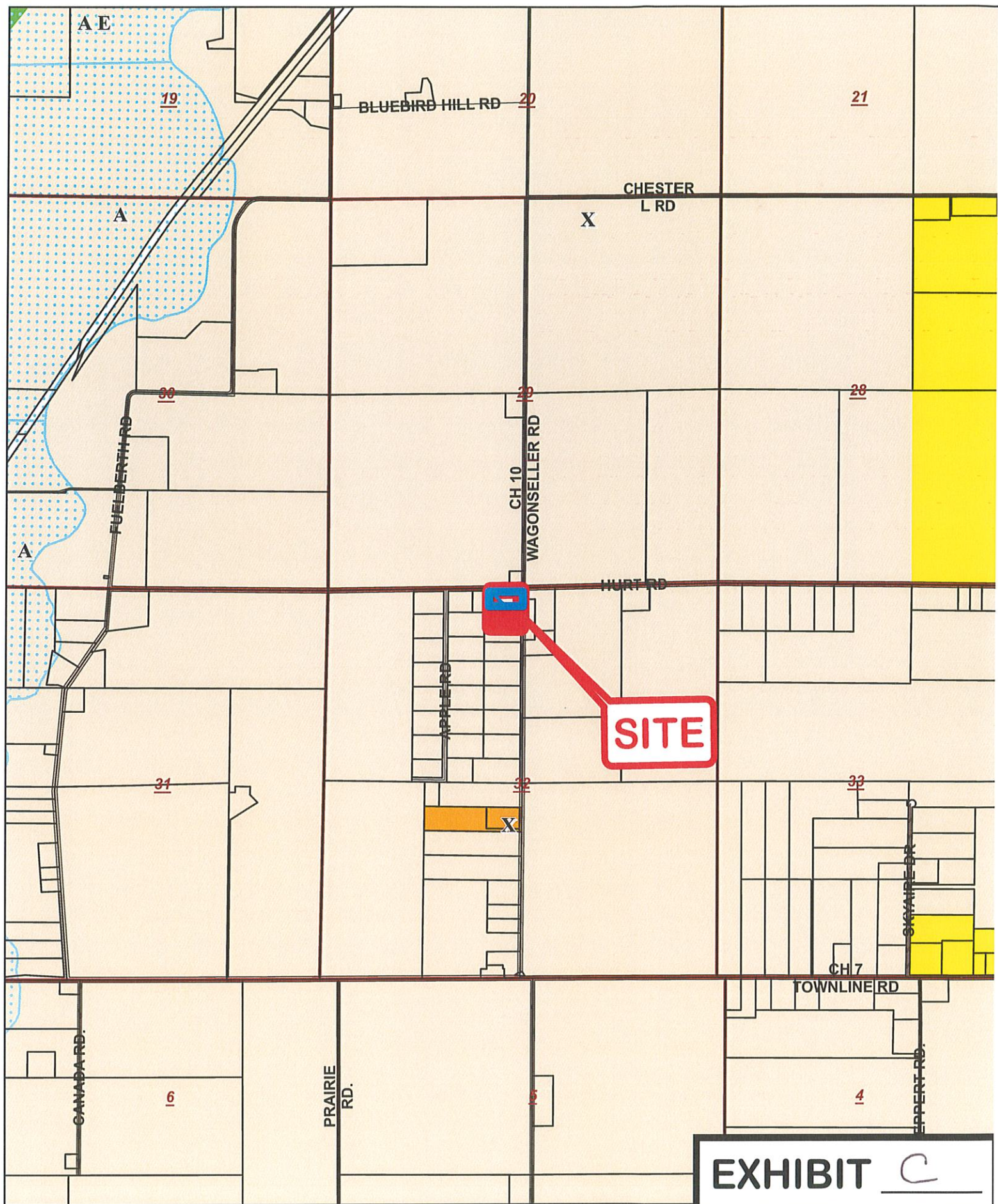
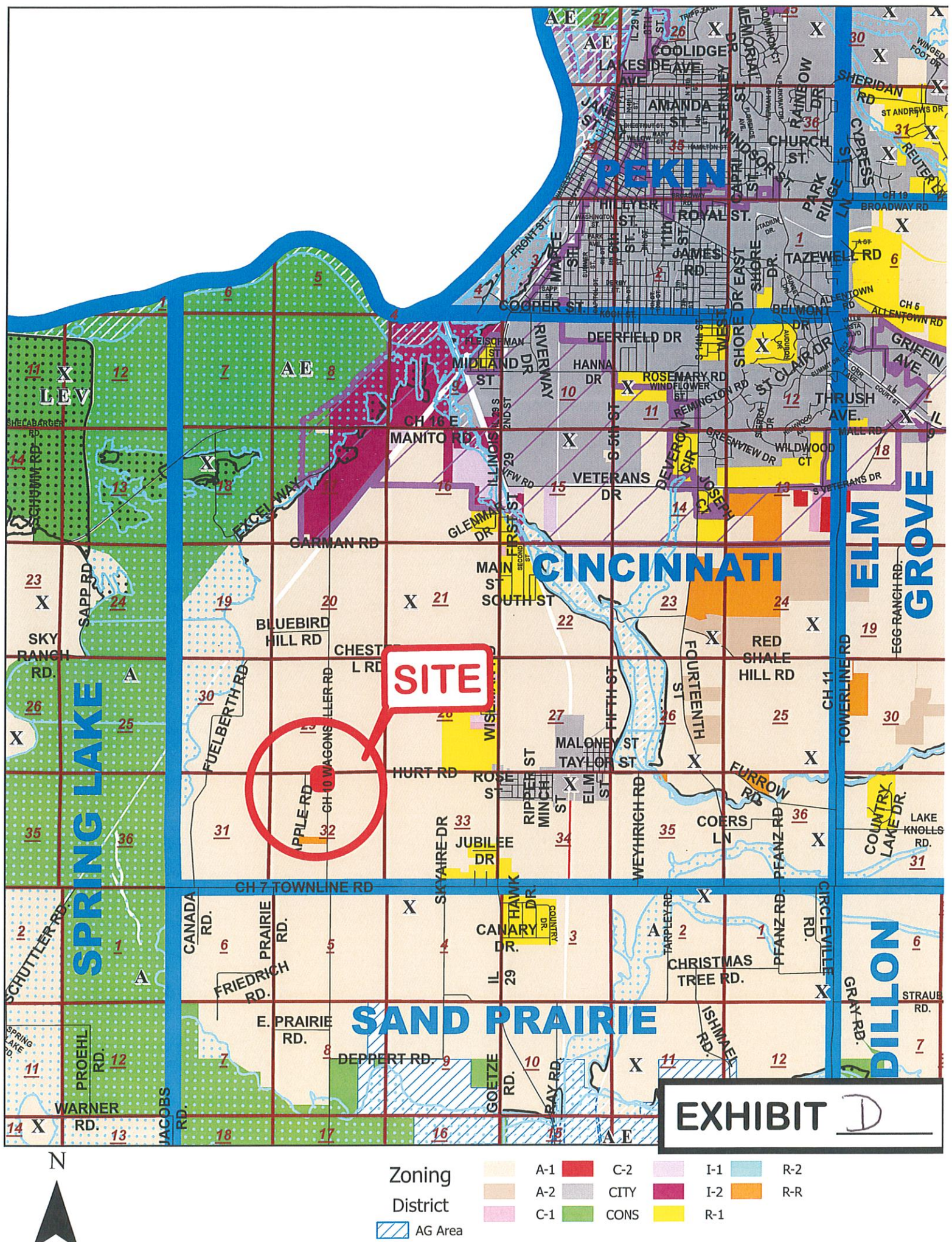


EXHIBIT C



Zoning District

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TAZEWELL COUNTY
COMMUNITY DEVELOPMENT AND PLANNING
ZONING BOARD OF APPEALS REPORT (25-34-S)

Applicant: Bradley Bennett

Requested Action: Request to construct a residence on an A-1 zoned property located at parcel number 10-10-32-100-024.

Date of Application: June 16, 2025

Location: Property with the parcel number 10-10-32-100-024

| | | |
|----------------|-------------------|--|
| Zoning: | Subject Property: | A-1 Agricultural Preservation District |
| | North: | A-1 Agricultural Preservation District |
| | East: | A-1 Agricultural Preservation District |
| | South: | A-1 Agricultural Preservation District |
| | West: | A-1 Agricultural Preservation District |

Public Hearing: August 5, 2025

Considerations:

- Per the Tazewell County Zoning Code, the A-1 Zoning District is established to benefit and protect agricultural uses throughout the County.
- Per the Tazewell County Zoning Code, a single-family dwelling may be established in the A-1 District on parcels less than forty (40) acres and at least five (5) acres in size with a Special Use.
- The area identified for special use is approximately 1 acres. The area identified for special use is entirely grassland.

Findings of Fact:

- **The Special Use shall, in all other respects, conform to the applicable regulations of the Tazewell County Zoning Ordinance for the district in which it is located.**
(POSITIVE) The Special Use will conform to all applicable regulations of the Tazewell County Zoning Code as enforced by the Community Development Administrator. The proposed structure will be reviewed for all dimensional standards upon building permit submittal.
- **The Special Use will be consistent with the purposes, goals, objectives, and standards of the officially adopted County Comprehensive Land Use Plan and these regulations or of any officially adopted Comprehensive Plan of a municipality within a 1.5-mile planning jurisdiction.**

(POSITIVE) The subject property is further than 1.5 miles from a planning jurisdiction with an officially adopted Comprehensive Plan. The proposed special use does not contradict any of the

purposes, goals, objectives, or standards of the Tazewell County Comprehensive Land Use Plan. Therefore, this finding is judged to be positive.

- **The petitioner has provided the information required by 7TCC1-25(c), and has demonstrated the ability to complete the proposal shown in 7TCC1-25(c)(1)-(10), and has met those items required by the statements described in TCC1-25(c)(9).**

(POSITIVE) Per the application, the requirements of Article 25 of the Tazewell County Zoning Code have been met.

- **The site shall be so situated as to minimize adverse effects, including visual impacts on adjacent properties.**

(POSITIVE) The proposed single family residence should not pose any adverse effects or visual impacts on adjacent properties as it is a use that is frequently seen in the surrounding area. There are multiple single family residences to the west and south of the subject property of a similar size.

- **The establishment, maintenance or operation of the Special Use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the neighboring vicinity**

(POSITIVE) Properties in the neighboring vicinity consist of agricultural land, undeveloped grassland, and medium sized lots with single family dwellings similar to the one proposed. A single family dwelling will be compatible with these existing uses in the neighboring vicinity, so the proposed Special Use will not endanger the public health, safety, morals, comfort or general welfare.

- **The Special Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.**

(POSITIVE) Properties in the neighboring vicinity consist of agricultural land, undeveloped grassland areas, and single-family dwellings. A single family dwelling does not pose any threat of being an injurious use to other properties in the vicinity.

- **The Special Use shall not substantially diminish and impair property value within the neighborhood**

(POSITIVE) Properties in the neighboring vicinity consist of agricultural land, undeveloped grassland areas, and single-family dwellings. A single family dwelling is similar to the existing residential uses in the general area. Therefore, the proposed special use will not bring substantial change to the general area and not substantially impair property values.

- **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

(POSTIVE) As mentioned in the application, the applicant proposes access to the site via a driveway off of Hurt Rd where there is an existing culvert and entrance. Per the applicant, all

necessary utilities will be provided.

- **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.**

(POSITIVE) As shown on the site plan, the applicant proposes access to the site via a driveway off of Hurt Rd. The addition of one single-family dwelling at this location will not generate a substantial number of vehicle trips and it appears that the driveway will have adequate sight distance. Therefore, the proposed special use will not lead to traffic congestion or hazard on the public streets.

- **The evidence establishes that granting the use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels as would hinder the operation or expansion of such operation.**

Not Applicable

- **Evidence presented establishes that granting the use, which is located more than one half mile from a livestock feeding operation, will not hinder the operation or expansion of such operation.**

(POSITIVE) The proposed Special Use is for a single-family dwelling in an area that already contains several single-family dwellings of similar size. Therefore, it will not exert development pressure to an extent that would lead to land use changes more than one-half mile away, so the proposed Special Use will not hinder the operation or expansion of any livestock feeding operations located more than one-half mile away.

- **Seventy-five percent (75%) of the site contains soils having a productivity index of less than 125.**

(POSITIVE) The entirety of the subject property contains soils having a productivity index of less than 125. The home site is located on a property that is not utilized for agriculture and instead is grassland. Therefore, this finding is judged to be positive.

The soils present on the subject property and their productivity are listed below:

- Onarga (150B): 110
- Dakota (379B): 110

- **The Special Use is consistent with the existing uses of property within the general area of the property in question.**

(POSITIVE) Existing uses of property within the general area consist of single-family dwellings, agricultural uses, and undeveloped grassland areas. The proposed Special Use will be consistent with the existing residential uses and will not adversely affect the existing agricultural uses due to its large-lot nature. Therefore, the proposed Special Use will be consistent with the existing uses of property within the general area.

- The property in question is suitable for the Special Use as proposed.

(POSITIVE) The property is suitable for the Special Use as proposed based on the findings as a whole.

Recommendation:

Based upon the considerations and findings of fact, the Community Development and Planning Department recommends approval of the requested Special Use to allow the establishment of a single-family dwelling on the subject property with parcel identification number 10-10-32-100-024.

Respectfully submitted.

Adam Crutcher
Tazewell County Land Use Planner

Melissa A. Kreiter

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, July 23, 2025 9:27 AM



To: Melissa A. Kreiter <MKreiter@tazewell-il.gov>; Denise Gryp <DGryp@tazewell-il.gov>; Jaclynn Workman <JWorkman@tazewell-il.gov>

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on August 2025 ZBA Cases

Hello,

The following are the TCHD EH comments on the August 2025 ZBA Cases:

 **CASE NO. 25-34-S: Bradley Bennett** – Because the proposed new parcel is less than 5 acres in size, a plat review will be required. Septic and well permit applications must be submitted to TCHD prior to construction. **COM-DEVP Response:** Mr. Bennett has already contacted a land surveyor (Holloway) and will have plats created for signature upon approval. As well, Mr. Bennett was made aware of the permitting requirements and will reach out to TCHD if not already done so. This department will not issue any construction building permits until Septic requirements/permits have been obtained. 

CASE NO. 25-35-S: Sydney Frietsch – The proposed business will require a private sewage disposal system of adequate capacity to serve the clientele. The private sewage disposal system will be considered a Class V injection well because it will serve a non-residential establishment and have the capacity to serve 20 or more people per day. Therefore, all requirements of a Class V injection well must be met, including a minimum setback of 200 feet from water wells and registering the system with the Illinois Environmental Protection Agency.

Plumbing must meet the IL State Plumbing Code. An adequate number of public restrooms, including ADA compliant restrooms, will be required prior to opening.

Potable water must be available on site. Well water must be tested annually for coliform and *E. coli*. The facility will be required to be on the IDPH Non-Community Water Program if the water system will regularly serve an average of 25 persons daily for any 60 days out of the year.

If the kitchen and/or bar will be used to prepare and serve food and beverages to the public, a retail food permit may be required. If that is the case, the operator must submit a plan review application and apply for a retail food permit through TCHD prior to operation. **COM-DEVP Response:** Mrs. Frietsch has been made aware of TCHD requirements, and it is our understanding that she has previously been in contact with TCHD. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-36-V: Jason Bontemps – If wastewater sources (stool, shower, sink, etc.) will be provided in the accessory structure, the wastewater must be routed to either the existing septic system serving the dwelling, or a septic permit obtained and septic system installed to serve the accessory structure. During construction of the accessory structure, the existing septic system must be flagged to prevent driving over, parking on, and/or staging materials on top of the septic system and its components. **COM-DEVP Response:** This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-37-V: Paul M. Defenbaugh – No comment.

Sincerely,

Stacy M. Thompson, MS, LEHP
Environmental Health Supervisor
Tazewell County Health Department

EXHIBIT F

#3

CINCINNATI TOWNSHIP
ROAD & BRIDGE

APPLICATION FOR ENTRANCE PERMIT

NAME BRADLEY BENNETT

PERMIT NO. 6-9-2025

ADDRESS 11923 WAGONSELLER RD. PEKIN

Location of Proposed Entrance:

Land Section 32 Area of Tract T24N R5W LOT 12

Subdivided _____ Yes _____ No Name of Subdivision GARDEN ESTATES EXT 1

Lot No. _____ Recorded _____ Book _____ Page _____

Document No. _____

Legal Description: (If not Subdivided)

During the spring of each year, the County and Township Road Commissioners post the roads for weight limits. If you have building materials delivered to your property, please be aware of the restrictions and contact your Commissioner if you have any questions.

I Certify the foregoing to be true and correct.

BRADLEY BENNETT
[Signature]
Signature Owner/Applicant

Date: 6-9-25

Approved + Disapproved

Date: 6-9-25

Date: 6-9-25

[Signature]
Cincinnati Township Road Commissioner

Permit number to be assigned by the Township Road Commissioner [Signature]

Required Corrugated galvanized metal pipe culvert NA Diameter [Signature] Length

The applicant shall take due care to prevent any damage to the entrance culvert between the time of the application and the time in which construction is completed. If damage occurs to the new culvert, it shall be repaired to the satisfaction of the Cincinnati Township Highway Commissioner. If such damage is not repaired, the Cincinnati Township Highway Commissioner may refuse to maintain such entrance culvert. No concrete culvert end

#1 the lowest finish floor elevation (garage or 1st floor) must be 1 foot higher or more than center line of the road

#2 mail box post must, if metal 2in. Or smaller and if of wood 4 in. or smaller

#3 to do any work in the right of way you must apply for a Cincinnati townships permit at 206 south pekin

EXHIBIT G

Melissa A. Kreiter

From: rhawkins cinctwp.com <rhawkins@cinctwp.com>
Sent: Tuesday, July 15, 2025 6:00 AM
To: Melissa A. Kreiter
Subject: [EXTERNAL] Re: ZBA Case for Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Melissa,
I do not see any issues with this new house.
Thank you,
Ronald C Hawkins Jr
Cincinnati Township
Highway Commissioner

From: Melissa A. Kreiter <MKreiter@tazewell-il.gov>
Sent: Monday, July 14, 2025 4:07 PM
To: rhawkins cinctwp.com <rhawkins@cinctwp.com>
Subject: ZBA Case for Comment

Please see the attached case for your review and comments.

Thanks!
Melissa

Melissa A. Kreiter
Chief Deputy/"FOIA" Officer
Tazewell County Department of Community Development
11 S. 4th St., Room 400 - Pekin, IL 61554
Phone: (309) 477-2235 - Email: mkreiter@tazewell-il.gov
Website: <http://www.tazewell-il.gov>

EXHIBIT H

CASE INFORMATION

CASE NO.: 25-35-S PETITIONER: Sydney Frietsch

AGENT OR REPRESENTATIVE: _____

ADDRESS: 18825 Tanner Rd., Deer Creek, IL 61733 PHONE: 309-224-8769

REQUEST FOR: Special Use to operate a Banquet Facility for the purpose of running a wedding venue from an existing (proposed to be expanded) Accessory Structure in an A-1 Agriculture Preservation District

P.I.N.# 07-07-26-200-002 PARCEL SIZE 40+/- PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 6/4/25 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Notified 7/11/25

HEALTH DEPT.: Notified 7/11/25

TCSWCD: Notified 7/11/25

TCFB: Notified 7/11/25

COUNTY HIGHWAY: Notified 7/11/25

COUNTY EMA: Notified 7/11/25

MUNICIPALITY: Notified 7/14/25

TOWNSHIP: Notified 7/14/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 7/16/25

PUBLICATION DATE: 7/16/25 WHERE: Samuel Chronicle

ACTION TAKEN:

ZONING BOARD OF APPEALS: _____ DECISION: _____

LAND USE COMMITTEE: _____ DECISION: _____

COUNTY BOARD: _____ DECISION: _____

OTHER COMMENTS: _____

TAZEWELL COUNTY COMMUNITY
DEVELOPMENT

APPLICATION FOR ZONING HEARING

PETITION FOR:

☐ Special Use (New Dwelling Site)

☒ Special Use (Other)

Staff Use Only: Accepted by: ink
Date Filed: 6/4/25 CASE NO. 25-35-S
Filing Fee: 450.00 Publication Fee: _____
ZBA Hearing Date: 8/5/25
Decision Date: _____
☐ APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Sydney Frietsch
Address: 18825 Tanner Rd.
City, State: Deer Creek, IL
Phone: 309 224 8769
(daytime contact)
Email: Sydneyfrietsch@gmail.com

Owner:

Name: Benny + Sydney Frietsch
Address: 18825 Tanner Rd.
City, State: Deer Creek, IL
Phone: 309 224 8769
(daytime contact)
Email: bennyfrietsch@gmail.com

The property interest of the applicant, if not the owner: _____

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: 18825 Tanner Rd. Deer Creek, IL
- b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1st floor, McKenzie Building)
- Current Zoning: A1 Property ID Number: 67-07-26-200-002
Proposed Parcel Size/Acreage: 40 Soil Productivity Rate of Site: _____
Legal Description: _____
- c. Describe all existing structures, physical attributes and current land use of the property:
single story ranch house, long lane, multiple out buildings, working farm, grain bins, 2 lakes, 1 pond, 18 tillable, 6 timber
- d. Previous Special Use/Variance requests for this property? ☒ No ☐ Yes-Case No. _____

3. State the Reason For and Nature of the Special Use:

- Event and wedding venue from existing building with an expansion to allow for restrooms.
- a. Hours of operation: Friday/Saturday 10-10 am pm Number of employees: 2
- b. Number of parking spaces: 80-100 Handicapped: 2-5 Parking Lot Surface: concrete, gravel (millings)
- c. Signs (size and number of): _____
- d. Number of new buildings to be constructed and proposed use of each building: _____
- e. Future expansion and time schedule: construction for bathrooms, parking before opening day May 2026

4. **New Dwelling Sites Only:** A livestock feeding operation is defined by the Tazewell County Zoning Code as: Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency. *(Contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance if you are uncertain regarding location of active livestock feeding operations.)

- a. Is the property located: (Check appropriate item)
1. Less than one-half ($\frac{1}{2}$) mile of a livestock feeding operation: ☐ Yes ☐ No
- *If less than $\frac{1}{2}$ mile is a Variance necessary? ☐ Yes ☐ No
2. More than one-half ($\frac{1}{2}$) mile of a livestock feeding operation: ☐ Yes ☐ No
- b. Type of livestock operation _____ Number of animal units: _____


5. The Zoning Board of Appeals makes a Finding of Fact for all Special Use. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. The site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties.
our location can only be seen by one neighbor (1/4 mile) from the road the venue will not visually be seen, we plan to keep this place very
- b. The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.
no, all parking will be on our property and we will follow any/all noise restrictions/curfews
- c. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
no, location is on our property and we wish to do no harm to
- d. The Special Use will not substantially diminish and impair property value within the neighborhood.
no, our goal is to fix up the property and value nature around it
- e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
majority are provided, approval from the road commissioner has been discussed, septic renovation plans before opening day
- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.
yes, we have designated places on the property that can be converted to parking, property is located 2 miles off I-74 in Goodfield
- g. Granting the special use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels that would hinder the operation or expansion of such operation or granting the special use, which is located more than one half mile from a livestock feeding operation will not hinder the operation or expansion of such operation.
no
- h. The Special Use is consistent with the existing uses of property within the general area of the property in question.
We live on the property, the building plan for the venue will not effect our current use or lifestyle

i. The property is suitable for the Special Use as proposed.


yes, we value our location and look forward to sharing it
with others, it demonstrates similar qualities of other surrounding

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses in the area
Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application venues
and accompanying documents are true and correct to the best of my (our) knowledge.




Applicant Signature
6-4-25

Date



Owner Signature
6-4-25

Date



6-4-25

Date



Estate Sig.
0

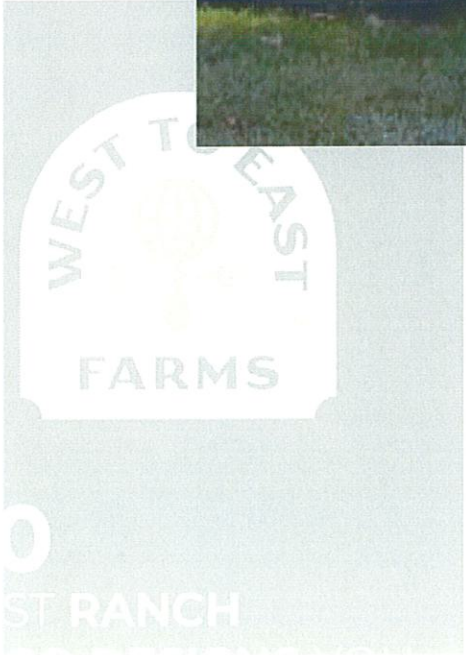


EXHIBIT A



RANCH

ON THE LAKE

EVENT & WEDDING VENUE
18825 TANNER ROAD
DEER CREEK, IL 61733

EXHIBIT B

WELCOME TO THE RANCH

A PLACE MEANT TO BE SHARED

To say this place means something to us is an understatement. It's more than land and fences, more than pastures and lakes — it's a source of life, peace, and connection. Over the years, it has quietly given us so much: space to breathe, sunsets that make you pause, the steady presence of horses grazing just beyond the fence line. And now, it feels right to open the gate and share it.

We've decided it's time to invite others to experience what we've been so blessed to enjoy. Whether you're here for a special event, a quiet afternoon in the sun, or simply to step away from the noise of everyday life, we want this place to feel like a breath of fresh air — because that's what it's been for us. Our ranch is surrounded by the soft beauty of nature: shimmering lakes, wide open pastures, and the gentle rhythm of life outdoors. But it's not about roughing it. We believe in comfort, in good food, in warm conversations around a fire. Here, the outdoors feel like home.

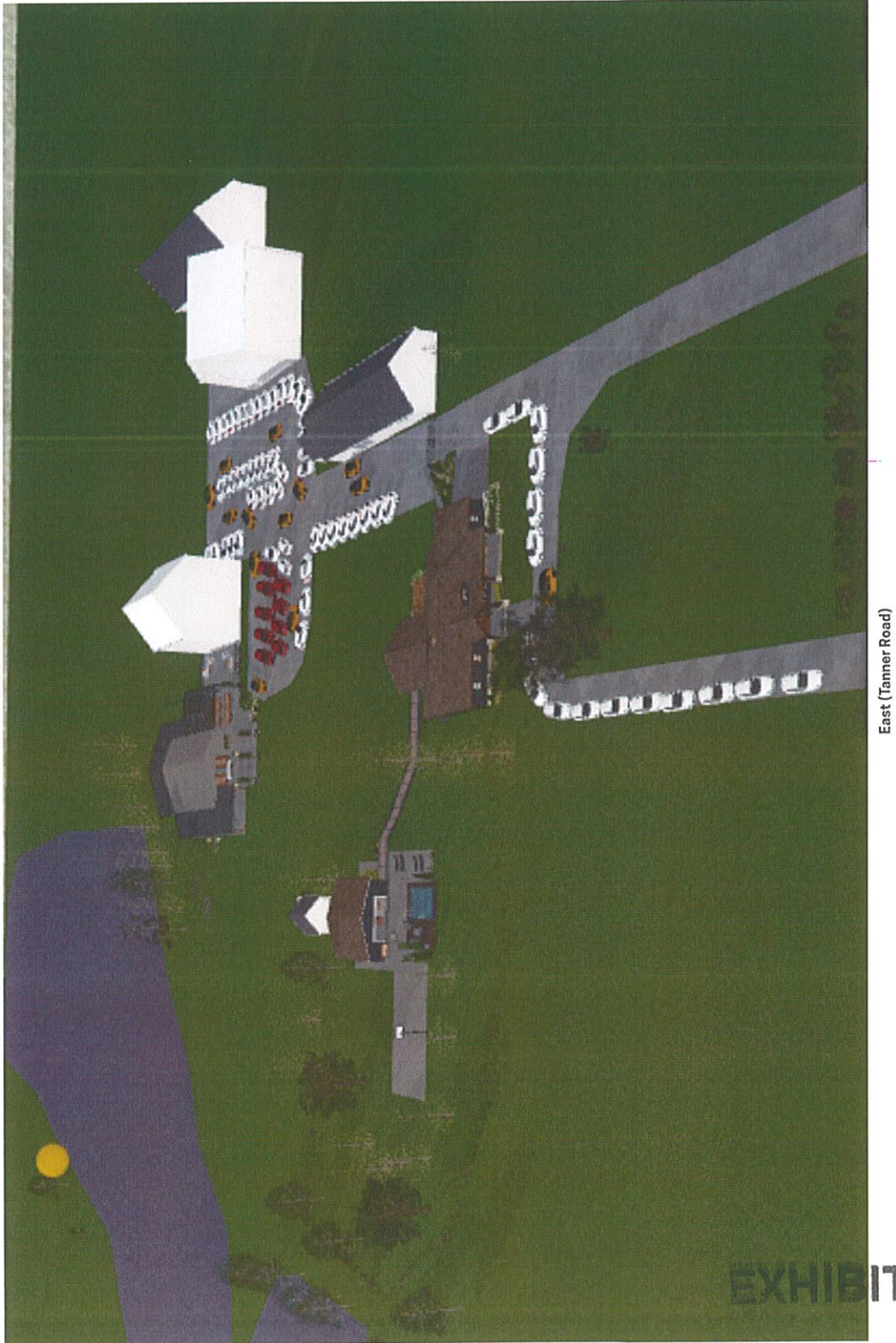
Every visitor is a guest — not just a customer. And it's our goal to make every experience unforgettable, grounded in hospitality and genuine care. Whether you're gathering with loved ones, hosting a celebration, or just escaping for a while, we'll be here to welcome you.

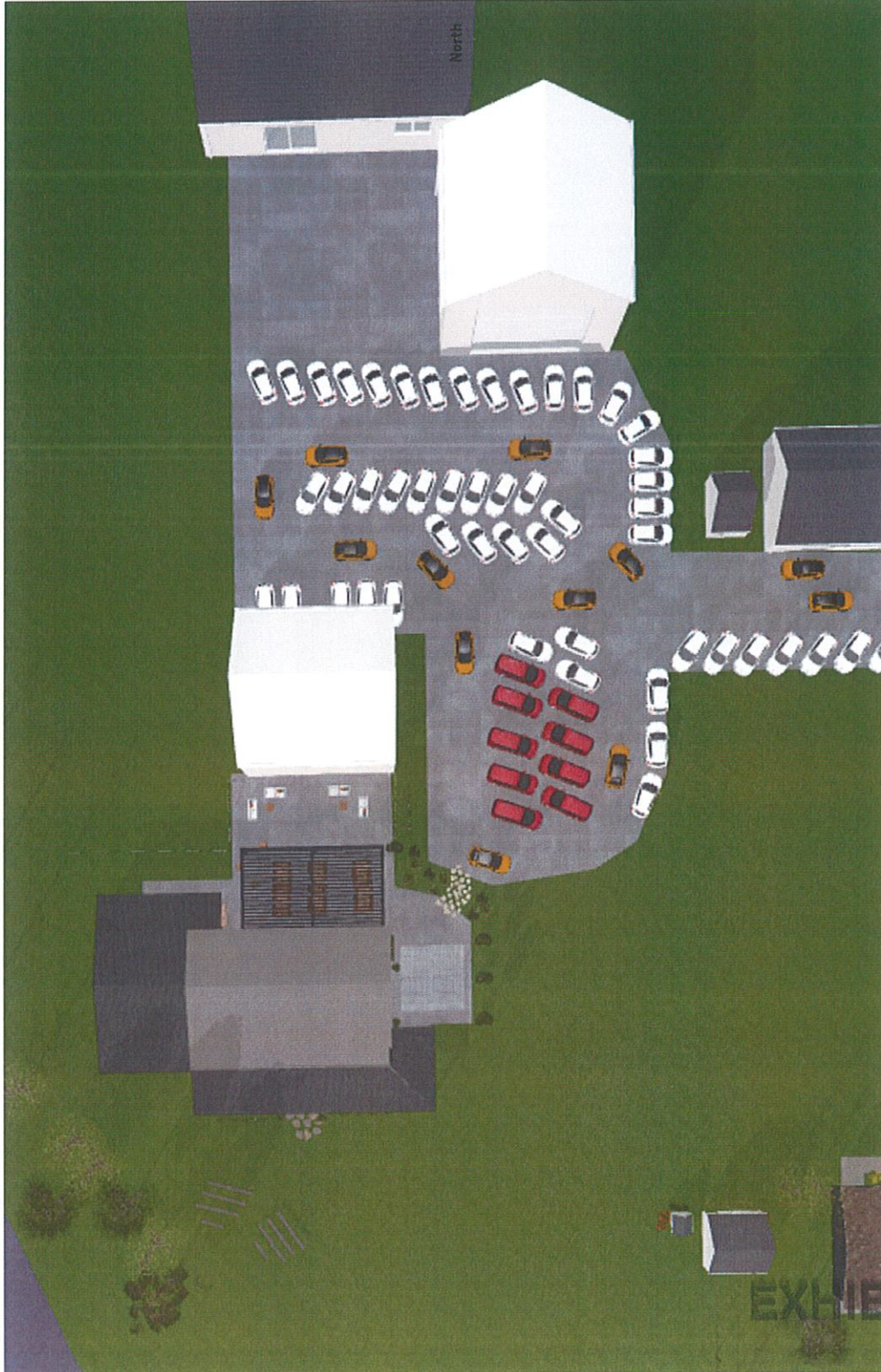


EXHIBIT

C

Property Layout





Parking:

Red Cars = Handicap Parking Spaces

White Cars = Parking Spaces

Yellow Cars = Traffic Flow

*Parking can be added to the North of the property in a current hay field.

Septic Tank:

Will be added behind the big white 1928 barn (to the west). This location is currently a pasture.

Other Details:

No stairs, things that people will trip or have to drive around.

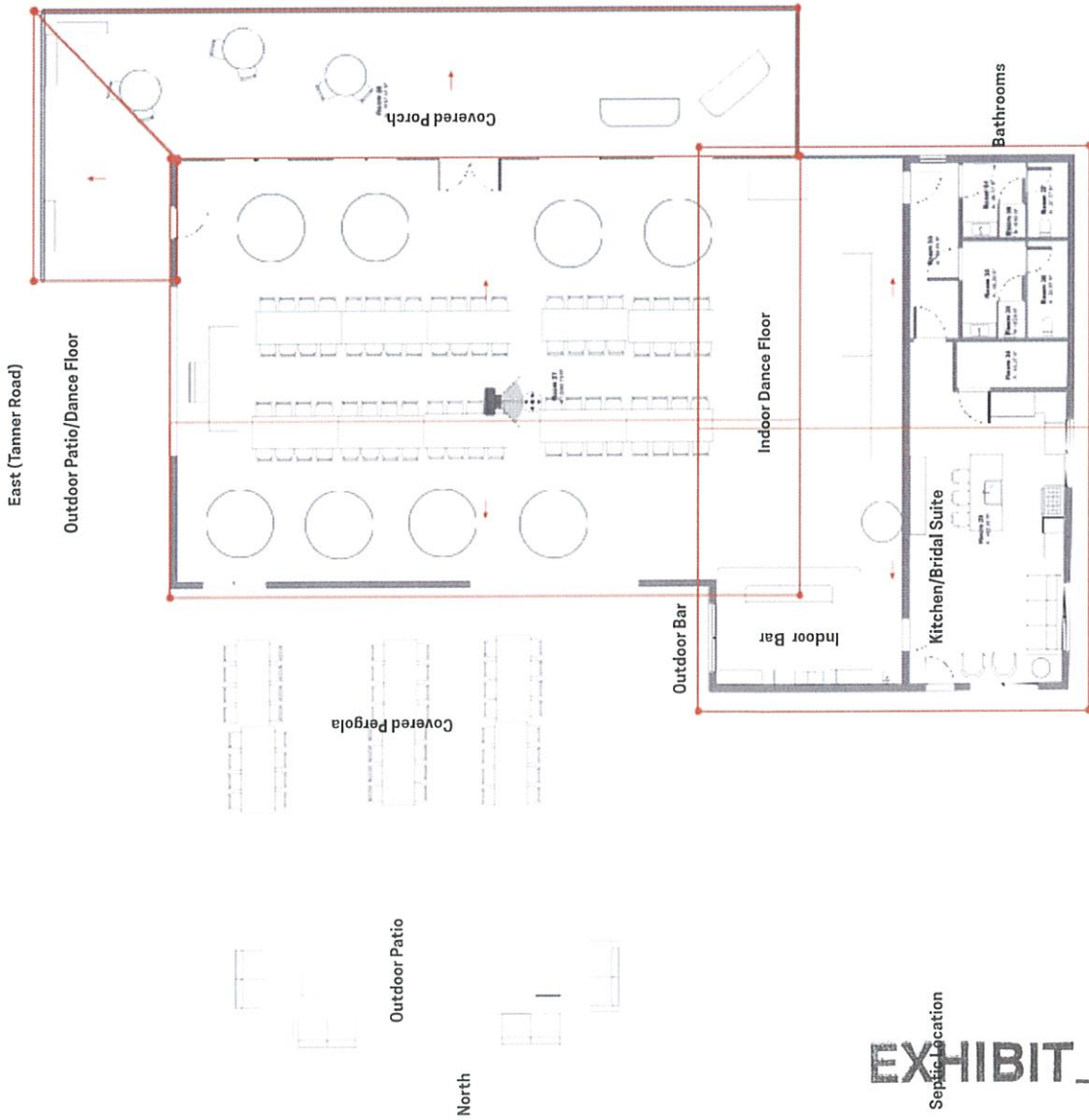
Animals on the property will be properly managed when guests are present. Signs of all sorts will be placed throughout the property to determine traffic flow or where one should or should not go.

EXHIBIT E

East (Tanner Road)

North

RANCH Blueprint



PROJECT TIMELINE



JULY 2025

Construction
Begins



OCTOBER 2025

Addition Begins



NOVEMBER 2025

Begin Marketing/
Booking



SPRING 2026

Opening
Season!

EXHIBIT

G

THE POTENTIAL

EXHIBIT H



THE TIN ROOF

Our plan for this tin roof is to comfortably be able to hold around 200 guests, includes two bars, a kitchen/bridal suite and provides lots of views!



THREE LAKES

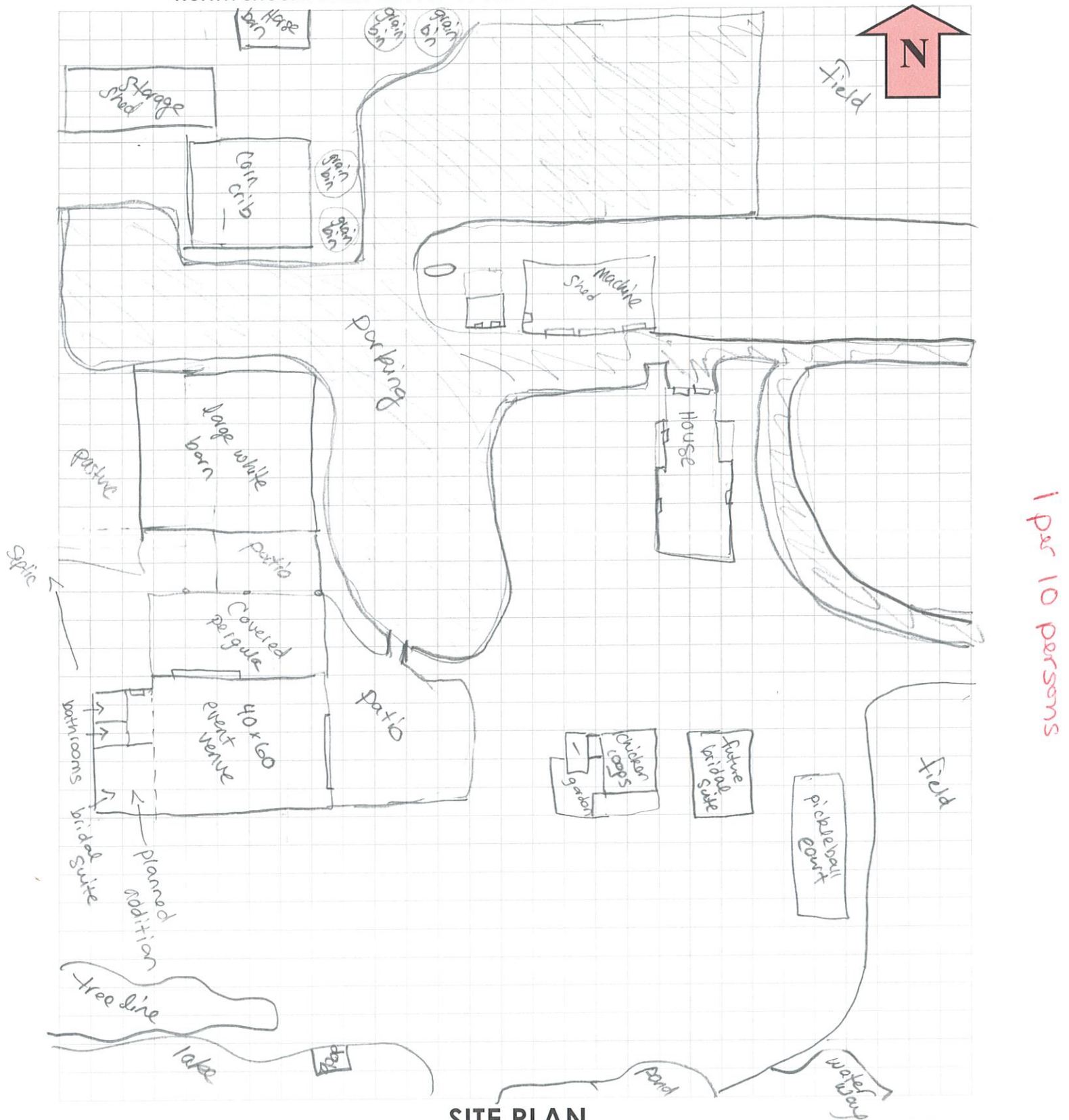
Our Ranch is surrounded by 3 lakes, fields and pastures, it's beautiful!



RANCH SETTING

We can potentially turn our 1928 white barn into another ceremony location!

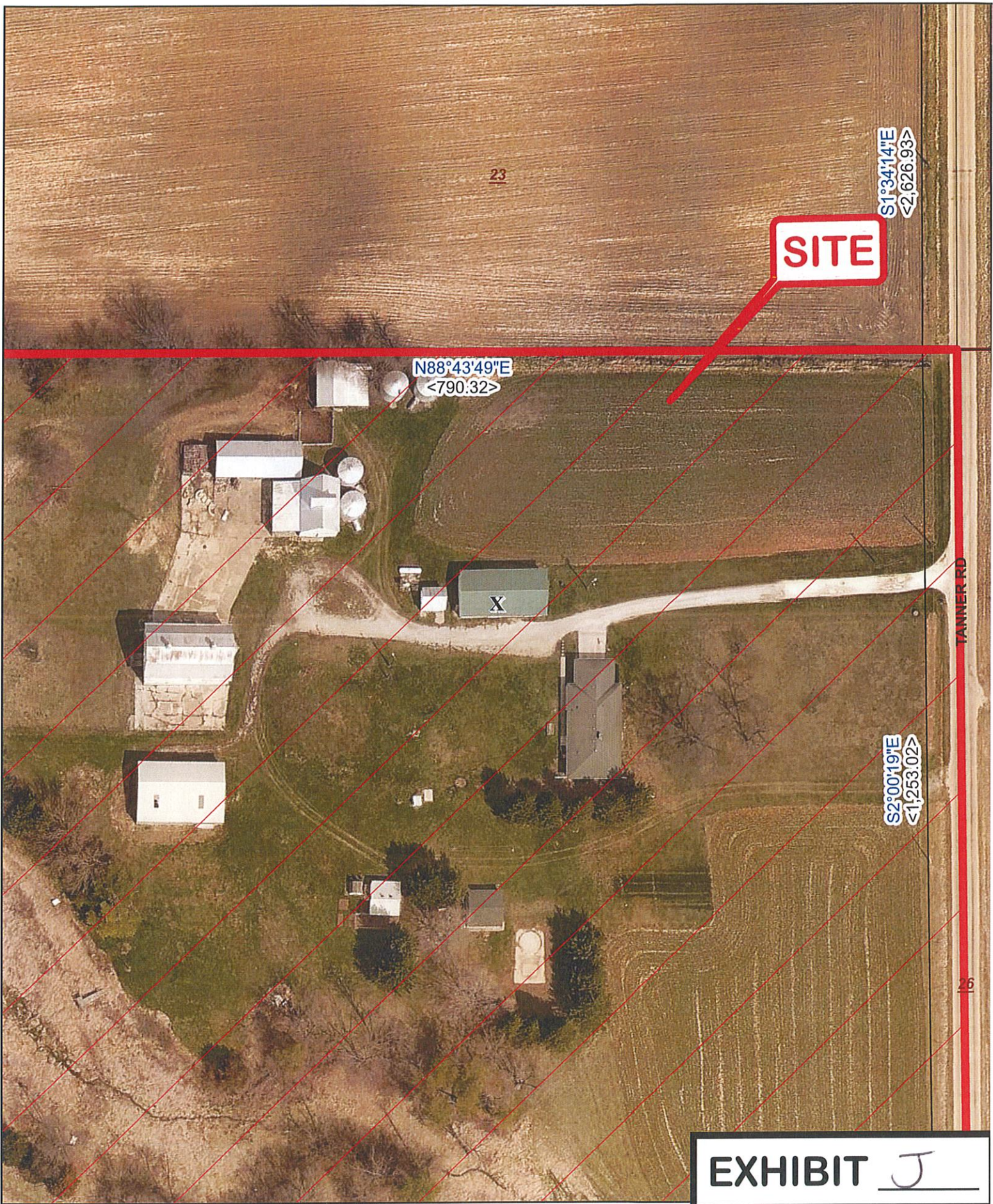
BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES, LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS "REFER TO CHECKLIST"
NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!



SITE PLAN

EXHIBIT I

We can provide electronic property (demo) blueprint plans that show exacts...



23

S1°34'14"E
<2,626.93>

SITE

N88°43'49"E
<790.32>

TANNER RD

S2°00'19"E
<1,253.02>

26

EXHIBIT J



Zoning

SITE

23

X

26

TANNER RD

EXHIBIT K

Zoning



Woodford County

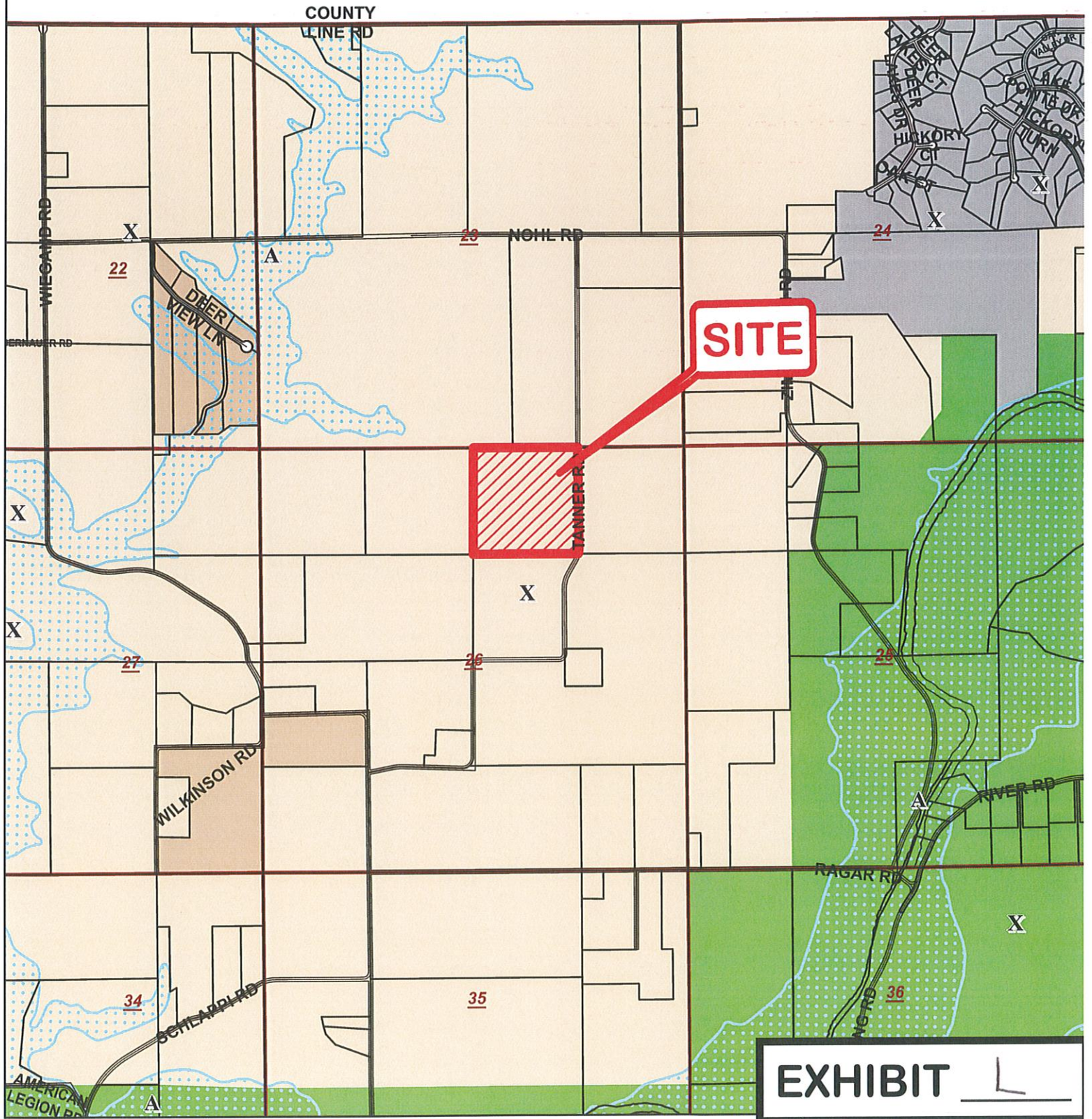


EXHIBIT L

Zoning

District

AG Area

A-1

A-2

C-1

C-2

CITY

CONS

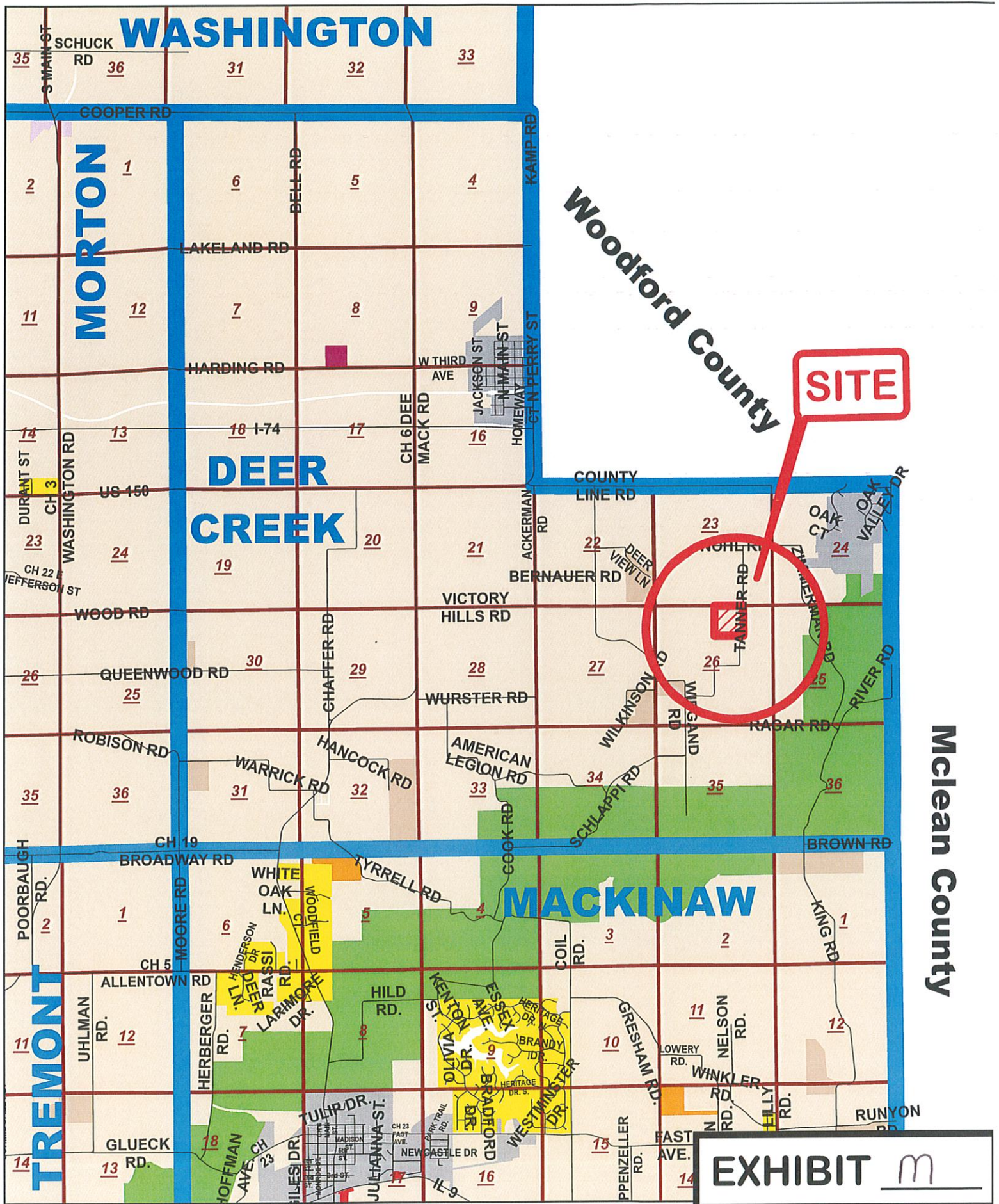
I-1

I-2

R-1

R-2

R-R



SITE

EXHIBIT m

- | | | | | |
|----------|-----|------|-----|-----|
| Zoning | A-1 | C-2 | I-1 | R-2 |
| District | A-2 | CITY | I-2 | R-R |
| | C-1 | CONS | R-1 | |
| | | | | |
| | | | | |
- AG Area

TAZEWELL COUNTY
COMMUNITY DEVELOPMENT AND PLANNING
ZONING BOARD OF APPEALS REPORT (25-35-S)

Applicant: Sydney Frietsch

Requested Action: Special Use to operate a banquet facility for the purpose of running a seasonal wedding venue from an existing (proposed to be expanded) accessory structure in the A-1 Agriculture Preservation Zoning District.

Date of Application: June 4, 2025

Location: 18825 Tanner Rd, Deer Creek, IL (07-07-26-200-002)

Zoning:

| | |
|-------------------|--|
| Subject Property: | A-1 Agricultural Preservation District |
| North: | A-1 Agricultural Preservation District |
| East: | A-1 Agricultural Preservation District |
| South: | A-1 Agricultural Preservation District |
| West: | A-1 Agricultural Preservation District |

Public Hearing: August 5, 2025

Considerations:

- Per the Tazewell County Zoning Code, the A-1 Zoning District is established to benefit and protect agricultural uses throughout the County.
- Per the Tazewell County Zoning Code, a Banquet Facility may be established in the A-1 Agricultural Preservation District with a Special Use.
- The area identified for special use is approximately 40 acres in size and contains a single family dwelling, multiple accessory buildings (including one to be expanded and used for wedding), and agricultural land.
- The applicant plans to utilize an existing accessory structure to host wedding events for around 200 guests. The structure is proposed to be expanded to add restrooms. Events are expected to occur on Fridays and Saturdays with hours from 10am-10pm.

Findings of Fact:

- The Special Use shall, in all other respects, conform to the applicable regulations of the Tazewell County Zoning Ordinance for the district in which it is located.
(POSITIVE) The Special Use will conform to all applicable regulations of the Tazewell County Zoning Code as enforced by the Community Development Administrator. The proposed structure will be reviewed for all dimensional standards upon building permit submittal.

EXHIBIT N ₁

- **The Special Use will be consistent with the purposes, goals, objectives, and standards of the officially adopted County Comprehensive Land Use Plan and these regulations or of any officially adopted Comprehensive Plan of a municipality within a 1.5-mile planning jurisdiction.**

(POSITIVE) The subject property is within 1.5 miles of a planning jurisdiction with an officially adopted Comprehensive Plan, the Village of Goodfield. Staff was not able to locate the Villages Comprehensive Plan to determine if there were goals or objectives on the type of development proposed. The proposed special use does not contradict any of the purposes, goals, objectives, or standards of the Tazewell County Comprehensive Land Use Plan. Therefore, this finding is judged to be positive.

- **The petitioner has provided the information required by 7TCC1-25(c), and has demonstrated the ability to complete the proposal shown in 7TCC1-25(c)(1)-(10), and has met those items required by the statements described in TCC1-25(c)(9).**

(POSITIVE) Per the application, the requirements of Article 25 of the Tazewell County Zoning Code have been met.

- **The site shall be so situated as to minimize adverse effects, including visual impacts on adjacent properties.**

(POSITIVE) The proposed wedding venue is situated at the rear of the property, over 500 feet away from Tanner Road, helping to obscure any views of the events. Also, the nearest residence to the special use site is a quarter of a mile south, leading to very little opportunity for any visual impacts.

- **The establishment, maintenance or operation of the Special Use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the neighboring vicinity.**

(POSITIVE) Properties in the neighboring vicinity consist of primarily row-crop agriculture with the nearest residence being located a quarter of a mile to the south. Per the applicant, the proposed banquet facility will operate only on Fridays and Saturdays. Wedding events do not typically pose safety issues for citizens or properties in surrounding areas.

- **The Special Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.**

(POSITIVE) Properties in the neighboring vicinity consist of primarily row-crop agriculture with the nearest residence being located a quarter of a mile to the south. Due to the distance to the nearest residence from the special use site, there should be little to no impacts on the residence. Otherwise, agricultural operations on surrounding properties should not be impacted by wedding events being held.

- **The Special Use shall not substantially diminish and impair property value within the neighborhood**

(POSITIVE) The proposal does not look to significantly alter the built environment of the subject property with an addition to add bathrooms the only proposed change. As the wedding events will only occur on Fridays and Saturdays and the distance from any nearby residences is at least a mile, the special use should not diminish property value in the general area.

- **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

(POSTIVE) Septic tank renovation planned prior to opening of banquet facility. Other utilities are in place already.

- **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.**

(POSITIVE) As shown on the site plan, the applicant will have access to the site off of Tanner Rd. The addition of a banquet facility will increase traffic on Tanner Rd but should not pose a significant hazard as the site will only operate at most two days a week.

- **The evidence establishes that granting the use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels as would hinder the operation or expansion of such operation.**

Not Applicable

- **Evidence presented establishes that granting the use, which is located more than one half mile from a livestock feeding operation, will not hinder the operation or expansion of such operation.**

(POSITIVE) The proposed Special Use is for a banquet facility on a property which already contains a residence and accessory buildings. Therefore, it will not exert development pressure to an extent that would lead to land use changes more than one-half mile away, so the proposed Special Use will not hinder the operation or expansion of any livestock feeding operations located more than one-half mile away.

- **Seventy-five percent (75%) of the site contains soils having a productivity index of less than 125.**

Not applicable as site is not utilized for agricultural purposes but instead features residential development with accessory buildings.

- **The Special Use is consistent with the existing uses of property within the general area of the property in question.**

(POSITIVE) The proposed special use is in a predominantly agriculturally dominated area with nearest residence over a quarter of a mile away. The operation of weddings are low intensity and the frequency of these events will not exceed more than two days a week. As the proposal does not radically change the intensity of uses on the subject property, the special use is consistent with existing uses in the area.

- **The property in question is suitable for the Special Use as proposed.**

(POSITIVE) The property is suitable for the Special Use as proposed based on the findings as a whole.

Recommendation:

Based upon the considerations and findings of fact, the Community Development and Planning Department recommends approval of the requested Special Use to allow the establishment of a banquet facility for the operation of weddings at 18825 Tanner Rd.

Respectfully submitted.

Adam Crutcher
Tazewell County Land Use Planner

Melissa A. Kreiter

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, July 23, 2025 9:27 AM

To: Melissa A. Kreiter <MKreiter@tazewell-il.gov>; Denise Gryp <DGryp@tazewell-il.gov>; Jaclynn Workman <JWorkman@tazewell-il.gov>

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on August 2025 ZBA Cases

Hello,

The following are the TCHD EH comments on the August 2025 ZBA Cases:

CASE NO. 25-34-S: Bradley Bennett – Because the proposed new parcel is less than 5 acres in size, a plat review will be required. Septic and well permit applications must be submitted to TCHD prior to construction. **COM-DEVP Response:** Mr. Bennett has already contacted a land surveyor (Holloway) and will have plats created for signature upon approval. As well, Mr. Bennett was made aware of the permitting requirements and will reach out to TCHD if not already done so. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-35-S: Sydney Frietsch – The proposed business will require a private sewage disposal system of adequate capacity to serve the clientele. The private sewage disposal system will be considered a Class V injection well because it will serve a non-residential establishment and have the capacity to serve 20 or more people per day. Therefore, all requirements of a Class V injection well must be met, including a minimum setback of 200 feet from water wells and registering the system with the Illinois Environmental Protection Agency.

Plumbing must meet the IL State Plumbing Code. An adequate number of public restrooms, including ADA compliant restrooms, will be required prior to opening.

Potable water must be available on site. Well water must be tested annually for coliform and *E. coli*. The facility will be required to be on the IDPH Non-Community Water Program if the water system will regularly serve an average of 25 persons daily for any 60 days out of the year.

If the kitchen and/or bar will be used to prepare and serve food and beverages to the public, a retail food permit may be required. If that is the case, the operator must submit a plan review application and apply for a retail food permit through TCHD prior to operation. **COM-DEVP Response:** Mrs. Frietsch has been made aware of TCHD requirements, and it is our understanding that she has previously been in contact with TCHD. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-36-V: Jason Bontemps – If wastewater sources (stool, shower, sink, etc.) will be provided in the accessory structure, the wastewater must be routed to either the existing septic system serving the dwelling, or a septic permit obtained and septic system installed to serve the accessory structure. During construction of the accessory structure, the existing septic system must be flagged to prevent driving over, parking on, and/or staging materials on top of the septic system and its components. **COM-DEVP Response:** This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-37-V: Paul M. Defenbaugh – No comment.

Sincerely,

Stacy M. Thompson, MS, LEHP
Environmental Health Supervisor
Tazewell County Health Department

EXHIBIT 0

CASE INFORMATION

CASE NO.: 25-36-V PETITIONER: Jason Bontemps

AGENT OR REPRESENTATIVE: _____

ADDRESS: 28141 Townline Rd., Mackinaw, IL 61755 PHONE: 309-360-8233

REQUEST FOR: Variance to waive the requirements of §157.091 (C)(2) to allow the construction of an Accessory Structure (Pole Building) at 10' from the Rear property line, which is 15' closer than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# 18-18-01-100-004 PARCEL SIZE 5.5+/- PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 6/17/25 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Does not comment on Variance cases

HEALTH DEPT.: Notified 7/11/25

TCSWCD: Notified 7/11/25

TCFB: Notified 7/11/25

COUNTY HIGHWAY: Notified 7/11/25

COUNTY EMA: Notified 7/11/25

MUNICIPALITY: N/A

TOWNSHIP: N/A

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 7/16/25

PUBLICATION DATE: 7/16/25 WHERE: Samuel Chronicle

ACTION TAKEN:

ZONING BOARD OF APPEALS: _____ DECISION: _____

LAND USE COMMITTEE: _____ DECISION: _____

COUNTY BOARD: _____ DECISION: _____

OTHER COMMENTS: _____

**TAZEWELL COUNTY COMMUNITY
DEVELOPMENT**

APPLICATION FOR ZONING HEARING

PETITION FOR: VARIANCE

Staff Use Only:

Accepted by: MK

Date Filed: 6/17/25 **CASE NO.** 25-36-V

Filing Fee: 300.00 Publication Fee: _____

ZBA Hearing Date: 8/5/25

Decision Date: _____

APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Jason Bostemps
Address: 28141 Townline Road
City, State: Mackinaw, MI 61755
Phone: 709-360-8233
(daytime contact)
Email: Sgttransfer2@gmail.com

Owner:

Name: Same
Address: _____
City, State: _____
Phone: _____
(daytime contact)
Email: _____

The property interest of the applicant, if not the owner: _____

2. Site and Surrounding Property Information:

a. 911 Address or property location of subject property: 28141 Townline Road

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1st floor, McKenzie Building)

Current Zoning: A-1 Property ID Number: 18-18-01-100-004

Proposed Parcel Size/Acreage: 5.5 acres Soil Productivity Rate of site: _____

Legal Description:

2059 sq. foot home 24x38 garage 10x24 shed
10x20 lean too All for personal use

c. Describe all existing structures, physical attributes and current land use of the property:
Sec 1 T23N R36W PT SE 1/4 of NW 1/4 S.5 ac

d. Previous Special Use/Variance requested for this property? ☐ No ☐ Yes-Case No. _____

3. Specify what the Variance request is for:

Would like to construct a 40'x64' port building 10' off of rear property line. Current code requires 25' off of property line.

4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the Zoning Code:

I would have to tear down an existing lean-to. I would have to rebuild my driveway. Aesthetically, it would throw off the balance of my property by placing it too close to my garage.

5. When evaluating Variance requests the following Standards are considered by The Zoning Board of Appeals. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. Explain how the particular surroundings, shape or topographical conditions of the property creates a particular hardship rather than inconvenience, if the Zoning Code regulations were to be carried out.

As stated in previous answer, I would need to tear down an existing lean to.

- b. Explain how the conditions upon which the variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property.

There is an existing structure 10' from the rear property line. It is A-1 agriculture.

- c. Explain how granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood or otherwise be inconsistent with any officially adopted County Plan or these regulations.

80 acre. Corn field on the other side of property line

- d. Explain how the proposed variance will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion in public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Nearest neighbor is 1/4 mile away

- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property.

Construction of new building that is for personal use is not intended to bring an increase or gain monetarily to my property

- f. Explain how circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of reasonable use of his or her property. Mere loss in value shall not justify a Variance.

Meeting required code would place new building in a location that would not function well w/ other buildings on property.

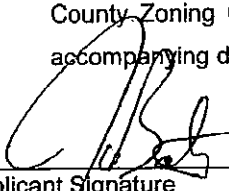
- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure.

I am requesting 15 feet of adjustment to construct my new building. I believe this to be very minimal.

- h. Explain how the request is due to unique circumstances.

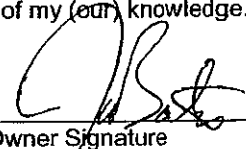
Due to location of other existing structures, the proposed location is the best possible placement for the new building.

6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.



Applicant Signature

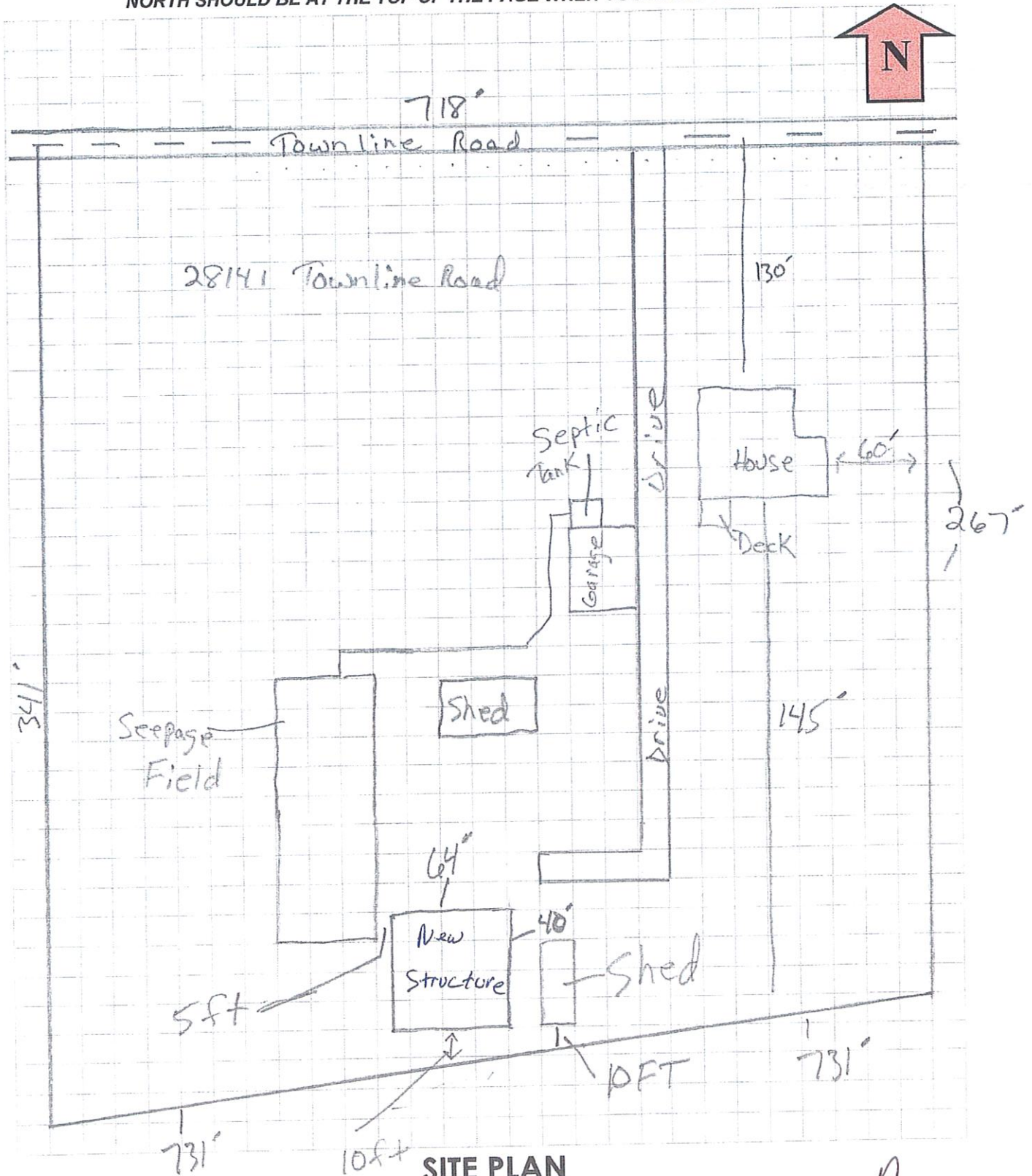
Date



Owner Signature

Date

BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES,
LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS "REFER TO CHECKLIST"
NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!



SITE PLAN

EXHIBIT A



EXHIBIT B

Zoning

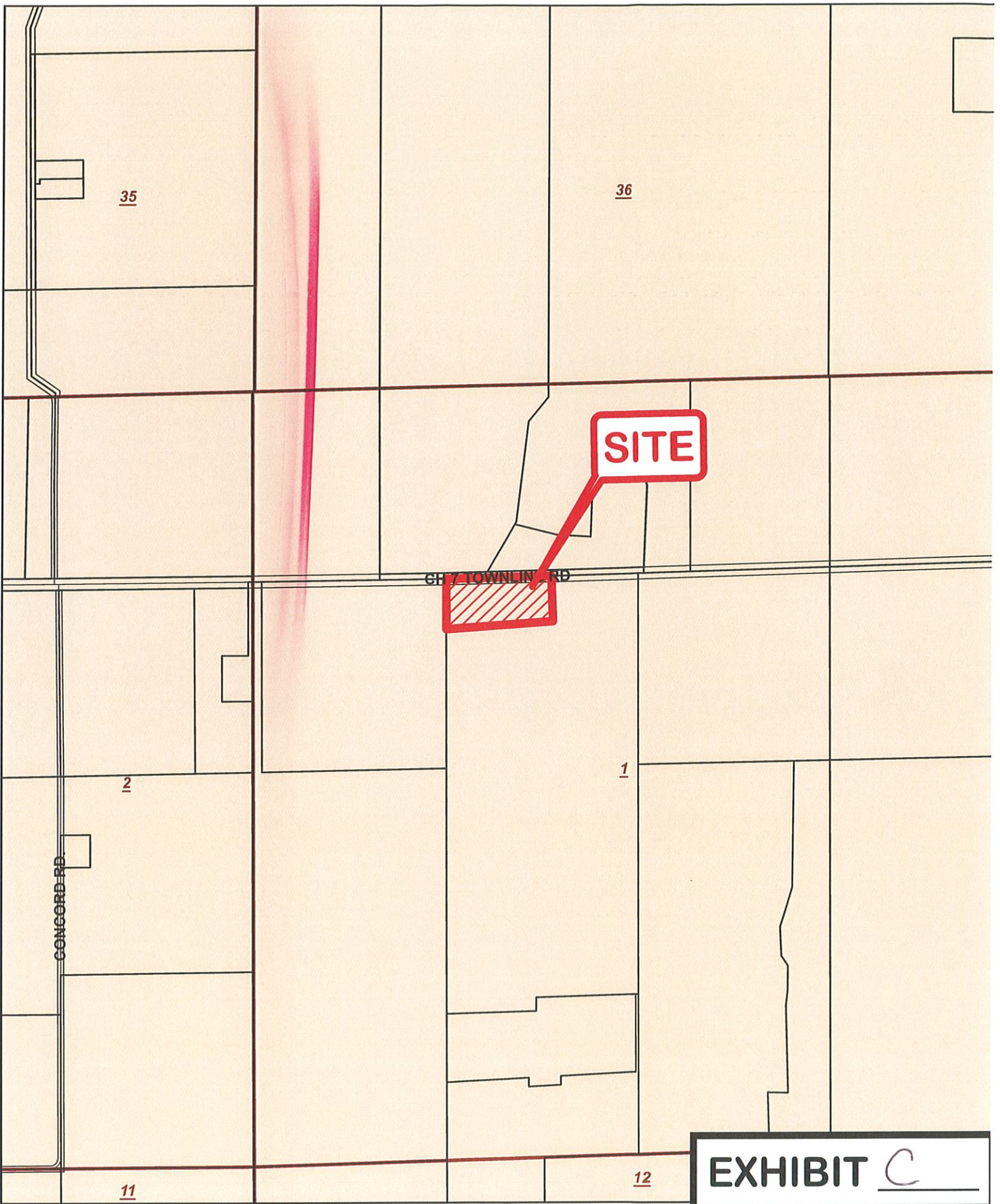


EXHIBIT C

Zoning

District

 AG Area

 A-1

 A-2

 C-1

 C-2

 CITY

 CONS

 I-1

 I-2

 R-1

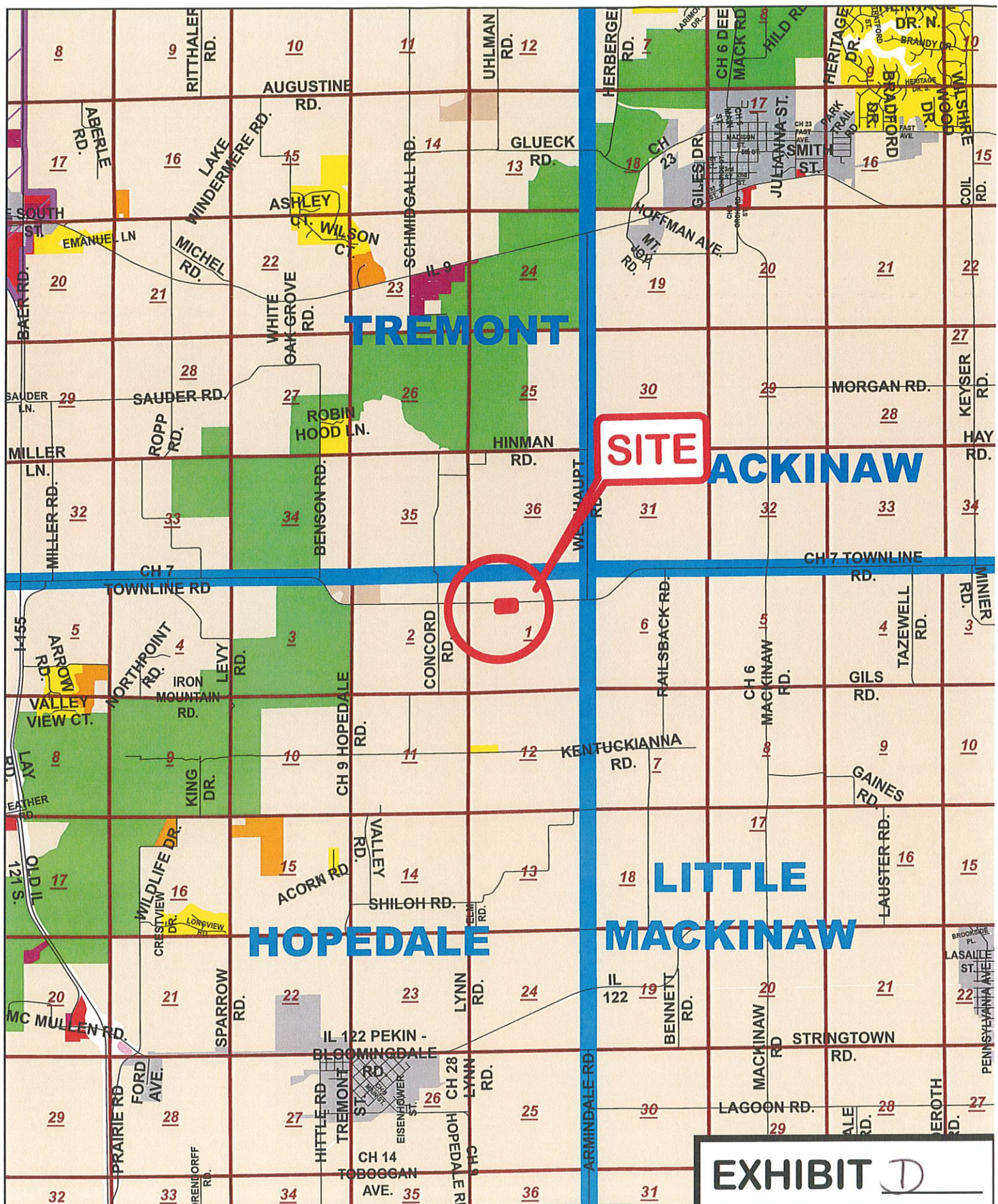
 R-2

 R-R

 R-2

 R-R

 R-1



Zoning
District
AG Area

| | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| A-1 | A-2 | C-1 | C-2 | I-1 | I-2 | R-1 | R-2 | R-R |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Melissa A. Kreiter

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, July 23, 2025 9:27 AM

To: Melissa A. Kreiter <MKreiter@tazewell-il.gov>; Denise Gryp <DGryp@tazewell-il.gov>; Jaclynn Workman <JWorkman@tazewell-il.gov>

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on August 2025 ZBA Cases

Hello,

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CASE NO. 25-35-S: Sydney Frietsch – The proposed business will require a private sewage disposal system of adequate capacity to serve the clientele. The private sewage disposal system will be considered a Class V injection well because it will serve a non-residential establishment and have the capacity to serve 20 or more people per day. Therefore, all requirements of a Class V injection well must be met, including a minimum setback of 200 feet from water wells and registering the system with the Illinois Environmental Protection Agency.

Plumbing must meet the IL State Plumbing Code. An adequate number of public restrooms, including ADA compliant restrooms, will be required prior to opening.

Potable water must be available on site. Well water must be tested annually for coliform and *E. coli*. The facility will be required to be on the IDPH Non-Community Water Program if the water system will regularly serve an average of 25 persons daily for any 60 days out of the year.

If the kitchen and/or bar will be used to prepare and serve food and beverages to the public, a retail food permit may be required. If that is the case, the operator must submit a plan review application and apply for a retail food permit through TCHD prior to operation. **COM-DEVP Response:** Mrs. Frietsch has been made aware of TCHD requirements, and it is our understanding that she has previously been in contact with TCHD. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

 CASE NO. 25-36-V: Jason Bontemps – If wastewater sources (stool, shower, sink, etc.) will be provided in the accessory structure, the wastewater must be routed to either the existing septic system serving the dwelling, or a septic permit obtained and septic system installed to serve the accessory structure. During construction of the accessory structure, the existing septic system must be flagged to prevent driving over, parking on, and/or staging materials on top of the septic system and its components. **COM-DEVP Response:** This department will not issue any construction building permits until Septic requirements/permits have been obtained. 

CASE NO. 25-37-V: Paul M. Defenbaugh – No comment.

Sincerely,

Stacy M. Thompson, MS, LEHP
Environmental Health Supervisor
Tazewell County Health Department

EXHIBIT E

CASE INFORMATION

CASE NO.: 25-37-V PETITIONER: Paul M. Defenbaugh

AGENT OR REPRESENTATIVE: _____

ADDRESS: 21787 Granada Dr., Delavan, IL 61734 PHONE: 309-256-1833

REQUEST FOR: Variance to waive the requirements of §157.150(A)(3) to allow the construction an Addition to Dwelling (Attached Garage) to be 33' from the centerline of Canoa Ct., which is 17' closer than allowed in a R-1 Low Density Residential District

P.I.N.# 17-17-23-402-003 PARCEL SIZE 1.14+/- PRESENT ZONING: R-1

SURROUNDING ZONING: N R-1 S R-1 E R-1 W R-1

PETITION RECEIVED: 7/9/25 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Does not comment on Variance cases

HEALTH DEPT.: Notified 7/11/25

TCSWCD: Notified 7/11/25

TCFB: Notified 7/11/25

COUNTY HIGHWAY: Notified 7/11/25

COUNTY EMA: Notified 7/11/25

MUNICIPALITY: N/A

TOWNSHIP: Notified 7/14/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 7/16/25

PUBLICATION DATE: 7/16/25 WHERE: Janesville Chronicle

ACTION TAKEN:

ZONING BOARD OF APPEALS: _____ DECISION: _____

LAND USE COMMITTEE: _____ DECISION: _____

COUNTY BOARD: _____ DECISION: _____

OTHER COMMENTS: _____

**TAZEWELL COUNTY COMMUNITY
DEVELOPMENT**

APPLICATION FOR ZONING HEARING

PETITION FOR: **VARIANCE**

Staff Use Only:

Accepted by: mk

Date Filed: 7/9/25 **CASE NO.** 25-37-V

Filing Fee: 300.00 Publication Fee: _____

ZBA Hearing Date: 8/5/25

Decision Date: _____

APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Paul M. Defenbaugh
Address: 21787 Grandda Dr.
City, State: Delavan, IL 61734
Phone: 309-256-1833
(daytime contact)
Email: gsxrider034@gmail.com

Owner:

Name: Same
Address: _____
City, State: _____
Phone: _____
(daytime contact)

The property interest of the applicant, if not the owner: _____

2. Site and Surrounding Property Information:

a. 911 Address or property location of subject property: 21787 Grandda Dr., Delavan

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1st floor, McKenzie Building)

Current Zoning: R-1 Property ID Number: 17-17-23-402-003

Proposed Parcel Size/Acreage: 1.14 Soil Productivity Rate of site: N/A

Legal Description:

Sec 23 T23 N R4W Venado Lakes Sub Exp 2
Lot 28 SE 1/4

c. Describe all existing structures, physical attributes and current land use of the property:

Dwelling, large trees, property is one big hill

d. Previous Special Use/Variance requested for this property? ☒ No ☐ Yes-Case No. _____

3. Specify what the Variance request is for:

Extending my attached garage to the East on my existing drive.
The only flat area to expand. I can only go 14' to the
property line and would like an additional 17' for my
project.

4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the

Zoning Code:

Not being able to anywhere else on property without a
major expense in the 10's of thousands to bring in fill and
constructing retaining walls to the South. And my front yard
has a huge water shed and big trees. Would need thousands of
dollars in earth work and retaining walls

5. When evaluating Variance requests the following Standards are considered by The Zoning Board of Appeals. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. Explain how the particular surroundings, shape or topographical conditions of the property creates a particular hardship rather than inconvenience, if the Zoning Code regulations were to be carried out.

The additional costs of not building where my existing driveway is would not allow me to afford the project. Property is on a hill.

- b. Explain how the conditions upon which the variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property.

This house was built on a hill with a large watershed in the front and huge drop in the back.

- c. Explain how granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood or otherwise be inconsistent with any officially adopted County Plan or these regulations.

Two of my neighbors homes are extending beyond the ordinance I am required to be.

- d. Explain how the proposed variance will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion in public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Only asking for 10' of variance added to 14' of garage extension to existing garage. This doesn't affect my neighbors.

- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property.

I have acquired more cars and tools and need room to store out of the weather. I have no other buildings or sheds.

- f. Explain how circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of reasonable use of his or her property. Mere loss in value shall not justify a Variance.

With the variance in place I am not able to extend garage long enough to fit 4 cars in garage.

- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure.

Without the Variance the project would cost 10's of thousands more for earth work and removal of large trees.

- h. Explain how the request is due to unique circumstances.

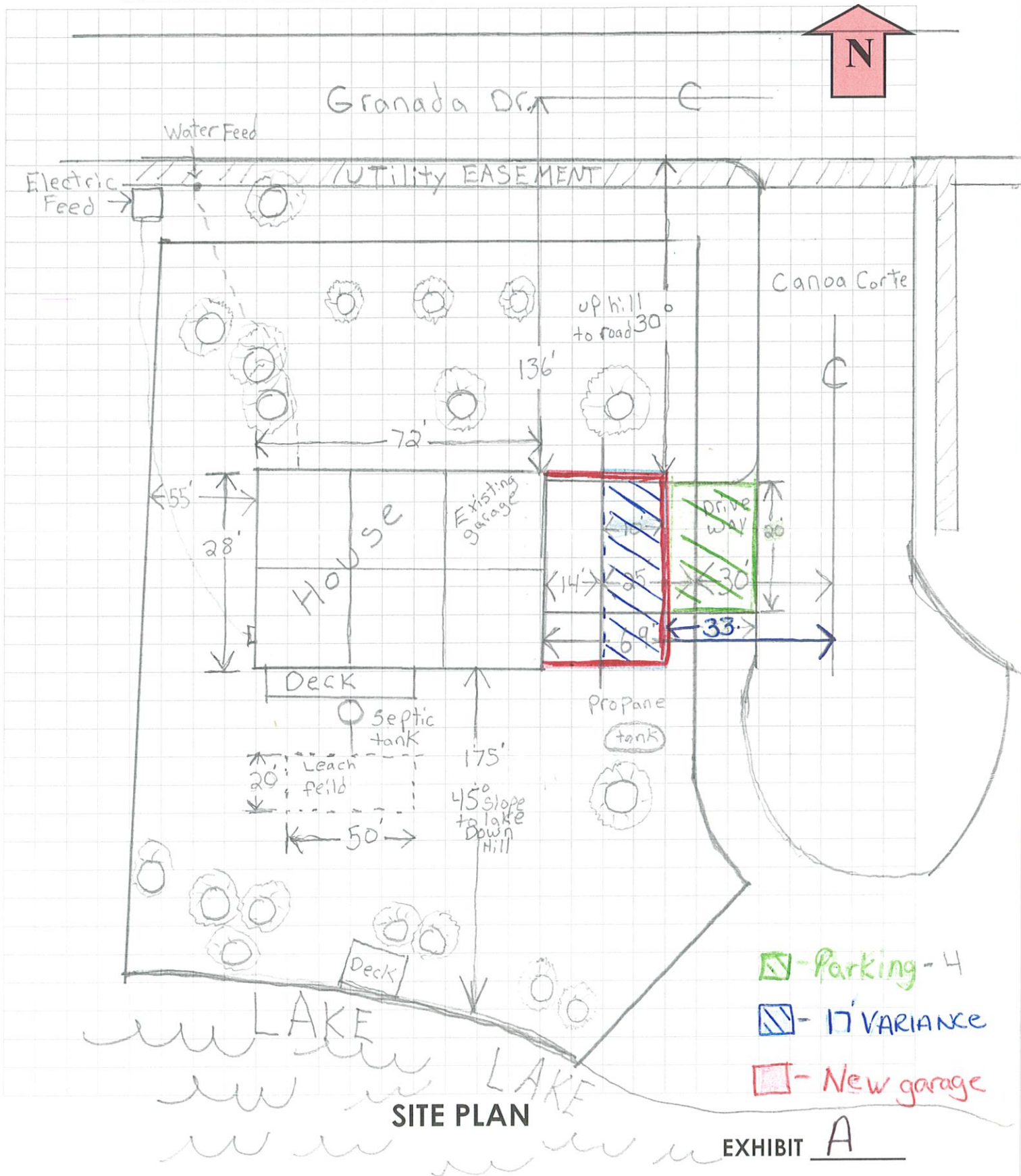
Property is one large hill with only flat spot being the existing driveway. No where else to build without excessive costs.

6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Paula Ann DeLeon
Applicant Signature
7/8/25
Date

Paula Ann DeLeon
Owner Signature
7/8/25
Date

BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES,
 LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS "REFER TO CHECKLIST"
NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!





Zoning

EXHIBIT B

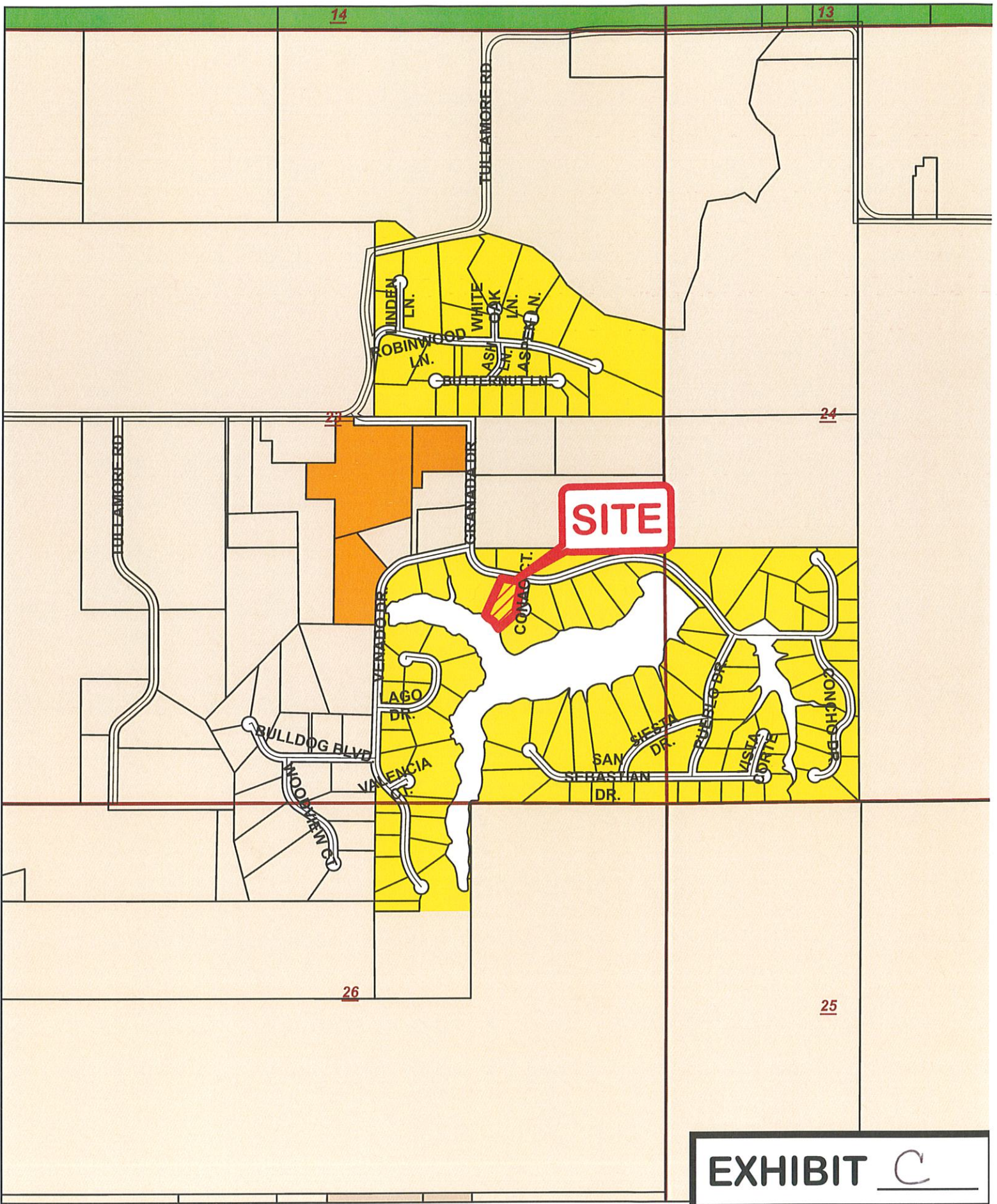
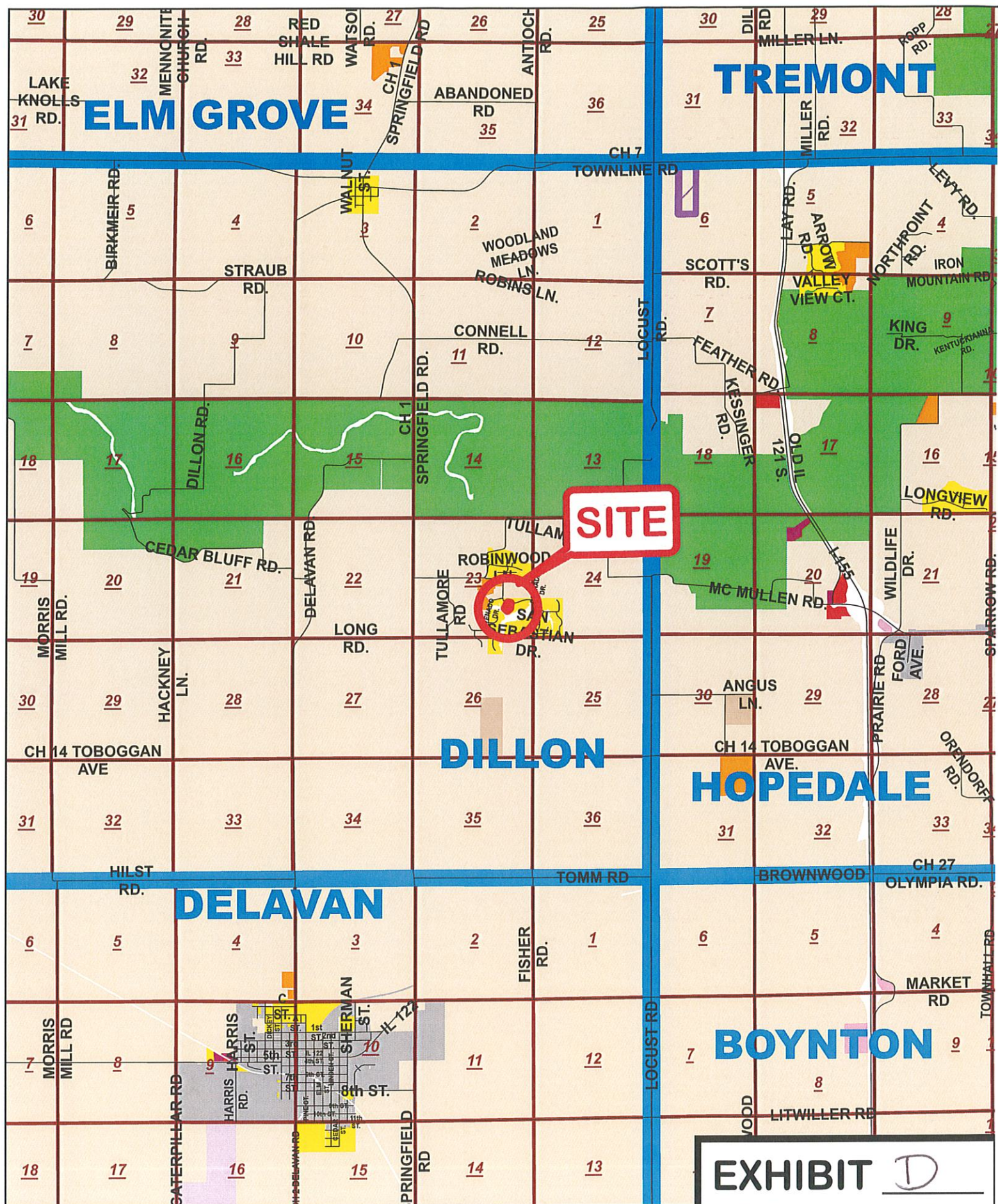


EXHIBIT C

Zoning
District

AG Area

- | | | | |
|-----|------|-----|-----|
| A-1 | C-2 | I-1 | R-2 |
| A-2 | CITY | I-2 | R-R |
| C-1 | CONS | R-1 | |



Zoning
District
AG Area

- | | | | | | | | | | | |
|-----|-----|-----|-----|------|------|-----|-----|-----|-----|-----|
| A-1 | A-2 | C-1 | C-2 | CITY | CONS | I-1 | I-2 | R-1 | R-2 | R-R |
|-----|-----|-----|-----|------|------|-----|-----|-----|-----|-----|

EXHIBIT D

Melissa A. Kreiter

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, July 23, 2025 9:27 AM

To: Melissa A. Kreiter <MKreiter@tazewell-il.gov>; Denise Gryp <DGryp@tazewell-il.gov>; Jaclynn Workman <JWorkman@tazewell-il.gov>

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on August 2025 ZBA Cases

Hello,

The following are the TCHD EH comments on the August 2025 ZBA Cases:

CASE NO. 25-34-S: Bradley Bennett – Because the proposed new parcel is less than 5 acres in size, a plat review will be required. Septic and well permit applications must be submitted to TCHD prior to construction. **COM-DEVP Response:** Mr. Bennett has already contacted a land surveyor (Holloway) and will have plats created for signature upon approval. As well, Mr. Bennett was made aware of the permitting requirements and will reach out to TCHD if not already done so. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

CASE NO. 25-35-S: Sydney Frietsch – The proposed business will require a private sewage disposal system of adequate capacity to serve the clientele. The private sewage disposal system will be considered a Class V injection well because it will serve a non-residential establishment and have the capacity to serve 20 or more people per day. Therefore, all requirements of a Class V injection well must be met, including a minimum setback of 200 feet from water wells and registering the system with the Illinois Environmental Protection Agency.

Plumbing must meet the IL State Plumbing Code. An adequate number of public restrooms, including ADA compliant restrooms, will be required prior to opening.

Potable water must be available on site. Well water must be tested annually for coliform and *E. coli*. The facility will be required to be on the IDPH Non-Community Water Program if the water system will regularly serve an average of 25 persons daily for any 60 days out of the year.

If the kitchen and/or bar will be used to prepare and serve food and beverages to the public, a retail food permit may be required. If that is the case, the operator must submit a plan review application and apply for a retail food permit through TCHD prior to operation. **COM-DEVP Response:** Mrs. Frietsch has been made aware of TCHD requirements, and it is our understanding that she has previously been in contact with TCHD. This department will not issue any construction building permits until Septic requirements/permits have been obtained.

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CASE NO. 25-37-V: Paul M. Defenbaugh – No comment.

Sincerely,

Stacy M. Thompson, MS, LEHP
Environmental Health Supervisor
Tazewell County Health Department

EXHIBIT E