

TAZEWELL COUNTY ZONING BOARD OF APPEALS
TO CONVENE **WEDNESDAY, SEPTEMBER 3, 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 August 5, 2025
5. Cases to be considered:

Case No. 25-38-A Amendment 74

Case No. 25-39-Z	Peter Smidt, CL3 Properties, LLC	Rezoning	Deer Creek Twp.
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Case No. 25-40-S	Special Education Services, Inc.	Special Use	Groveland Twp.
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Case No. 25-41-V	Nicholas Kaiser	Variance	Tremont Twp.
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Case No. 25-42-V	Sauder Family Trust #10	Variance	Tremont Twp.
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(Upon approval of Case No. 25-42-V)

Case No. 25-43-S	Sauder Family Trust #10	Special Use	Tremont Twp.
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6. Deliberations.
7. Other Business:
8. Next Meeting: Tuesday, October 7, 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

**RECORD OF MINUTES AND DELIBERATIONS
TAZEWELL COUNTY ZONING BOARD OF APPEALS
TUESDAY, AUGUST 5, 2025
JAMES CARIUS COMMUNITY ROOM
101 S. CAPITOL STREET, PEKIN, ILLINOIS**

CALL TO ORDER: Chairman Lessen called the meeting to order at 5:31 P.M.

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

STAFF PRESENT: Jaclynn Workman, Community Development Administrator; Melissa Kreiter, Chief Deputy Administrator; Adam Crutcher, Tri-County Regional Planning Commission, and Land Use Members: Jay Hall, Jon Hopkins, Eric Stahl and Joe Woodrow

OTHERS PRESENT: Petitioners and Interested Parties

MINUTES: Moved by McClanahan, seconded by Fehr, to approve the minutes of the July 1, 2025 Zoning Board of Appeals meeting. **Motion carried by voice vote.** 1 – Abstain: Bong

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

PUBLIC COMMENT: None

PUBLIC HEARING

Chairman Lessen called upon Case No. 25-34-S. Bradley Bennett appeared to testify on behalf of the proposed Special Use request.

Chairman Lessen called upon Case No. 25-35-S. Sydney and Benjamin Frietsch appeared to testify on behalf of the proposed Special Use request. Tony Nohl, Lee Tanner, and Nannette Tanner appeared in objection. Corey Wiegand, Deer Creek Township Road Commissioner appeared to offer official comment as to the Township Roads.

Chairman Lessen called upon Case No. 25-36-V. Jason Bontemps appeared to testify on behalf of the proposed Variance request.

Chairman Lessen called upon Case No. 25-37-V. Paul Defenbaugh appeared to testify on behalf of the proposed Variance request.

Upon conclusion of all public testimony at 7:08p.m., Chairman Lessen closed the Public Hearing portion of the Meeting and deliberations began at 7:13 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. 25-34-S: The petition of Bradley Bennett for a Special Use to create one new dwelling site in an A-1 Agriculture Preservation District located at 11923 Wagonseller Rd., Pekin, IL.

Moved by Bong, seconded by Miller to approve of **Case No. 25-34-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 recommend approval of **CASE NO. 25-34-S** to the Tazewell County Board the vote was:

Ayes: 4 – Bong, McClanahan, Alt. Miller and Chairman Lessen

Nays: 0

Abstain: 1 - Fehr

Absent: 3 – Cupi, Lapsley and Vaughn

Motion declared carried.

CASE NO. 25-35-S: The petition of Sydney Frietsch for a 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 located at 18825 Tanner Rd., Deer Creek, IL.

Moved by McClanahan, seconded by Bong to approve of **Case No. 25-35-S** with the following conditions:

1. Events shall only be held on Fridays and Saturdays.
2. Guests are permitted at the event site from 10am to 10pm;
3. Events shall take place no earlier than April 1st and no later than mid-November.
4. There shall be no parking within or along the road right-of-way.
5. There shall be no parking along the driveway at the front of the property, as this could lead guests to parking in the right-of-way rather than designated parking to the rear of the residence.
6. Temporary event signs shall not be put up more than 24 hours prior to the event and must be removed within 24 hours following the event;
7. There shall be no noise related to a paid event produced past 10 pm;
8. There shall be no more than 200 guests at any given event; and
9. Proper signage is encouraged when existing the property, directing guests north on Tanner Road, to access Il Rte. 150 via County Line Rd or I-74 via the Goodfield, IL interchange, in an attempt to alleviate traffic from traveling South on Tanner Road.

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 of **CASE NO. 25-35-S** the vote was:

Ayes: 5 – Bong, Fehr, McClanahan, Alt. Miller and Chairman Lessen

Nays: 0

Absent: 3 – Cupi, Lapsley and Vaughn

Motion declared carried.

CASE NO. 25-36-V: The petition of Jason Bontemps for a 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 located 28141 Townline Rd. (Co. Hwy.7) Mackinaw, IL.

Moved by Fehr, seconded by Bong to recommend approval of **Case No. 25-36-V**.

After considering all the evidence and testimony presented, the Zoning Board of Appeals arrived at a finding of fact. Following discussion, moved by Alt. Miller, seconded by Bong, to approve the findings of fact as discussed.

Motion carried by voice vote.

On roll call to approve **CASE NO. 25-36-V** the vote was:

Ayes: 5 – Bong, Fehr, McClanahan, Alt. Miller and Chairman Lessen

Nays: 0

Absent: 3 – Cupi, Lapsley and Vaughn

Motion declared carried.

CASE NO. 25-37-V: The petition of Paul M. Defenbaugh for a 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 located at 21787 Granada Dr., Delavan, IL.

Moved by McClanahan, seconded by Alt. Miller to approve **Case No. 25-37-V**.

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

On roll call to approve **CASE NO. 25-37-V** the vote was:

Ayes: 5 – Bong, Fehr, McClanahan, Alt. Miller and Chairman Lessen

Nays: 0

Absent: 3 – Cupi, Lapsley and Vaughn

Motion declared carried.

NEXT MEETING

The next meeting of the Zoning Board of Appeals will be **Wednesday, September 3, 2025** 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 7:44 p.m.

Jaclynn Workman, Secretary
(Transcribed by Melissa Kreiter)

CASE INFORMATION

CASE NO.: 25-38-A PETITIONER: Tazewell County Community Development
AGENT OR REPRESENTATIVE: _____
ADDRESS: 11 S. 4th St., Room 400, Pekin, IL 61554 PHONE: 309-477-2235
REQUEST FOR: Proposed Amendment No. 74 to the Tazewell County Zoning Code
P.I.N.# N/A PARCEL SIZE N/A PRESENT ZONING: N/A
SURROUNDING ZONING: N _____ S _____ E _____ W _____
PETITION RECEIVED: 8/1/25 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Does not comment on Amendments
HEALTH DEPT.: Notified 8/11/25
TCSWCD: Notified 8/11/25
TCFB: Notified 8/11/25
COUNTY HIGHWAY: Notified 8/11/25
COUNTY EMA: Notified 8/11/25
MUNICIPALITY: Notified 8/12/25
TOWNSHIP: N/A
IDOT: N/A

SURROUNDING PROPERTY OWNERS: N/A

PUBLICATION DATE: 8/13/25 WHERE: Tazewell Chronicle

ACTION TAKEN:

ZONING BOARD OF APPEALS: _____ DECISION: _____

LAND USE COMMITTEE: _____ DECISION: _____

COUNTY BOARD: _____ DECISION: _____

OTHER COMMENTS: _____

Proposed Amendment No. 74 to Title XV, Chapter 157, Zoning Code of Tazewell County referred for hearing by the Tazewell County Land Use Committee to be as follows:

(Add new language as bolded and underlined.
Remove language as stricken. Re-letter or re-number accordingly.)

SECTION 1 LAND USE MATRIX

§ 157.072 MATRIX.

<i>Principal Uses</i>	<i>Zoning Districts</i>									
	<i>A-1</i>	<i>A-2</i>	<i>R-R</i>	<i>R-1</i>	<i>R-2</i>	<i>C-1</i>	<i>C-2</i>	<i>I-1</i>	<i>I-2</i>	<i>CONS</i>
<u>Personal Storage / Recreational Building</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>							<u>P/S</u>

SECTION 2 (RR) RURAL RESIDENTIAL DISTRICT

§ 157.126 PERMITTED USES.

- (B) ~~Accessory structures on properties prior to the principal structure, not to exceed a total of 250 square feet, and shall be placed in the rear quarter of the property as approved by the Community Development Administrator and in accordance with accessory structure setback requirements;~~
- (J) Personal storage/**recreational building**, not to exceed 1200 square feet. **Structures larger than 1200 square shall require approval of a Special Use request.**

§ 157.127 SPECIAL USES.

- (A) ~~Accessory structures prior to the principal structure, not to exceed a total of 1,200 square feet. The accessory structure shall be used only for personal storage and for equipment necessary to maintain the property;~~
- (W) Personal **storage**/recreational building, not to exceed 2500 square feet. **Structures larger than 2500 square shall also require approval of a Variance request**

SECTION 3 (R-2) MULTI-FAMILY RESIDENTIAL DISTRICT

§ 157.166 PERMITTED USES.

- (A) Accessory structures and ~~uses~~ **on properties prior to the principal structure, not to exceed a total of 250 square feet, and shall be placed in the rear quarter of the property as approved by the Community Development Administrator and in accordance with accessory structure setback requirements;**

§ 157.167 SPECIAL USES.

- (A) **Accessory structures prior to the principal structure, not to exceed a total of 1,200 square feet. The accessory structure shall be used only for personal storage and for equipment necessary to maintain the property;**

SECTION 4 SPECIAL USES

§ 157.439 PARTICULAR SPECIAL USES.

- (21) **Personal Storage/Recreational Buildings**

§ 157.440 REQUIREMENTS FOR PARTICULAR SPECIAL USES.

- (A) *Accessory structures prior to principal structures.* Specific regulations for accessory structures prior to the principal structures in the R-1, **and** R-2, RR, A-1, A-2, and Conservation Zoning Districts:

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on September 2025 ZBA cases

Hello,

The following are TCHD EH's comments on the September 2025 ZBA cases:

CASE NO. 25-38-A: Proposed Amendment No. 74 to Title XV, Chapter 157 – No comment.

CASE NO. 25-39-Z: Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC -- The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.

CASE NO. 25-40-S: Special Education Services, Inc. – The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-41-V: Nicholas Kaiser – No comment.

CASE NO. 25-42-V: Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-43-S: Brad Sauder of the Sauder Family Trust #10 - Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT A

CITY OFFICIALS

Lilija V. Stevens, *Mayor*

Valeri L. Bred, *City Clerk*

Carol J. Crooker, *City Treasurer*

Dennis Carr, *Interim City Administrator*



ALDERPERSONS

Paula Johnson, *Ward I*

Todd P. Sluder, *Ward I*

Michael Ernst, *Ward II*

Jamie K. Smith, *Ward II*

Bobby Martin III, *Ward III*

Brandon Moss, *Ward III*

John J. Blundy, *Ward IV*

G. Michael McIntyre, *Ward IV*

August 21, 2025

Tazewell County
Ms. Jackie Workman
11 South Fourth Street
McKenzie Building, Suite 400
Pekin, IL 61554
Email: jworkman@tazewell-il.gov

Re: Case No. 25-38-A

Dear Jackie:

Thanks for offering the City of Washington the opportunity to comment on the proposed amendment that will be presented to the Tazewell County Zoning Board of Appeals on September 3, 2025. The City of Washington has no objection to the proposed changes made to the Zoning Code.

Please feel free to contact me with any questions you may have at 444-1135 or joliphant@ci.washington.il.us. Thanks again for the chance to comment on the proposed amendments.

Sincerely,

Jon R. Oliphant, AICP
Planning & Development Director



**COUNTY OF TAZEWELL
DEPARTMENT OF COMMUNITY DEVELOPMENT**

Jaclynn Workman, Community Development Administrator

STAFF AND AGENCY COMMENT SUMMARY

CASE NO. 25-39-Z PETER SMIDT OF CL3 PROPERTIES, LLC

- SUMMARY:** The petition of Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC for a Map Amendment to the Official Deer Creek Township Zoning Map of Tazewell County to change the zoning classification of property from an A-1 Agriculture Preservation Zoning District to an A-2 Agriculture Zoning District
- BACKGROUND:** The property currently contains an existing building constructed in 2019 that can be utilized as a cabin, which per Code may only be occupied no more than 6 mos. per calendar year. The current owner's future intent was to eventually build a single-family home on the property. No longer wishing to build on the property, the owner has sold 8 tillable acres to an adjacent farmer, reducing the property to 32 acres. The property is no longer considered to be a "Buildable Lot" by zoning standards. Wishing to sell the remaining property, ideally to someone that would want to utilize it as it is, but possibly to someone wishing to construct a dwelling, they would like to market the property as a buildable lot. Different options were discussed, i.e. requesting Special Use or Rezoning. It was the decision of the owner to request the property be rezoned in lieu of a special use due to the uncertainty of a buyer. The request for A-2 zoning is consistent with the area as property immediately across Warrick Rd is also A-2.
- STAFF COMMENT:** Community Development Staff fully supports this request and would recommend that the ZBA recommend approval of the Rezoning request.
- HEALTH DEPT:** The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system.
- COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.
- ROAD DIST:** Corey Wiegand submitted a report having no objections.
- SOIL & WATER:** No comment to date.
- FARM BUREAU:** No comment to date.
- TRI COUNTY:** Recommended approval. See Findings of Fact.

CASE INFORMATION

CASE NO.: 25-39-Z PETITIONER: CL3 Properties, LLC.

AGENT OR REPRESENTATIVE: Jodi Brackett

ADDRESS: 419 Hillman St., Washington, IL 61571 PHONE: 309-645-8133

REQUEST FOR: Rezone property from an A-1 Agriculture Preservation Zoning District to an A-2 Agriculture Zoning District.

P.I.N.# 07-07-31-100-024 PARCEL SIZE 32+/- PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-2 E A-1 W A-1

PETITION RECEIVED: 8/1/2025 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Notified 8/11/25

HEALTH DEPT.: Notified 8/11/25

TCSWCD: Notified 8/11/25

TCFB: Notified 8/11/25

COUNTY HIGHWAY: Notified 8/11/25

COUNTY EMA: Notified 8/11/25

MUNICIPALITY: N/A

TOWNSHIP: Notified 8/12/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 8/11/25

PUBLICATION DATE: 8/13/25 WHERE: Tazewell 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:

- ☐ Map Amendment
☐ Text Amendment

Staff Use Only: Accepted by: mk
Date Filed: 8/1/25 CASE NO. 25-39-Z
Filing Fee: 750.00 Publication Fee: _____
ZBA Hearing Date: 9-3-25
County Board Decision Date: _____
☐ APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Jodi Brackett
Address: 3101 Sheridan Rd
City, State: Pekin, IL 61554
Phone: 309-232-7159
(daytime contact)

Email: jodimarie817@gmail.com

The property interest of the applicant, if not the owner: Real Estate Agent

Owner:

Name: Peter Smidt
Address: 419 Hillman St
City, State: Washington, IL
Phone: 309-645-8133
(daytime contact)

Email: drpete@mortondentalcenter.com

2. Site and Surrounding Property Information:

a. 911 Address or property location of subject property: Warrick Rd, Mackinaw

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: 07-07-31-100-024

Proposed Parcel Size/Acreage: 32 Soil Productivity Rate of site: N/A

Legal Description: _____

c. Describe all existing structures, physical attributes and current land use of the property: 024 sq-ft cabin with small shed, 1.8 acre pond with slide, electric, well and septic installed

d. Previous Special Use/Variance requested for this property? ☒ No ☐ Yes—Case No. for 6 bedroom home + a building.

3. a. Petitioner is seeking a Map Amendment to have the subject property rezoned from a A-1 Zoning District to a A-2 Zoning District.

b. Provide an Explanation of why the request is being made: The owner is selling the property and would like to provide a buyer the option of building a home and building on the property.

4. Is the subject property located within one half mile of a livestock operation? : ☐ Yes ☒ No

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.)

5. When evaluating Amendment 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 Rezoning/Amendment will not be detrimental to the orderly development of Tazewell County. It will allow a new property owner the ability to build a new home and building on the property.
- b. Explain how the Rezoning/ Amendment will not be detrimental to or endanger the public health, safety, morals or general welfare of Tazewell County. It will allow a new property owner the ability to build a home and building on the property providing more tax dollars and revenue to Tazewell County.
- c. Explain how the request is consistent with existing uses of property within the general area. Four properties directly south of the subject property are zoned A-2 and have homes on them with 10 acres. Several other homes surround the property.
- d. Explain how the request is consistent with the zoning classifications of property within the general area. Four properties across the road directly south of the subject property are zoned A-2.
- e. Explain why the property is not suitable for the uses permitted under the **existing** zoning classification. The current zoning of A-1 with only 32 acres does not allow the property owner to build a home or building with other applications.
- f. Explain why the property is suitable for the uses permitted under the **proposed** zoning classification. Property has a building site with electric run from road and a well and septic installed for a 6 bedroom home and building. No ag/potential ag production.
- g. Explain the trend of development, or changes, if any, within the general area of the property in question which may have taken place since the property was placed in its present zoning classification. The owner recently sold eight acres to the adjacent landowner/farmer. This change prevents the ability to build under A-1 zoning classification.
- h. Is the proposed map amendment is within one and one half miles of a municipality with an adopted Comprehensive Plan. If yes, give the name of the municipality. No.
- i. Explain how the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan. It fosters growth and opportunity for more people to live and invest in Tazewell County.

6. **Signature:** I (we) certify 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: Jodi W. Brackett

Owner Signature: [Signature]

Date: 8-5-25

Date: 8-5-25

OWNER'S CONSENT FORM

I (print property owner's name) Peter Smidt
understand that (print applicant's name) Jodi Brackett
is petitioning for a(n) (explain request) rezoning from A-1 to A-2.

at (give address) Warrick Rd
City Mackinaw State IL Zip 61755
Parcel I.D. # 07-07-31-100-001 with the Tazewell County
Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

[Signature]
Owner's Signature

8-5-25
Date

Subscribed and sworn to before me this 5th day of August, 2025.

[Signature]
Notary Public



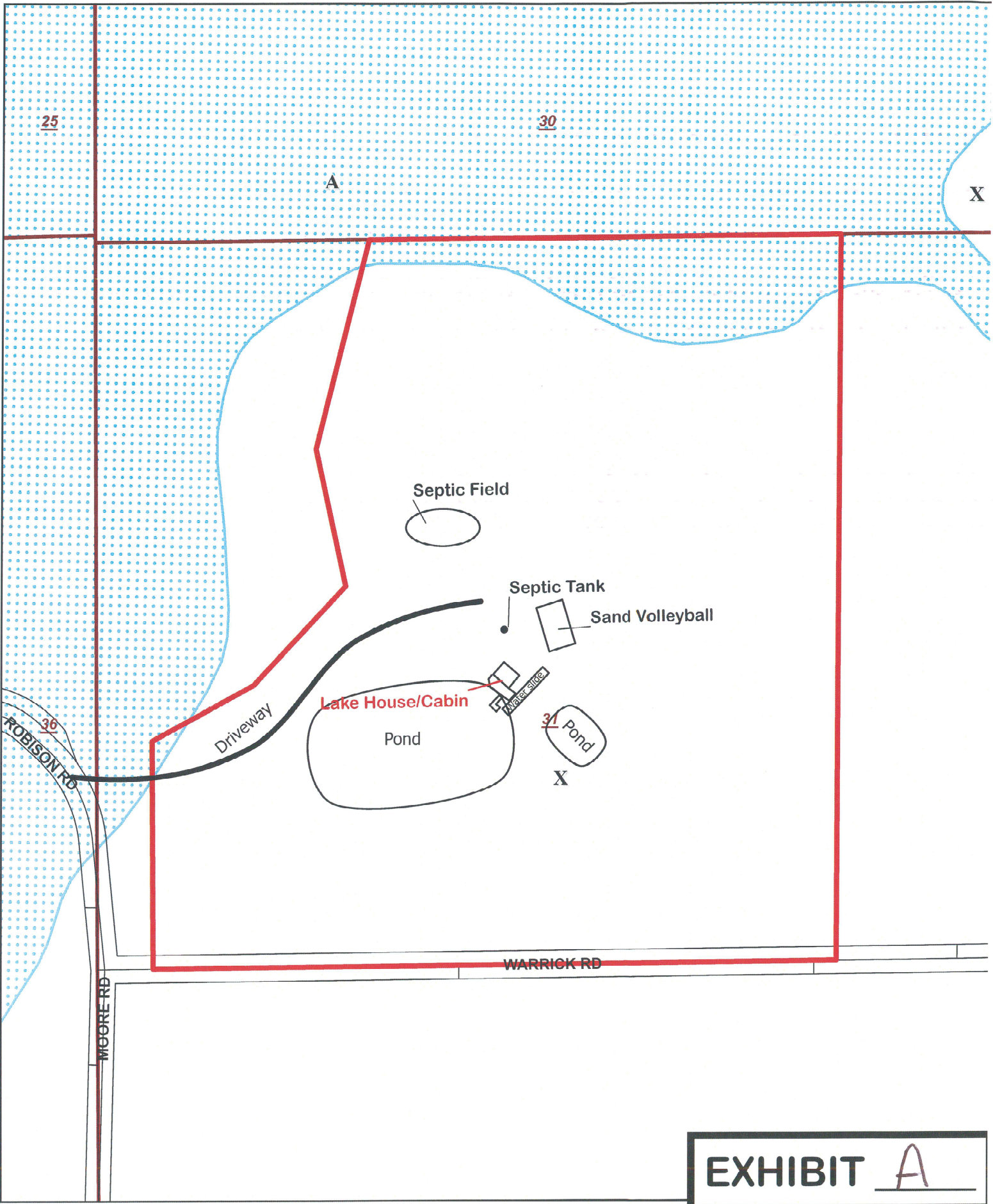


EXHIBIT A

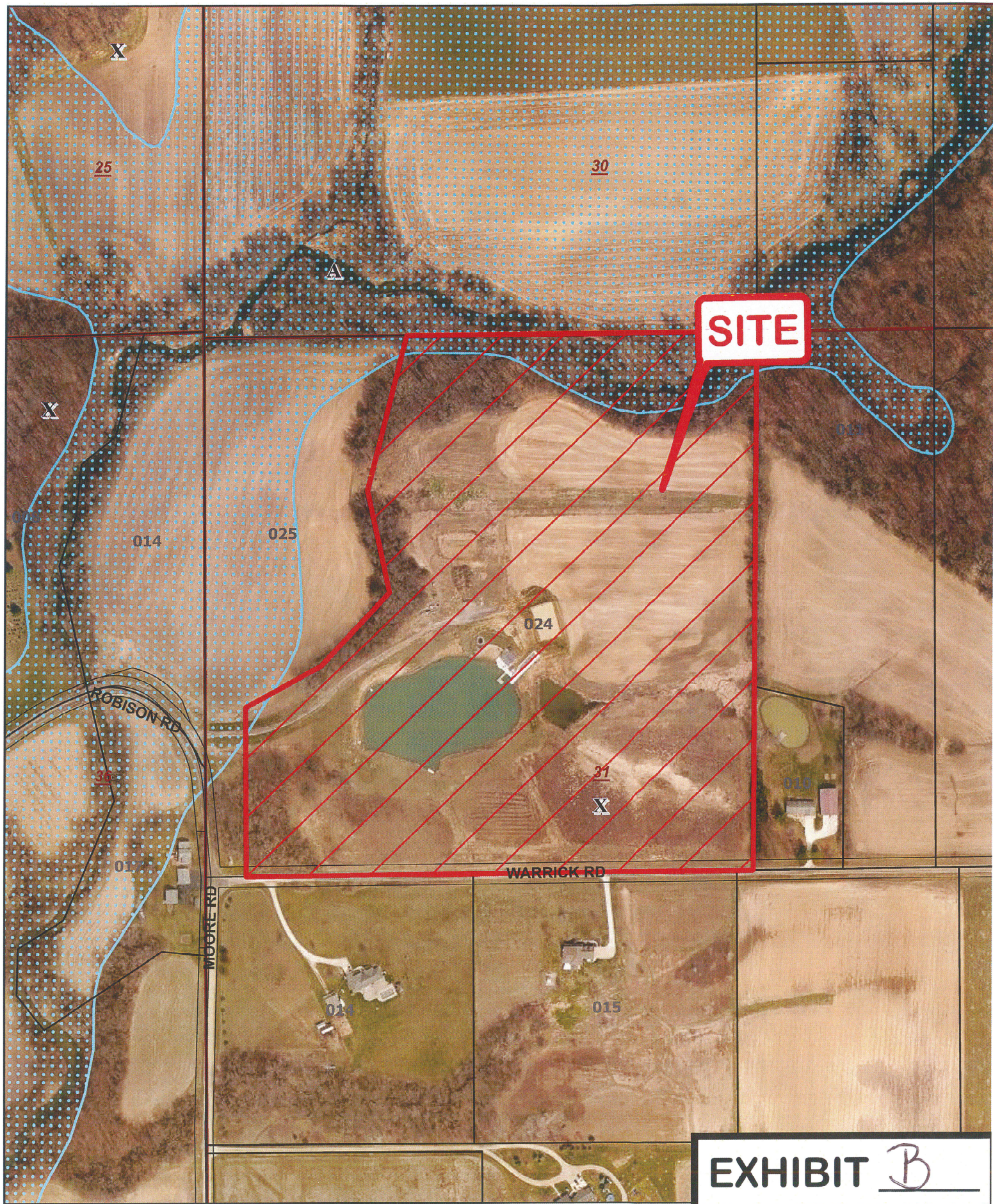


EXHIBIT B

Zoning

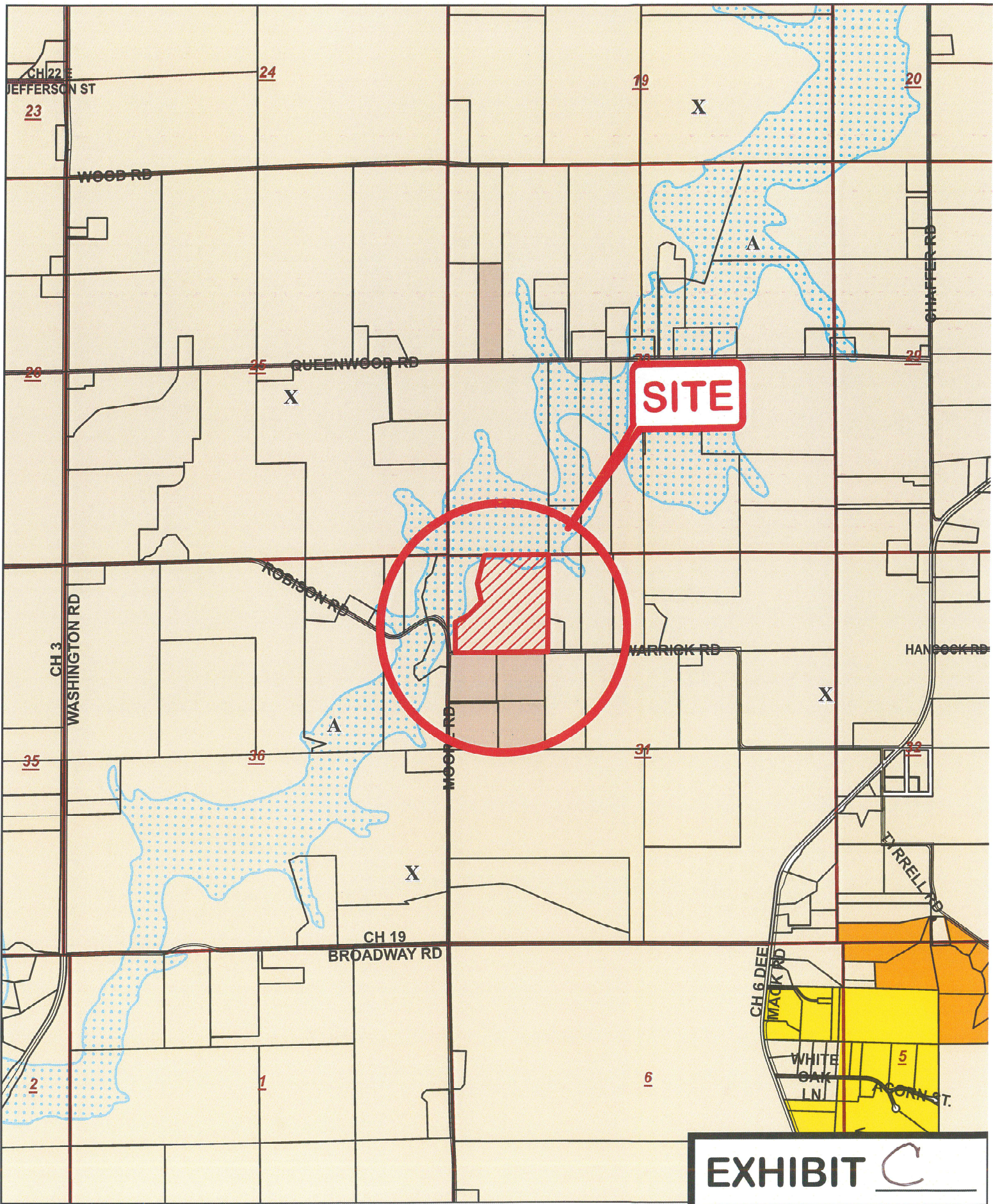













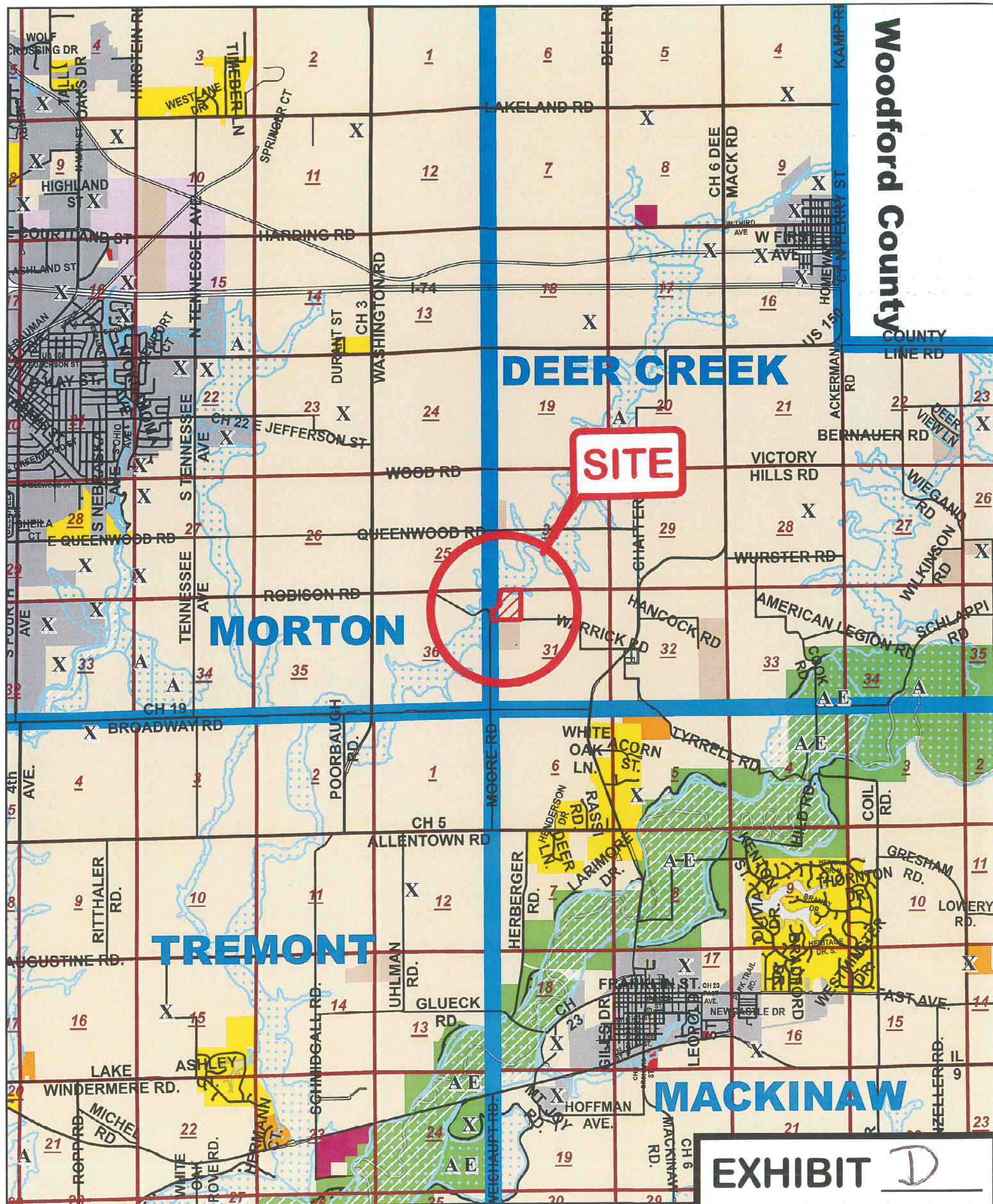
EXHIBIT C

Zoning
District

 AG Area

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

Woodford County



Zoning
District

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

EXHIBIT D

TAZEWELL COUNTY
COMMUNITY DEVELOPMENT AND PLANNING
ZONING BOARD OF APPEALS REPORT (25-39-Z)

Applicant: Jodi Brackett

Requested Action: Rezone property from A-1 Agricultural Preservation District to A-2 Agriculture District.

Date of Application: August 1, 2025

Location: Parcel number 07-07-31-100-024

Zoning:

Subject Property:	A-1 Agricultural Preservation District
North:	A-1 Agricultural Preservation District
East:	A-1 Agricultural Preservation District
South:	A-2 Agricultural District
West:	A-1 Agricultural Preservation District

Public Hearing: September 2, 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, the A-2 Zoning District is established to protect and maintain agricultural uses, agricultural economy, the open space and natural features of rural areas, and preserve agricultural land of the county in order to:
 - (1) Protect lands for continued farming;
 - (2) Allow non-farm residential development on a limited basis; and
 - (3) Minimize conflicts between agricultural and non-agricultural areas.
- The subject property is approximately 32 acres and contains a 3-acre pond with a cabin, approximately 9.5 acres of row crop production, some forested areas and a grassy/undeveloped portion of the property fronting Warrick Rd.
- The applicant is requesting the rezone to allow for greater flexibility in development options for future owners of property.

Standards for Rezoning:

- **The proposed amendment shall not be detrimental to the orderly development of Tazewell County.**

(POSITIVE) The future land use map within the Tazewell County Comprehensive Plan is intended to show the "general areas where development should occur to ensure an orderly development pattern that protects valuable sensitive lands for agriculture and environmental conservation." The future land use map identifies the subject property within the A-2 classification which is primarily for agricultural purposes with non-farm residential development allowed on a limited basis. The proposed zoning amendment looks to change to the zoning that this property is identified as having in the 2011 Comprehensive Plan and is therefore deemed to not be detrimental to the orderly development of Tazewell County.

- **The proposed amendment shall not be detrimental to or endanger the public health, safety, morals or general welfare of Tazewell County.**

(POSITIVE) The proposed amendment would allow the subject property to align with the future land use plan within the 2011 Comprehensive Plan which identifies the property and most of the surrounding area as A-2 designation. The uses permitted under the A-2 zoning district are primarily agricultural uses along with non-farm residential development on a limited basis. These uses are seen on many other properties in the surrounding area, making the proposed amendment not detrimental to the public health, safety, morals or general welfare of Tazewell County.

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

(POSITIVE) Much of the surrounding area is identified as having a future land use designation of A-2 but are zoned as A-1, with the exception of four properties to the south which are zoned A-2. The uses primarily seen in the general area are row crop production, undeveloped timber/forested areas, and single-family dwellings. The primary land uses permitted in the A-2 zoning district are very similar to what exists in the surrounding area around the subject property.

- **The request is consistent with the zoning classifications of property within the general area of the property in question.**

(POSITIVE) A majority of the surrounding area is zoned A-1 but A-2 zoning designation is seen immediately to the south for four properties. As mentioned previously, the future land use map in the 2011 Comprehensive Plan identifies much of the surrounding area as having a land use designation of A-2. Aligning the zoning classification to the Comprehensive Plans vision for the designation of the property is deemed to be positive.

- **The property in question is not suitable for the uses permitted under the existing zoning classification.**

(NEUTRAL) Agriculture is the primary use permitted under the existing zoning classification of A-1 and is also the use of the subject property as of present day. The requested zoning of A-2 does still list agriculture as a permitted use in the zoning district. The two soils of the subject property have a productivity index of 125, indicating the site has productive farmland. The northern portion of the property is currently utilized for agricultural production, but the southern portion presents challenges to conducting the same use. A pond and outflow creek extend across almost the entirety of the property and the portion of property to the south (adjacent to Warrick Rd) has land with some steep slopes. As the site has both portions of the property which are suitable for uses under the existing zoning classification as well as portions that are not, this finding is deemed to be neutral.

- **The property in question is suitable for the uses permitted under the proposed zoning classification.**

(POSITIVE) The subject property is requested to be rezoned to A-2 in which its primary purpose and uses are agricultural production with non-farm residential development to be allowed on a limited basis. Both uses are seen on many adjacent properties and would be appropriate on the subject property.

- **Consideration to the trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the property in question was placed in its present zoning classification.**

(POSITIVE) While there has not been much recent development in the general area, the area features two primary utilizations of land with those being agricultural production and medium size single-family dwellings.

- **Consideration to the length of time the property has been vacant as zoned, considered in the context of the land development in the area surrounding the subject property.**

(POSITIVE) The subject property has a variety of land utilizations including recreation in the form of a pond and cabin, agricultural production and undeveloped land in the form of grassland and timber. Other properties in the area are similarly utilized in the form of agricultural production, single family dwellings and undeveloped portions of property due to topography.

- **Consideration to the proposed map amendment being within one and one-half miles of a municipality with an adopted Comprehensive Plan.**

(NOT APPLICABLE) The subject property is not within 1.5 miles of a municipality with an adopted Comprehensive Plan.

- **Consideration to the relative gain to the public as compared to the hardship imposed upon the individual property owner, should the proposed amendment be denied.**

(POSITIVE) Rezoning the property to A-2 would align the property with the future land use map

as seen in the Tazewell County Comprehensive Plan. Comprehensive Plans are generally seen as documents which serve a public benefit so this rezone would be seen as positive. One of the primary distinctions between A-1 and A-2 zoning districts is the flexibility for residential development. If denied, future residential development may be more difficult to accomplish but would still be feasible through the Special Use application process.

- **Consideration to the proposed amendment being consistent with the goals, objectives, and policies of the Comprehensive Plan.**

(POSITIVE) The proposed amendment would align the property with the future land use map seen in the 2011 Comprehensive Plan which sees the property in the A-2 land use category. Otherwise, there are many instances where the Comprehensive Plan speaks to preserving prime farmland for agricultural uses. Rezoning to A-2 would still allow for agricultural development to occur but allows for more flexibility in the development of single-family residential dwellings. Future development cannot be dictated during a rezoning request, but it would be recommended that if residential development were to occur on the subject property that it be placed on the southern half of the property where topographical features make it not as conducive to agricultural production as the northern portion where this use already exists.

Recommendation:

Based upon the above considerations and standards for rezoning, the Tri-County Regional Planning Commission Planner recommends approval of the requested Rezoning from A-1 Agricultural Preservation District to A-2 Agricultural District for the subject parcel number 07-07-31-100-024.

Respectfully submitted,

Adam Crutcher
Tri-County Regional Planning Commission Planner

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on September 2025 ZBA cases

Hello,

The following are TCHD EH's comments on the September 2025 ZBA cases:

CASE NO. 25-38-A: Proposed Amendment No. 74 to Title XV, Chapter 157 – No comment.

CASE NO. 25-39-Z: Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC -- The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.

CASE NO. 25-40-S: Special Education Services, Inc. – The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-41-V: Nicholas Kaiser – No comment.

CASE NO. 25-42-V: Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-43-S: Brad Sauder of the Sauder Family Trust #10 - Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT F

Melissa A. Kreiter

From: Wiegand, Corey <COREY.WIEGAND@allstate.com>
Sent: Wednesday, August 20, 2025 7:16 AM
To: Melissa A. Kreiter
Subject: RE: [EXTERNAL] Zoning Board 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.

I have reviewed the case and have no issues.

Thanks
Corey Wiegand

From: Melissa A. Kreiter <MKreiter@tazewell-il.gov>
Sent: Tuesday, August 12, 2025 12:20 PM
To: Wiegand, Corey <COREY.WIEGAND@allstate.com>
Subject: [EXTERNAL] Zoning Board case for Comment

You don't often get email from mkreiter@tazewell-il.gov. [Learn why this is important](#)

Please see the attached ZBA case for your review and comment.

Thank you!

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>



**COUNTY OF TAZEWELL
DEPARTMENT OF COMMUNITY DEVELOPMENT**

Jaclynn Workman, Community Development Administrator

STAFF AND AGENCY COMMENT SUMMARY

CASE NO. 25-40-S SPECIAL EDUCATION SERVICES, INC.

- SUMMARY:** The petition of Special Education Services, Inc. for a Special Use to operate a Private School for persons with disabilities, from an existing structure, located in an A-1 Agriculture Preservation District
- BACKGROUND:** The property currently contains an existing building which has been historically been utilized as a Church. The property and building has been vacant and listed with a realtor. This department was contacted by the petitioner to discuss what would be needed in order to operate from the property.
- STAFF COMMENT:** Community Development Staff fully supports this request and would recommend that the ZBA approve the Special Use request.
- HEALTH DEPT:** The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school.
- COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.
- ROAD DIST:** Michael Harris, IDOT submitted a report having no objections.
- SOIL & WATER:** No comment to date.
- FARM BUREAU:** No comment to date.
- MUNICIPALITY:** Both the City of East Peoria and the City of Pekin were notified. No comments have been received to date.
- TRI COUNTY:** Recommended approval. See Findings of Fact.

CASE INFORMATION

CASE NO.: 25-40-S PETITIONER: Special Education Services

AGENT OR REPRESENTATIVE: Rory Conran

ADDRESS: 195 Poplar Pl., North Aurora, IL 60542 PHONE: 630-907-2400

REQUEST FOR: Special Use to operate a Private School for persons with disabilities, from an existing structure, located in an A-1 Agriculture Preservation District.

P.I.N.# 05-05-21-200-015 PARCEL SIZE 3+/- PRESENT ZONING: A-1

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

PETITION RECEIVED: 8/1/2025 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Notified 8/11/25

HEALTH DEPT.: Notified 8/11/25

TCSWCD: Notified 8/11/25

TCFB: Notified 8/11/25

COUNTY HIGHWAY: Notified 8/11/25

COUNTY EMA: Notified 8/11/25

MUNICIPALITY: Notified 8/12/25 PeKin & East Peoria

TOWNSHIP: N/A

IDOT: Notified 8/12/25

SURROUNDING PROPERTY OWNERS: Notified 8/11/25

PUBLICATION DATE: 8/13/25 WHERE: Tazewell 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: 8/1/25 CASE NO. 25-40-S

Filing Fee: 450.00 Publication Fee: _____

ZBA Hearing Date: 9-3-2025

Decision Date: _____

☐ APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Owner:

Name: Special Education Services
Address: 195 Poplar Pl.
City, State: North Aurora IL.
Phone: 630-907-2400
(daytime contact)
Email: rory.conran@menta.com

Name: Cross Baptist Church
Address: 4201 Edgewater Dr.
City, State: Pekin, IL
Phone: 309-387-2767
(daytime contact)
Email: _____

The property interest of the applicant, if not the owner: 4201 Edgewater Dr. Pekin IL 61554

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: _____
- 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: 050521200015
Proposed Parcel Size/Acreage: 3 Soil Productivity Rate of Site: _____
Legal Description: _____

- c. Describe all existing structures, physical attributes and current land use of the property:
The building is currently a church

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

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

We would like to open a therapeutic day school providing services to individuals with disabilities.
We fall under Illinois code 14-7.02.

- a. Hours of operation: 8 a.m. to 3:30 p.m. Number of employees: 20
- b. Number of parking spaces: 40 Handicapped: 5 Parking Lot Surface: Asphalt
- c. Signs (size and number of): _____
- d. Number of new buildings to be constructed and proposed use of each building:
None
- e. Future expansion and time schedule: None

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 (½) mile of a **livestock feeding operation**: ☐ Yes ☐ No
- *If less than ½ mile is a Variance necessary? ☐ Yes ☐ No
2. More than one-half (½) 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.
Currently it is my understanding the church is operating out of the building. We do not intend to add any additional buildings. We will maintain and improve the current building in order to keep property values.
- 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.
We will be providing services to community members that are in need of special education programming. We intend to ensure health, safety, morals, comfort, and general welfare of all neighbors.
- 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.
This will not impact the use of what is already currently permitted. We are looking to operate a school vs. a church
- d. The Special Use will not substantially diminish and impair property value within the neighborhood.
This will not impact any property value in the neighborhood. We intend to only improve the aesthetics of the building and hopefully improve property values.
- e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
Currently what is in place is adequate for our use and more than necessary.
- 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.
We will ensure all traffic patterns are met and ensure all loading and unloading of students is completed in the parking lots on the property to not disturb any traffic patterns.
- 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.
This will not impact any feeding operations to livestock in the area.
- h. The Special Use is consistent with the existing uses of property within the general area of the property in question.
We intend to operate a non-profit school for students with disabilities. This is a community service that is consistent with the current use of the building.


- i. The property is suitable for the Special Use as proposed.
Yes, this building fits the needs of our organization.

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses 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

8/7/25

Date


Owner's Signature

8/7/25

Date

Special Education Services, Inc.

195 Poplar Pl.

North Aurora, IL 60542

Rory Conran - President

Brian McGowan - Secretary/Treasurer

Jason Kudelka - Vice President

Lynne Nicolas-Gapsis - Vice President

Alt. A.

43

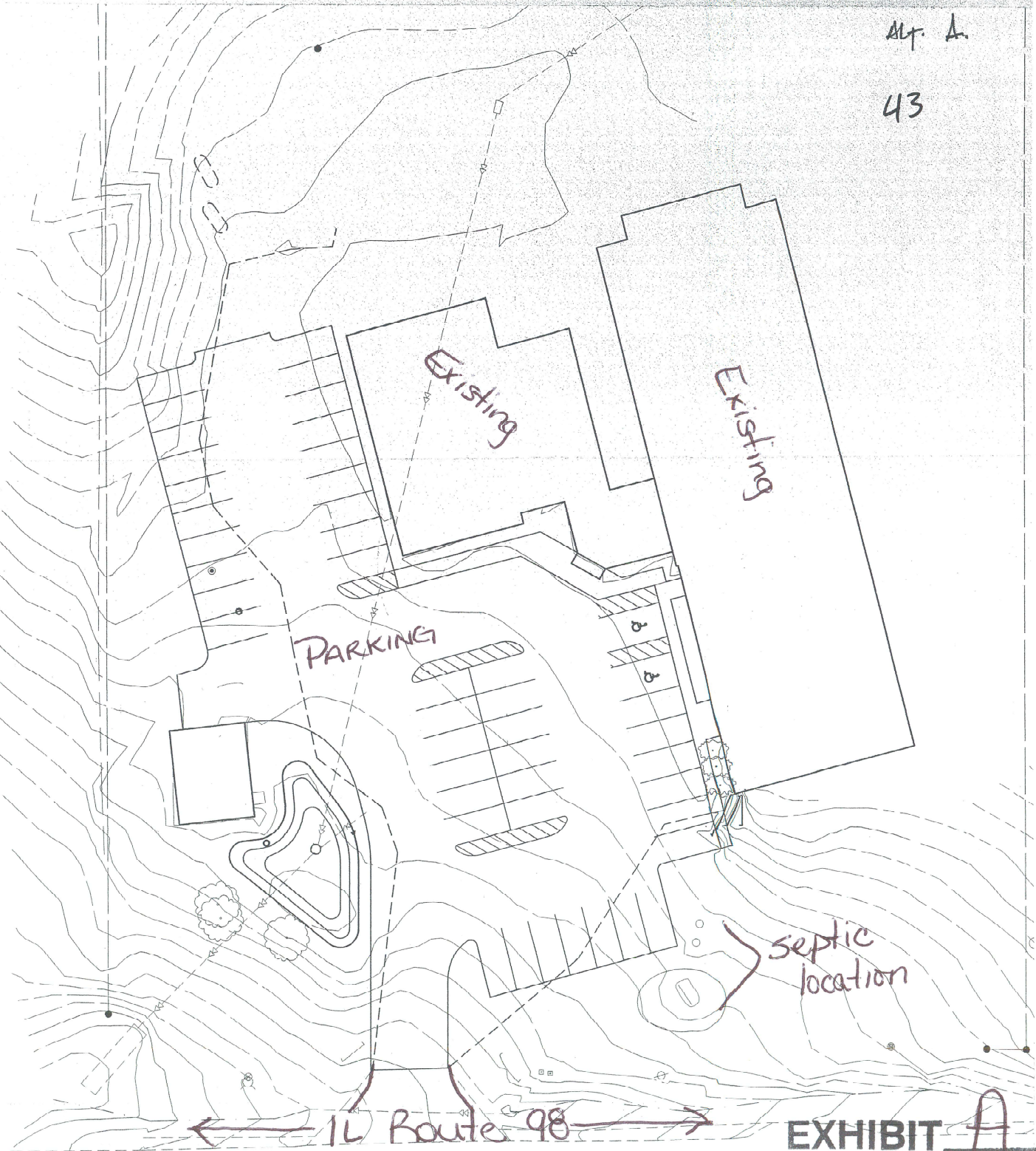
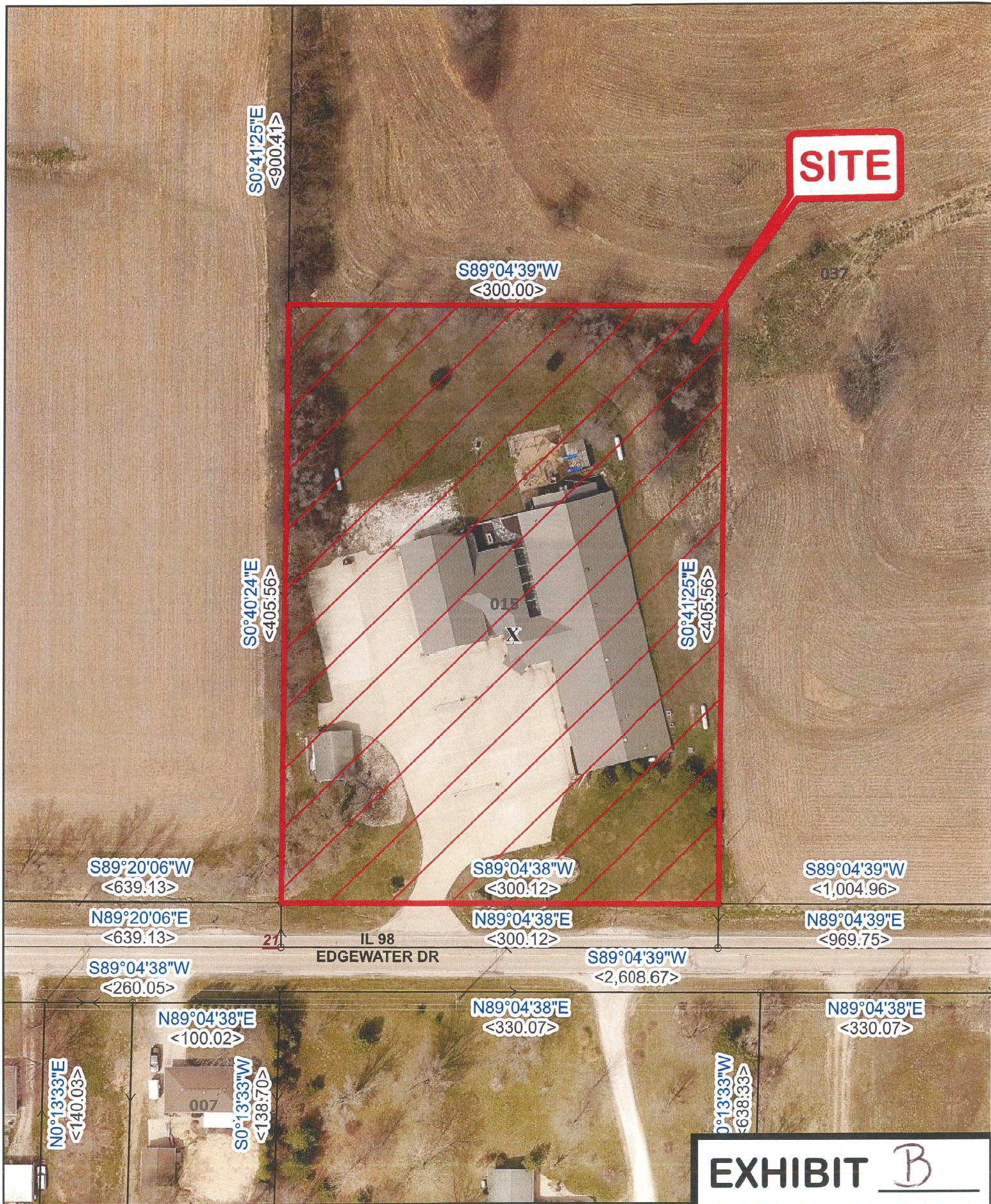


EXHIBIT A



SITE

EXHIBIT B

Zoning

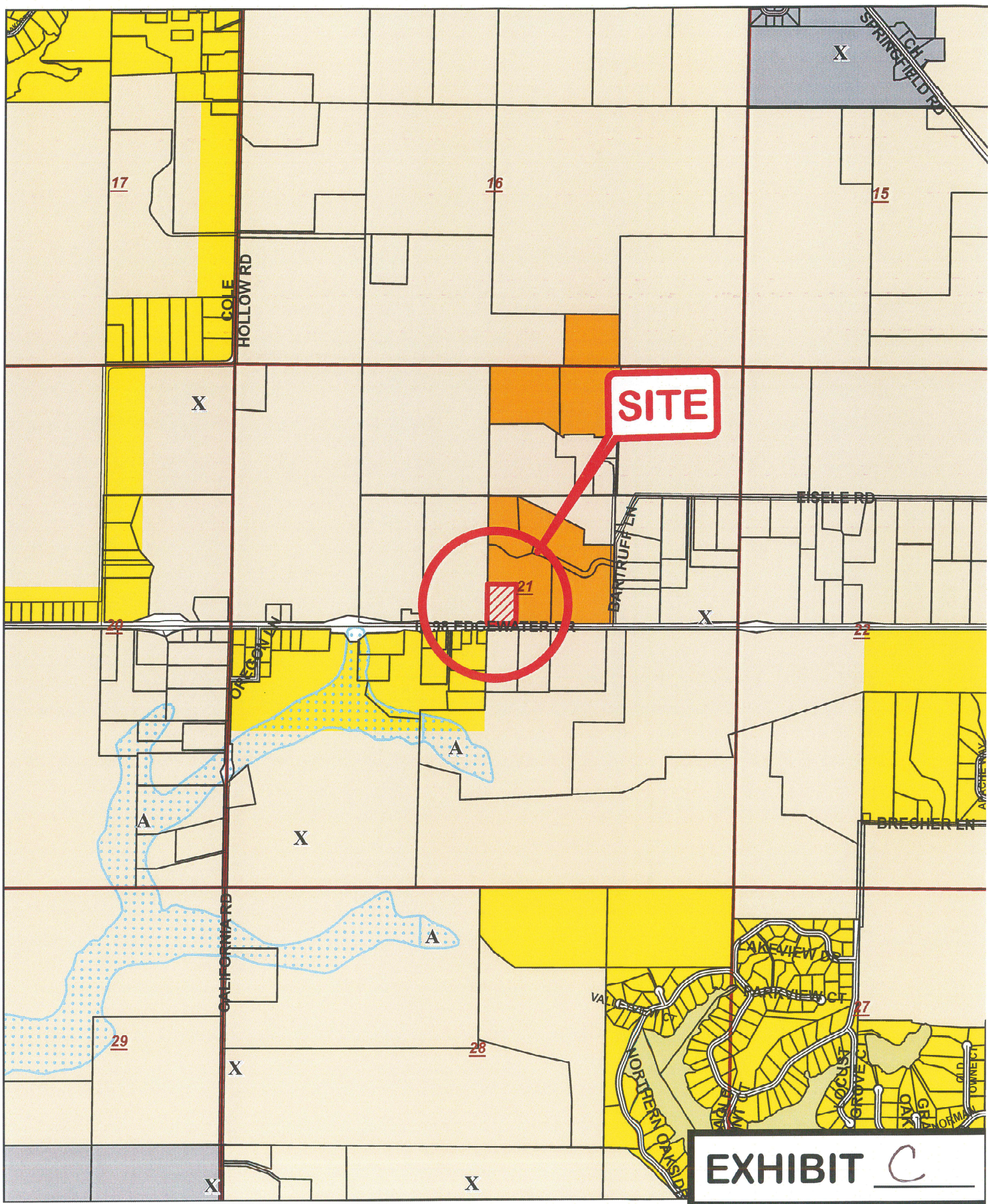


EXHIBIT C



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

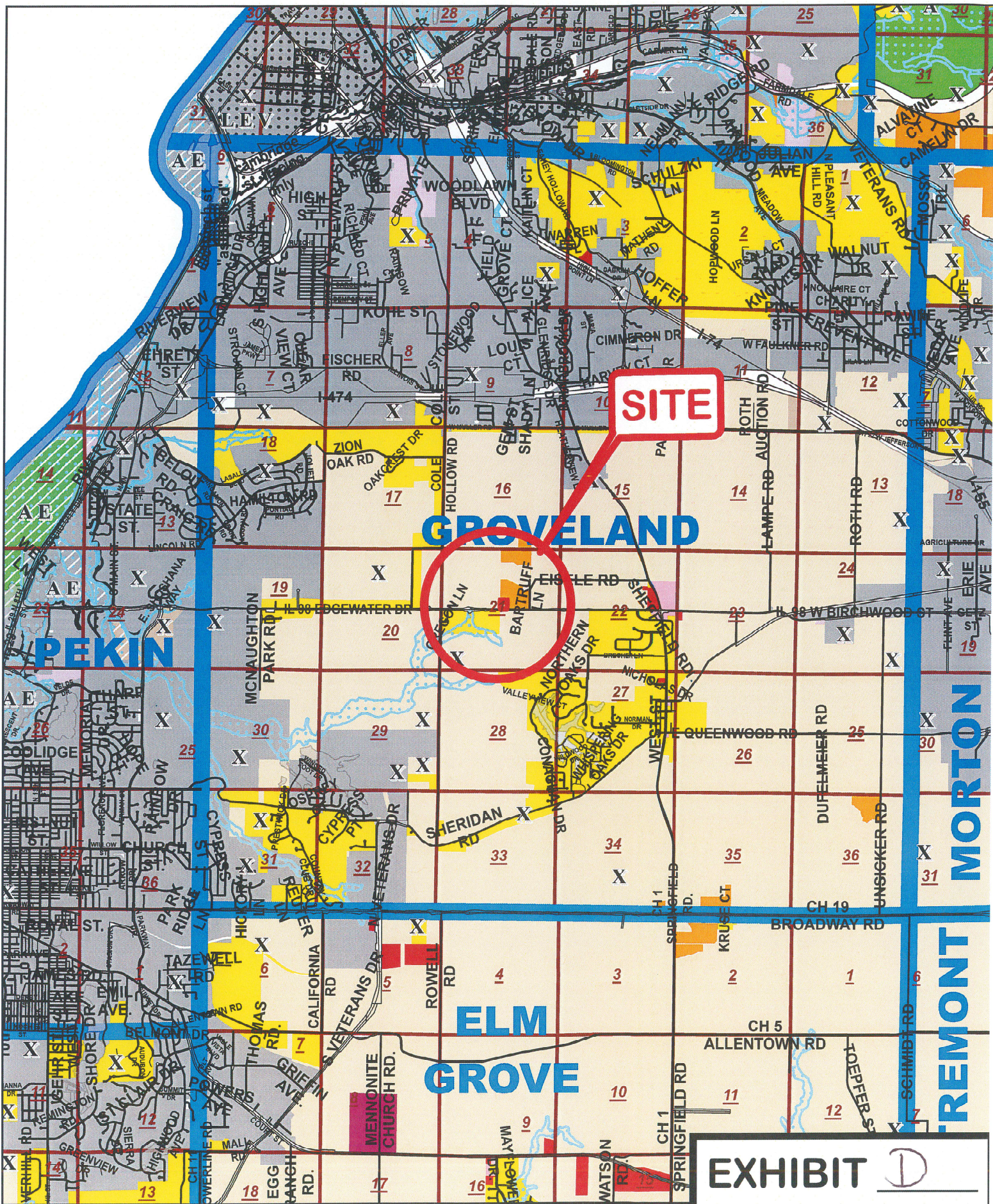


EXHIBIT D

TAZEWELL COUNTY
COMMUNITY DEVELOPMENT AND PLANNING
ZONING BOARD OF APPEALS REPORT (25-40-S)

Applicant: Special Education Services

Requested Action: Special Use to operate a Private School for persons with disabilities, from an existing structure, located in an A-1 Agriculture Preservation Zoning District.

Date of Application: August 1, 2025

Location: 4201 Edgewater Dr, Pekin, IL (05-05-21-200-015)

Zoning:

Subject Property:	A-1 Agricultural Preservation District
North:	R-R Rural Residential District
East:	R-R Rural Residential District
South:	A-1 Agricultural Preservation District
West:	A-1 Agricultural Preservation District

Public Hearing: September 2, 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 Private School may be established in the A-1 Agricultural Preservation District with a Special Use.
- The area identified for special use is currently utilized entirely as a church. The proposal requests the allowance to operate a non-profit school for students with disabilities. No additions to the existing building are proposed to allow for the operation of the school. The school's hours of operation are proposed to be 8am to 3:30pm.

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 as there is no proposed addition to the existing building.

- **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, both the cities of East Peoria and Pekin. Both municipalities' future land use plans do not include the subject property in their evaluations for future growth.

The proposed special use supports the following principles and strategies in the Tazewell County Comprehensive Plan:

- Prepare to develop and attract businesses in sectors projected to grow, such as education and health services, leisure, and hospitality, and trade/transportation/utilities.
- Ensure viability of existing businesses by developing and attracting new businesses that can coexist with existing businesses.
- A variety of high quality educational opportunities are provided.

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 school would not have any visual impacts as there is no proposed addition to the existing church building on the property. The subject property is along Highway 98 (Edgewater Dr) which is sufficient for the vehicular traffic expected to frequent the subject property.

- **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) The establishment and operation of a school for students with disabilities would not be detrimental to the public health, safety, or general welfare to the neighboring vicinity. The existing building is currently the home of a church currently which receives visitors. Allowing for a school to operate out of the building would not be detrimental as the property is along Highway 98 (Edgewater Dr), which is sufficient for the vehicular traffic expected to frequent the subject property.

- **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 adjacent to the subject property are primarily row-crop production on the north side of Highway 98 (Edgewater Dr). To the south, exists many single-family dwellings along the highway. The proposed school is similar in terms of intensity when compared to the church that already exists on the property. Both uses do not cause much noise or produce foul smells and don't receive an exorbitant amount of vehicular traffic throughout the day.

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

(POSITIVE) The proposal does not look to alter the physical appearance of the subject property as no additions are proposed. Increased vehicular trips to the subject property will increase during the operating hours on weekdays compared to what currently exists at the subject property. Still, Highway 98 is adjacent to the subject property and will be able to sufficiently handle the expected vehicular trips.

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

(POSTIVE) No additional utilities or roads are needed for the proposed special use.

- **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) An existing means of ingress and egress exists for the subject property to access highway 98 (Edgewater Dr) with no modifications necessary.

- **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 non-profit school for those with disabilities on a property which already contains a building in which a church operates out of. 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 a church.

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

(POSITIVE) The subject property is located in area predominantly utilized for single family dwellings alongside Highway 98 (Edgewater Dr). The existing church has been in operation for well over a decade and has not presented any issues to surrounding properties. Churches often times have educational programs for children whether they are limited to summer, when schools are out of session, or if they operate their own school program. Schools also match churches in that they are not intense uses of land and don't see a heavy amount of vehicular traffic throughout the day.

- **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 Tri-County Regional Planning Commission Planner recommends approval of the requested Special Use to allow the establishment of a private school for persons with disabilities at 4201 Edgewater Dr.

Respectfully submitted.

Adam Crutcher
Tri-County Regional Planning Commission Planner

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

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CASE NO. 25-38-A: Proposed Amendment No. 74 to Title XV, Chapter 157 – No comment.

CASE NO. 25-39-Z: Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC – The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.

CASE NO. 25-40-S: Special Education Services, Inc. – The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-41-V: Nicholas Kaiser – No comment.

CASE NO. 25-42-V: Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-43-S: Brad Sauder of the Sauder Family Trust #10 – Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT F

Melissa A. Kreiter

From: Harris, Michael A <Michael.A.Harris@illinois.gov>
Sent: Tuesday, August 12, 2025 1:53 PM
To: Melissa A. Kreiter
Subject: [EXTERNAL] RE: Zoning Board 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.

Good afternoon Melissa!

We have no comments to add on this case.

Enjoy the day!

Thanks,

michael

Operations – Region 3 District 4

Access Permits Unit Chief

(309) 671-4486

Michael.A.Harris@illinois.gov

Operations ~ creative resolutions and simplified solutions!

From: Melissa A. Kreiter <MKreiter@tazewell-il.gov>
Sent: Tuesday, August 12, 2025 12:21 PM
To: Harris, Michael A <Michael.A.Harris@illinois.gov>
Subject: [External] Zoning Board case for Comment

Please see the attached ZBA case for your review and comments.

Thank you!

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>

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this



**COUNTY OF TAZEWELL
DEPARTMENT OF COMMUNITY DEVELOPMENT**

Jaclynn Workman, Community Development Administrator

STAFF AND AGENCY COMMENT SUMMARY

CASE NO. 25-41-V NICHOLAS & SHERYL KAISER

- SUMMARY:** The petition of Nicholas Kaiser for a Variance to waive \$157.090 to allow an existing lot of record to have 60' of frontage, with is 140' less than allowed in an A-1 Agriculture Preservation Zoning District
- BACKGROUND:** The property was a lot of record prior to March 16, 1978, therefore is considered to be a buildable lot of record. However, this property does not have any frontage or ownership to any public road right of way. It was explained that prior to being able to construct a dwelling on the property, Mr. Kaiser would need to ideally obtain ownership out to a public road. He was also advised of the option to request a modification of the subdivision ordinance and access his property by a private easement. It was explained that the private easement access is less desirable by the County and ownership to the road would be preferred if he was able. He was unable to obtain 200' of frontage, as required by the Code, therefore he was informed a Variance would be necessary.
- STAFF COMMENT:** Community Development Staff fully supports this request and would recommend that the ZBA approve the Variance request.
- HEALTH DEPT:** No comment.
- COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.
- ROAD DIST:** Todd Kilgus, Tremont Township Road District made no comment.
- SOIL & WATER:** No comment to date.
- FARM BUREAU:** No comment to date.
- MUNICIPALITY:** Zack Davis with the Village of Morton submitted a report having no concerns.

CASE INFORMATION

CASE NO.: 25-41-V PETITIONER: Nicholas & Sheryl Kaiser
AGENT OR REPRESENTATIVE: _____

ADDRESS: 365 E. Fernwood St., Morton, IL 61550 PHONE: 309-213-3934

REQUEST FOR: Variance to waive §157.090 to allow an existing lot of record to have 60' of frontage,
with is 140' less than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# pt. 12-12-03-300-014 PARCEL SIZE 3/4th +/- PRESENT ZONING: A-1

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

PETITION RECEIVED: 8/1/2025 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Does not comment on Variance cases

HEALTH DEPT.: Notified 8/11/25

TCSWCD: Notified 8/11/25

TCFB: Notified 8/11/25

COUNTY HIGHWAY: Notified 8/11/25

COUNTY EMA: Notified 8/11/25

MUNICIPALITY: Notified 8/12/25

TOWNSHIP: Notified 8/12/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 8/11/25

PUBLICATION DATE: 8/13/25 WHERE: Tazewell 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: _____
Date Filed: _____ **CASE NO.** _____
Filing Fee: _____ Publication Fee: _____
ZBA Hearing Date: _____
Decision Date: _____
APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Nicholas & Sheryl Kaiser
Address: 365 E. Fernwood St.
City, State: Morton, IL 61550
Phone: 309-213-3934
(daytime contact)
Email: nkais44@gmail.com

Owner:

Name: MM Kaiser Farm, LLC
Address: 6212 Hartford Dr.
City, State: Pekin, IL 61554
Phone: _____
(daytime contact)
Email: _____

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

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: TBD, Tennessee Ave., Tremont, 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: A-1 Property ID Number: part of 12-12-03-300-014
Proposed Parcel Size/Acreage: 3/4 + acre Soil Productivity Rate of site: N/A
Legal Description:
SEC 3 T24N R3W NE 1/2 N 1/4 SW 1/4 & W 1/2 NW 1/4 SE 1/4
(EXCL 365 X 365 FT SW 1/4) 36.94 AC

- c. Describe all existing structures, physical attributes and current land use of the property:
No structures, currently some pasture with majority being cropland. There is a 20' easement
to allow access to 12-12-03-400-001
- d. Previous Special Use/Variance requested for this property? ☒ No ☐ Yes-Case No. _____

3. Specify what the Variance request is for:

To trade land for a 60' x 658' strip of land intended to be utilized as road frontage for the adjacent parcel
12-12-03-400-001. This 60' strip shall be combined with 12-12-03-400-001. Parcel 12-12-03-400-001
currently only has access via a 20' easement, not actual ownership. This approval will allow the lot to
have ownership to a public road, rather than access via an easement.

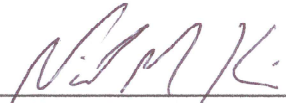
4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the Zoning Code:

Purchasing a 200' x 658' strip of land could unnecessarily remove valuable farmland from production.
Historically, the County has preferred property have ownership to a public road, rather than granting access
via an easement. The farm is unwilling to sell additional land.

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 surrounding area is predominantly farmland. There is no other way feasible to access the property.
Purchasing a 200' x 658' strip of land could unnecessarily remove valuable farmland from production.
- 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.
The surrounding area is predominantly farmland. There is no other way feasible to access the property.
Purchasing a 200' x 658' strip of land could unnecessarily remove valuable farmland from production.
- 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.
No detriment or injury caused. This is simply a land swap to ensure compliance with the Zoning Code regarding road frontage, in order to construct a single family dwelling on parcel 12-12-03-400-001.
- 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.
Nothing is proposed to be constructed that would cause any impairment. The addition of one single family residence on parcel 12-12-03-400-001 would minimally increase local traffic.
- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property.
There is no monetary gain. This is being requested to ensure compliance with the Zoning Code regarding road frontage, in order to construct a single family dwelling on parcel 12-12-03-400-001.
- 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.
Farm is unwilling to sell additional land. If code requirements must be followed, ownership to the road required for constructing a single family dwelling may not be able to be achieved.
- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure.
Although the Zoning Code allows access via Special Use with as little as 20' of frontage, 60' would better suit a driveway entrance without removing additional farmland from production.
- h. Explain how the request is due to unique circumstances.
My 20 acre parcel was created prior to Zoning Code regulations being established.

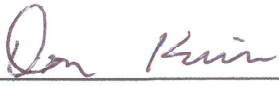
6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.



Applicant Signature

8/12/25

Date



Owner Signature

8-12-25

Date

OWNER'S CONSENT FORM

I, Don Kaiser of mm Kaiser Farm LLC (print property owner's name) understand that Nicholas Kaiser (print applicant's name), is petitioning for: Variance for 60 feet of road frontage

located at (give address) Tennessee Ave,
City Tremont State IL Zip 61568
Parcel I.D. # pt 12-12-03-300-014 with the Tazewell County Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

Don Kuin manager
Owner's Signature

8-12-25
Date

Subscribed and sworn to before me this 12 day of August, 20 25.

Melissa A Kreiter
Notary Public



****Site Plan for Example Only - Locations Not Guaranteed**

60' Frontage

Driveway

House

Septic

TENNESSEE AVE

13

House

EXHIBIT A

N



Entire Parcel

60' Frontage

20 Acre Building Site

014

001

015

TENNESSEE AVE

X

3

A

X

002

002

EXHIBIT B

Zoning

N



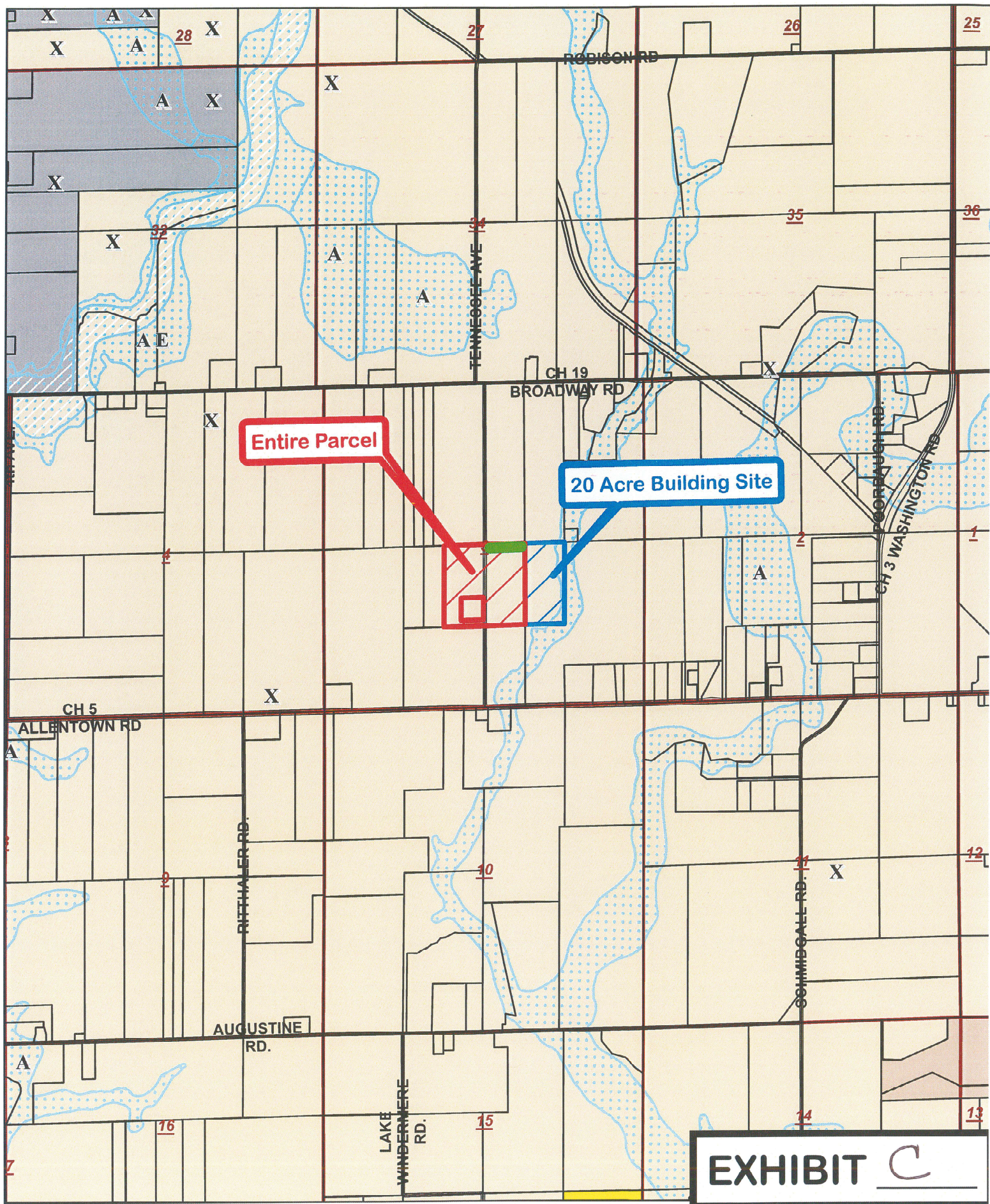


EXHIBIT C

Zoning

District

AG Area



A-1



A-2



C-1



C-2



CITY



CONS



I-1



I-2



R-1



R-2



R-R

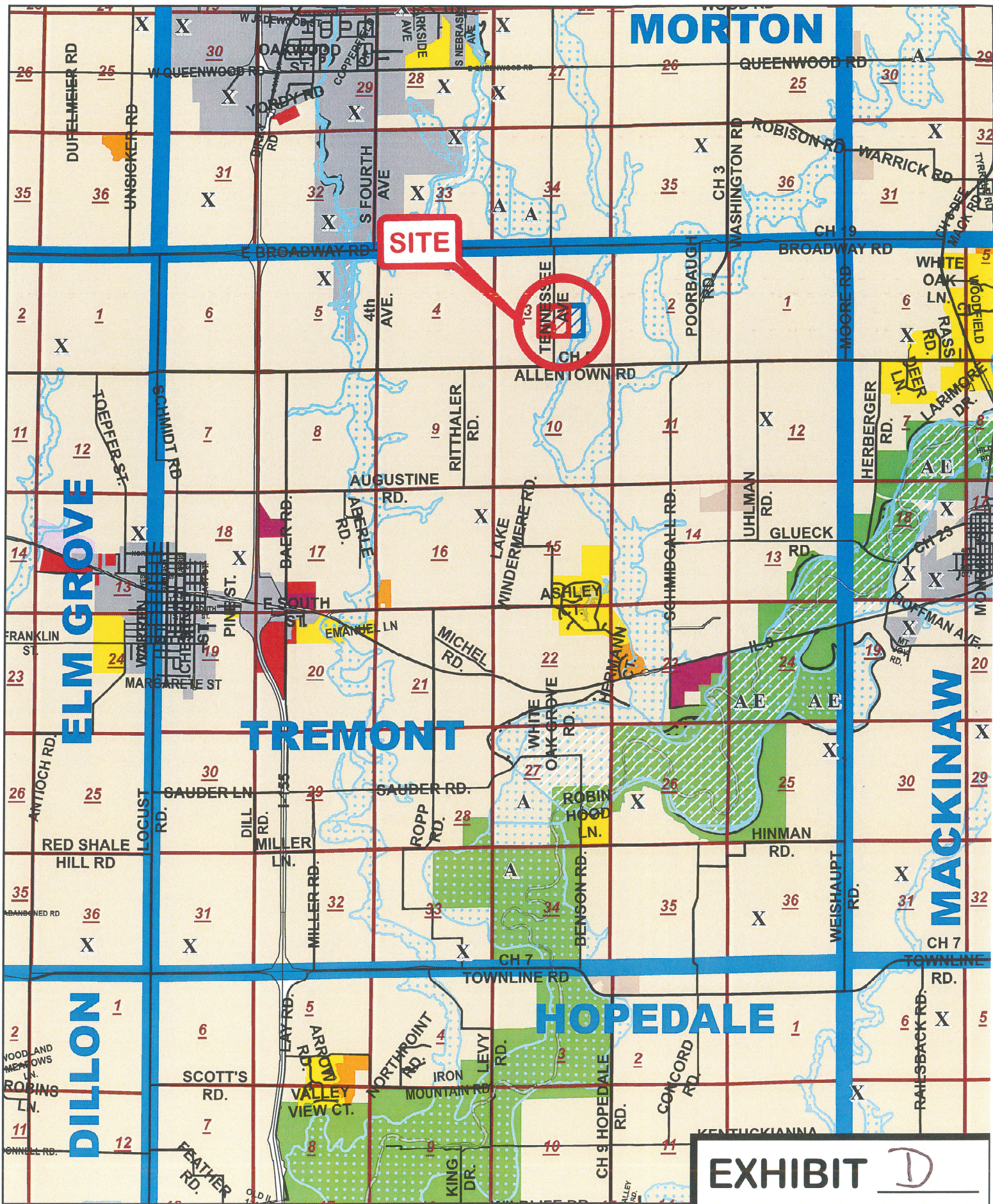


EXHIBIT D

Zoning

District

AG Area

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

N



From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on September 2025 ZBA cases

Hello,

The following are TCHD EH's comments on the September 2025 ZBA cases:

CASE NO. 25-38-A: Proposed Amendment No. 74 to Title XV, Chapter 157 – No comment.

CASE NO. 25-39-Z: Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC – The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.

CASE NO. 25-40-S: Special Education Services, Inc. – The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-41-V: Nicholas Kaiser – No comment

CASE NO. 25-42-V: Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-43-S: Brad Sauder of the Sauder Family Trust #10 - Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT E

Melissa A. Kreiter

From: Zack Davis <zdavis@morton-il.gov>
Sent: Tuesday, August 12, 2025 2:53 PM
To: Melissa A. Kreiter
Subject: [EXTERNAL] RE: ZBA Case for Review and Comments

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.

Hey Melissa,

The Village of Morton has no objections or comments to add to this ZBA case.

Thanks for reaching out as always! Have a great rest of your day.

Zack Davis
Zoning & Code Enforcement Officer
Village of Morton
120 N. Main St.
Morton, IL 61550
zdavis@morton-il.gov
309-266-5361 Ext. 2239

From: Melissa A. Kreiter <MKreiter@tazewell-il.gov>
Sent: Tuesday, August 12, 2025 12:29 PM
To: Zack Davis <zdavis@morton-il.gov>
Subject: ZBA Case for Review and Comments

Please see the attached ZBA case for your review and comments.

Thank you!
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>



**COUNTY OF TAZEWELL
DEPARTMENT OF COMMUNITY DEVELOPMENT**

Jaclynn Workman, Community Development Administrator

STAFF AND AGENCY COMMENT SUMMARY

CASE NO. 25-42-V & 25-43-S SAUDER FAMILY TRUST

- SUMMARY:** The petition of Brad Sauder of the Sauder Family Trust #10 for a Variance to waive the requirements of §157.440(X)(3) to allow the request of more than one, but not more than four, new parcels from a single parcel upon special use approval, which is 3 more than allowed and a Special Use to allow the creation of 4 new dwelling sites in an A-1 Agriculture Preservation Zoning District.
- BACKGROUND:** The Sauder Family purchased this parcel, along with a larger portion of the adjacent farmland, at auction, in 2023. Mr. Sauder expressed his desire to create no more than 4 new dwelling sites. Staff originally suggested Mr. Sauder rezone the property to Rural Residential, as A-2 would only allow for the creation of 2 additional 10+ acre sites. Mr. Sauder withdrew his request for rezoning, following discussions held at a ZBA hearing and Land Use meeting. The public and members of the Committee were concerned that the lessened acreage in an RR District could have the potential to allow further development beyond what Mr. Sauder had proposed. To alleviate the concern of further development, staff then suggested the option to rezone to A-2, as designated by comprehensive plan, and variance each parcel to reduced acreage. Considering this option, the rezoning was not necessary if the variance of size would be needed regardless. Furthermore, reducing the acreage would not necessarily create a buildable lot of record. In order to make the desire of the petitioner an option and restrict further development beyond 4 buildable lots, past process had been to request a Variance of the portion of the code (as amended in 1998) limiting a land owner to only one new buildable lot by special use, rather allowing multiple new dwelling sites to be created by Special Use. This would allow the zoning in the area to remain agriculture and ensure that no more than 4 dwellings could be constructed on the proposed property.
- STAFF COMMENT:** Community Development Staff is neutral on the approval of the Variance and Special Use request. It should be noted that although this area is pegged for future A-2 Zoning development in the Comprehensive Land Use plan, historically, the area has not developed as intended. Allowing the zoning to remain A-1 and development of 4 dwelling sites via a Special Use would be consistent with how the area has been developed. As well, concern of a rezoning to a Rural Residential could allow for the possibility of more than 4 dwelling sites, wherein, the request of a Variance and Special Use would provide the limit of no more than 4 dwelling sites, thereby alleviating that concern.
- HEALTH DEPT:** If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.
- ROAD DIST:** Todd Kilgus, Tremont Township Road District made no comment, however an entrance permit has been obtained.
- SOIL & WATER:** No comment to date.
- FARM BUREAU:** No comment to date.
- MUNICIPALITY:** Village of Tremont has made no comment to date.
- TRI COUNTY:** Recommended denial of the Special Use. See Findings of Fact.

CASE INFORMATION

CASE NO.: 25-42-V PETITIONER: Sauder Family Trust #10

AGENT OR REPRESENTATIVE: Brad Sauder

ADDRESS: 22870 Scotts Ln., Tremont, IL 61568 PHONE: 309-256-4972

REQUEST FOR: Variance to waive the requirements of §157.440(X)(3) to allow the request of more than one, but not more than four, new parcels from a single parcel upon special use approval, which is 3 more than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# 12-12-16-400-006 PARCEL SIZE 25.62 +/- PRESENT ZONING: A-1

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

PETITION RECEIVED: 8/1/2025 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Does not comment on Variance cases

HEALTH DEPT.: Notified 8/11/25

TCSWCD: Notified 8/11/25

TCFB: Notified 8/11/25

COUNTY HIGHWAY: Notified 8/11/25

COUNTY EMA: Notified 8/11/25

MUNICIPALITY: Notified 8/12/25

TOWNSHIP: Notified 8/12/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 8/11/25

PUBLICATION DATE: 8/13/25 WHERE: Tazewell 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: 8/1/25 **CASE NO.** 29-42-V
Filing Fee: N/A Publication Fee: _____
ZBA Hearing Date: 9/3/2025
Decision Date: _____
APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Owner:

Name: Brad Sauder - Sauder Family Trust #10
Address: 22870 Scotts Ln.
City, State: Tremont, IL 61568
Phone: 309-256-4972
(daytime contact)
Email: mbsauder@gmail.com

Name: Jerry & Peggy Sauder
Address: 127 Wingate Dr.
City, State: Tremont, IL 61568
Phone: 309-241-1323
(daytime contact)
Email: _____

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

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: Lake Windermere Rd., Tremont, 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: A-1 Property ID Number: 12-12-16-400-006
Proposed Parcel Size/Acreage: 25.62 Soil Productivity Rate of site: 125-150
Legal Description:
SEC 16; T24N R3W; PER PLAT RRR-39; 25.62 AC TRACT IN SE1/4 OF SE1/4

- c. Describe all existing structures, physical attributes and current land use of the property:
No buildings. Currently all farmland.

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

3. Specify what the Variance request is for:

To waive the requirements of 157.1440(X)(3) to allow the the creation of 4 new dwelling sites on the parcel as it exists today, ensuring no further division or creation of additional dwelling sites would be permitted.

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

The code only allows for 1 new dwelling site by Special Use, thereby forcing a rezoning of the property to a R-R for proposed parcels less than 10 acres. If the property were zoned R-R, there is a minimum lot size of 2 acres, thereby allowing the potential creation of up to 12 new dwelling sites, with reduced frontage, which has the potential to become burdensome for area residents and further increased traffic on Lake Windermere Rd.

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.
This request is being made following conversations held during ZBA and Land Use meetings when requesting the zoning change to R-R and concerns that the proposed request would allow further future development of the property.
- 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.
It was perceived to be preferable by the Land Use Committee to submit a request which would limit the development of the property as it exists today into no more than 4 build-able dwelling sites.
- 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.
4 additional building sites would not cause detriment or injury. This request is being proposed based upon the same principals that were used to create the existing dwelling sites in the area.
- 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.
4 additional building sites would not impair light and air. As well, the addition of 4 dwellings would not cause traffic congestion nor increase danger of fire or public safety.
- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property.
There would be no monetary gain with requesting a variance to allow 3 additional dwelling sites. This request, unlike the prior proposed zoning change, will allow less potential financial gain than if the property were rezoned so that lots could be 2 acres in size.
- 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.
Strict application would only allow for 1 new build-able lot of record, where 4 lots are preferred. This request is being made following conversations held during ZBA and Land Use meetings, strictly limiting the number of new sites to 4, while requesting a zoning change to R-R.
- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure.
It was perceived to be preferable to the Land Use Committee to request a lot size Variance in lieu of a rezoning of property, however, a variance of lot size would not create a new buildable lot of record, only allow a reduction of the minimum lot size.
- h. Explain how the request is due to unique circumstances.
It was perceived to be preferable of the Land Use Committee to submit a request which would limit the ability to further develop the land into more than 4 build-able sites as conceptually proposed.

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.

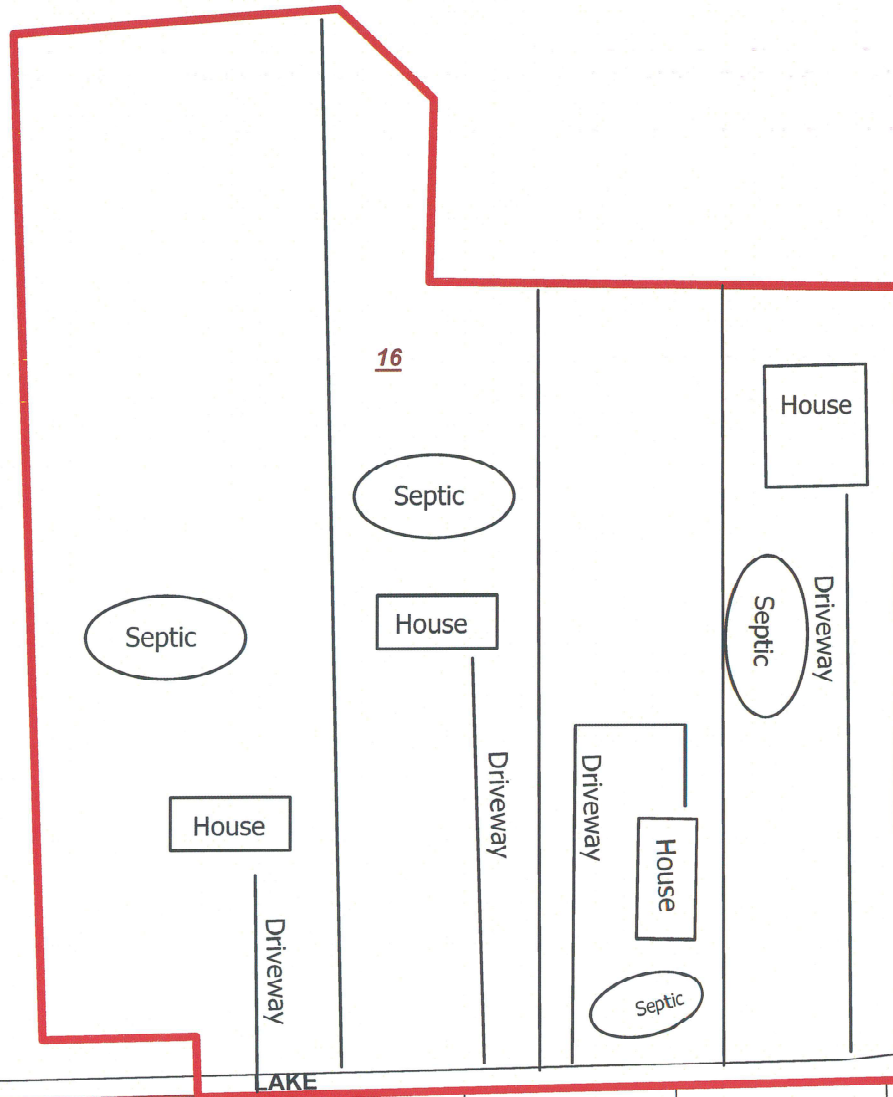
Brad Louden Trustee
Applicant Signature

8-14-25
Date

Owner Signature

Date

****Site Plan for Example Only - Locations Not Guaranteed**



LAKE
WINDERMERE RD.

EXHIBIT

A

N





SITE

LAKE
WINDERMERE RD.

EXHIBIT B

Zoning

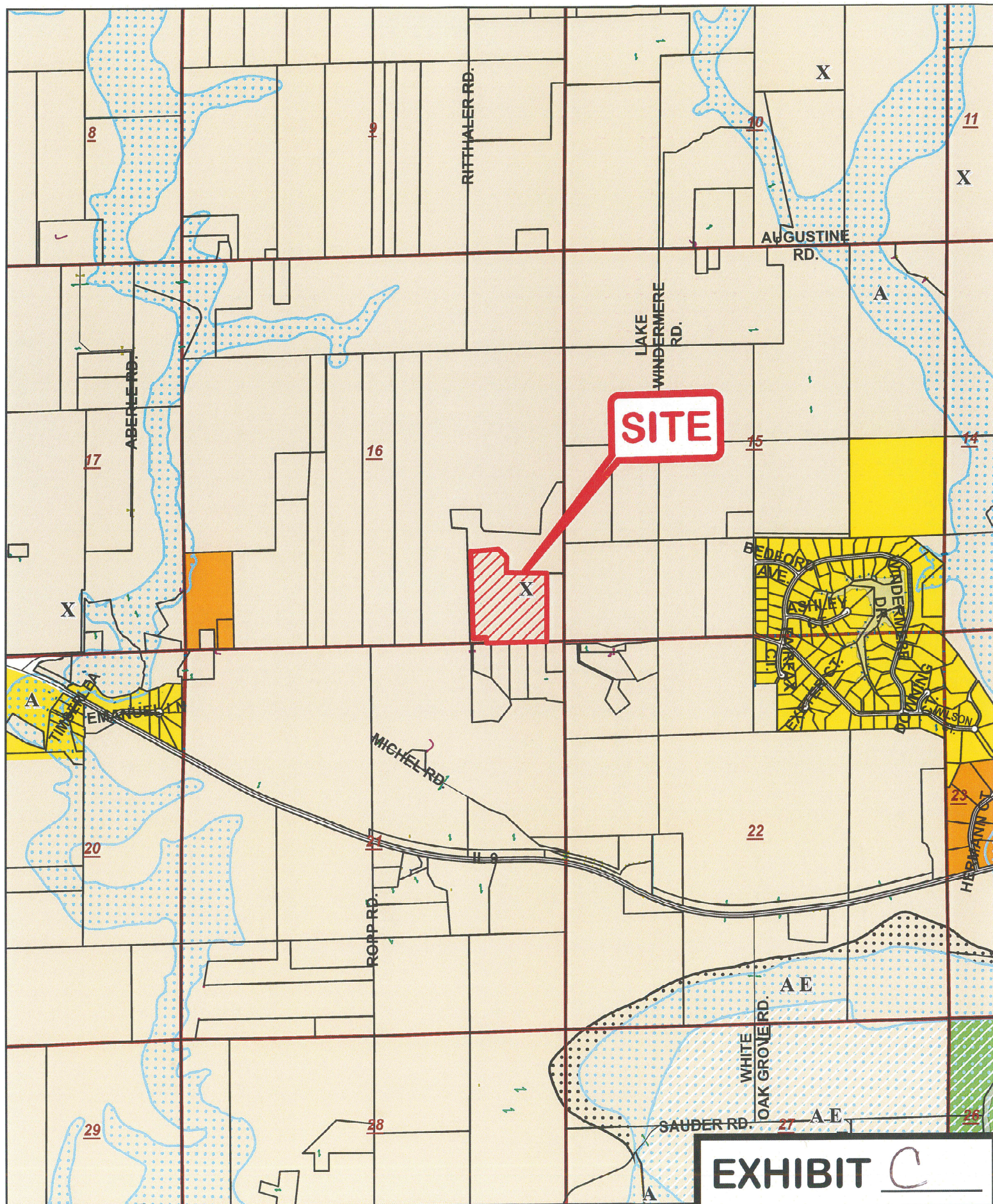
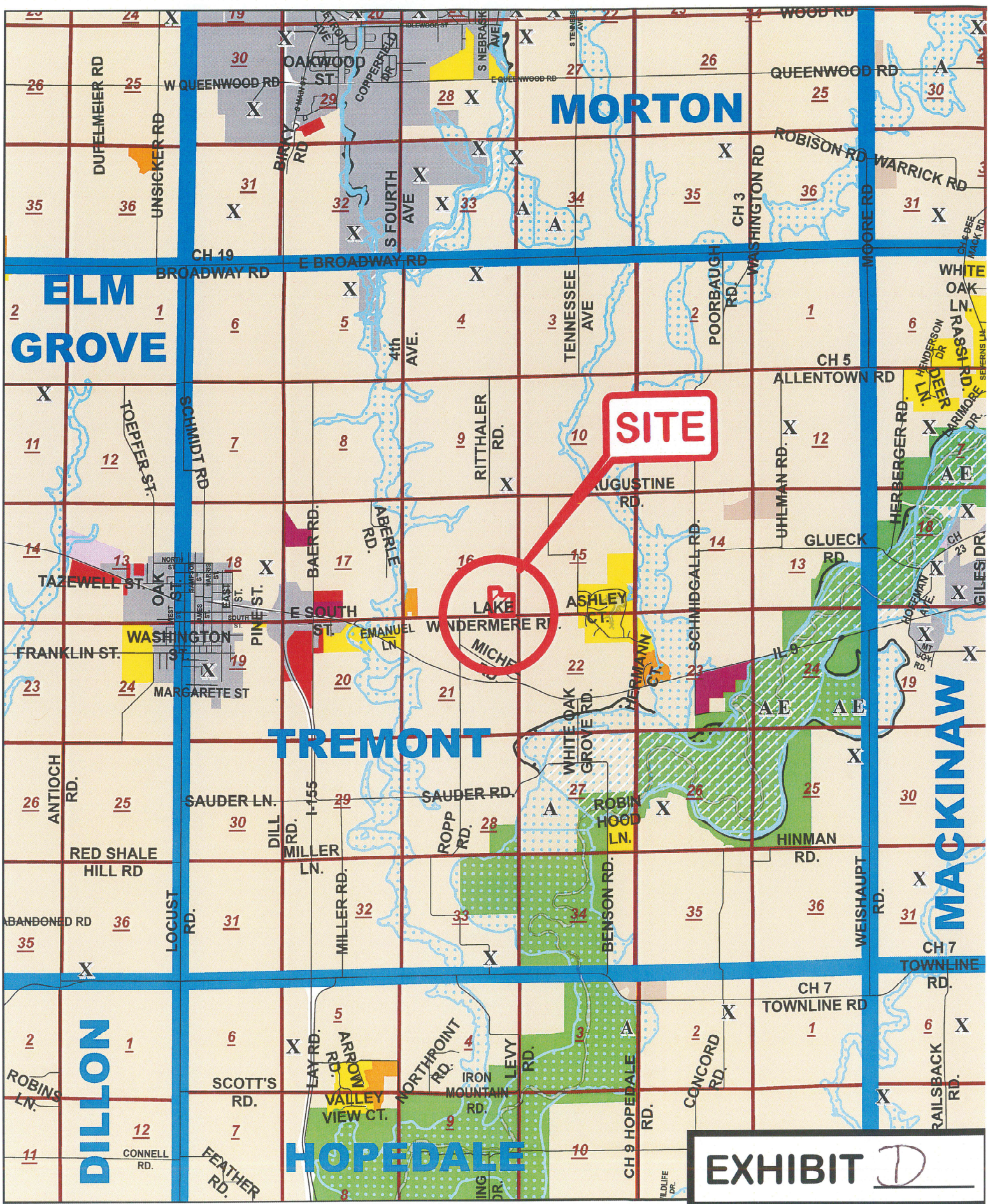


EXHIBIT C



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

EXHIBIT D

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on September 2025 ZBA cases

Hello,

The following are TCHD EH's comments on the September 2025 ZBA cases:

CASE NO. 25-38-A: Proposed Amendment No. 74 to Title XV, Chapter 157 – No comment.

CASE NO. 25-39-Z: Jodi Brackett, representing Peter Smidt of CL3 Properties, LLC – The septic system installed at the site in 2019 was designed to serve a home (or homes) with a garbage disposal and a total of 7 bedrooms. TCHD must be provided with site layout plans prior to any new home being constructed and connected to the septic system. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department would not issue any Building Permits until a Septic Permit or approval of use of an existing system has been obtained from TCHD.

CASE NO. 25-40-S: Special Education Services, Inc. – The existing septic system at the site is undersized for the planned use of the building as a school. The current septic system has a capacity of 462 gallons of wastewater per day, which could serve a total of 31 students/staff. In correspondence with Dr. Rory Conran, President of Special Education Services, Inc., it was indicated that the school will have up to 120 students and 20 staff. The septic system will need a capacity of 2,100 gallons of wastewater per day to serve that population. Therefore, the septic system must be renovated to provide adequate capacity prior to use of the property as a school. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, this department will not issue any Building or Change in Use Permits until a Septic Permit has been obtained from TCHD.

CASE NO. 25-41-V: Nicholas Kaiser – No comment.

CASE NO. 25-42-V: Brad Sauder of the Sauder Family Trust #10 – If any of the new parcels will be less than 5 acres in size, soil borings must be submitted and a plat review conducted by TCHD prior to the plats being signed. If public water and sewer are not available on site to serve the proposed dwellings, well and/or septic permit applications must be submitted to TCHD prior to construction. **COMMUNITY DEVELOPMENT RESPONSE:** If the request were to be approved, staff would not be able to authorize any Plats until the Health Department has done so, agreeing that their regulations have been met. Further, this department will not issue any Building Permits until a Septic Permit has been obtained from TCHD.

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Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT E

Highway Commissioner
Todd Kilgus
Tremont, IL. 61568

Tremont Road District
Phone: 925-3258

Application for Entrance Permit

Name B Sauder Family Trust #10 Permit No. _____
Address 22870 Scotts Lane Tremont

Location of Proposed Entrance:

Land Section 16 Area of Tract 24 N
Subdivision yes ☒ no Name of Subdivision _____
Lot No. _____ Recorded: _____ Book _____ Page _____
Document No. _____

Legal Description: (If not subdivision)

SE 1/4 of SE 1/4 of Sec 16 T24N R3W

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.

Brod Sauder, Trustee

Date: 5-29-25

Signature-owner/applicant

☒ Approved ☐ Disapproved

Date: 5-29-25

~~Date:~~ _____

Todd Kilgus

Twp. Road Commissioner

Permit Number to be assigned by the Township Road Commissioner.

Culvert Size required 1 Diameter 15" Length TBD

EXHIBIT EF

CASE INFORMATION

CASE NO.: 25-43-S PETITIONER: Sauder Family Trust #10

AGENT OR REPRESENTATIVE: Brad Sauder

ADDRESS: 22870 Scotts Ln., Tremont, IL 61568 PHONE: 309-256-4972

REQUEST FOR: Special Use to allow the creation of 4 new dwelling sites in an A-1 Agriculture Preservation Zoning District

P.I.N.# 12-12-16-400-006 PARCEL SIZE 25.62 +/- PRESENT ZONING: A-1

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

PETITION RECEIVED: 8/1/2025 CASE ORIGIN: By Petitioner

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: Notified 8/11/25

HEALTH DEPT.: Notified 8/11/25

TCSWCD: Notified 8/11/25

TCFB: Notified 8/11/25

COUNTY HIGHWAY: Notified 8/11/25

COUNTY EMA: Notified 8/11/25

MUNICIPALITY: Notified 8/12/25

TOWNSHIP: Notified 8/12/25

IDOT: N/A

SURROUNDING PROPERTY OWNERS: Notified 8/11/25

PUBLICATION DATE: 8/13/25 WHERE: Tazewell 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: 8/1/25 CASE NO. 25-43-S

Filing Fee: N/A Publication Fee: _____

ZBA Hearing Date: 9/3/25

Decision Date: _____

☐ APPROVED ☐ DENIED ☐ OTHER _____

1. Applicant and Owner Information:

Applicant:

Name: Brad Sauder - Sauder Family Trust #10
Address: 22870 Scotts Ln.
City, State: Tremont, IL 61568
Phone: 309-256-4972
(daytime contact)
Email: mbsauder@gmail.com

Owner:

Name: Jerry & Peggy Sauder
Address: 127 Wingate Dr.
City, State: Tremont, IL 61568
Phone: 309-241-1323
(daytime contact)
Email: _____

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

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: Lake Windermere Rd., Tremont, 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: A-1 Property ID Number: 12-12-16-400-006
Proposed Parcel Size/Acreage: 25.62 Soil Productivity Rate of Site: 125-150
Legal Description:
SEC 16; T24N R3W; PER PLAT RRR-39; 25.62 AC TRACT IN SE1/4 OF SE1/4
- c. Describe all existing structures, physical attributes and current land use of the property:
No buildings. Currently all farmland.
- d. Previous Special Use/Variance requests for this property? ☒ No ☐ Yes—Case No. _____

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

To create 4 new, multi-acre, single family dwelling sites, with required frontage along Lake Windermere Road.

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

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 (½) mile of a livestock feeding operation: ☐ Yes ☒ No
- *If less than ½ mile is a Variance necessary? ☐ Yes ☐ No
2. More than one-half (½) 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.
4 new dwelling sites would not cause adverse affects. The new dwellings would be constructed
at least 100' from the roadway, if not farther, thereby reducing visual impact.
- 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 area is primarily farmland with multiple dwelling sites. The request is compatible with the area.
4 new dwelling sites would not cause danger to the public health, safety, etc.
- 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 area is primarily farmland w/ multiple dwelling sites existing which are consistent with the size and configuration proposed.
The request is compatible with the area. 4 new dwelling sites would not cause injury to the use and enjoyment of other properties.
- d. The Special Use will not substantially diminish and impair property value within the neighborhood.
4 new dwellings would not cause any impairment to property values of neighboring properties. Improvement of 4 additional dwelling sites is anticipated to further improve property values to the area.
- e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
All new sites will have required utilities and approved access to Lake Windermere Rd.
- 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.
An entrance permit has already been obtained from the Township Road Commissioner to address the issue 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.
The site is not within 1/2 mile of a livestock feeding operation, and given the area containing multiple homes already, it would not be anticipated to create issues for any operation over 1/2 mile.
- h. The Special Use is consistent with the existing uses of property within the general area of the property in question.
The area is primarily farmland and contains multiple dwelling sites that are consistent with the proposed sites.
The request is very much compatible with the area.

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

This portion of the entire 186 acre farm contains the least productive soil. Given the numerous dwelling sites in the vicinity being created under the same process, this property is suitable for the Special Use.

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses 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.

Brod Savchen, Trustee
Applicant Signature

8-14-25
Date

Owner Signature

Date

****Site Plan for Example Only - Locations Not Guaranteed**

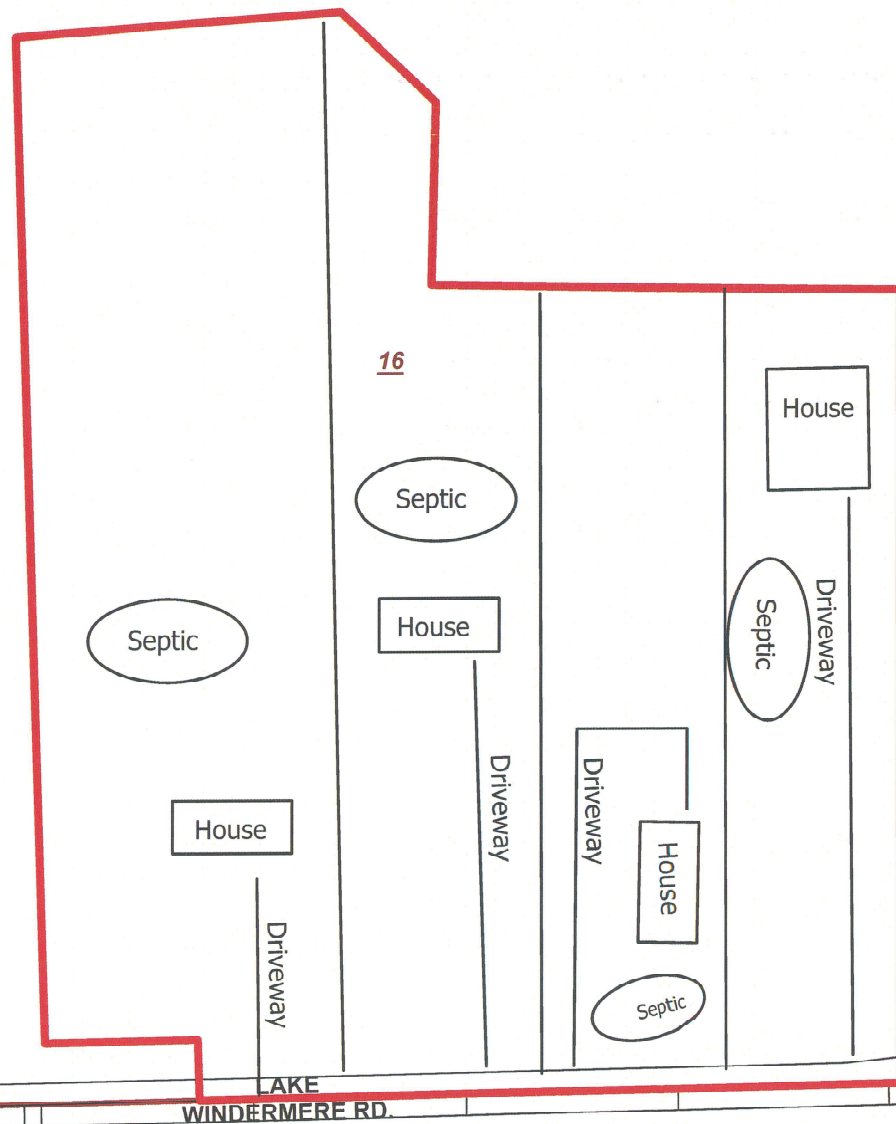


EXHIBIT A



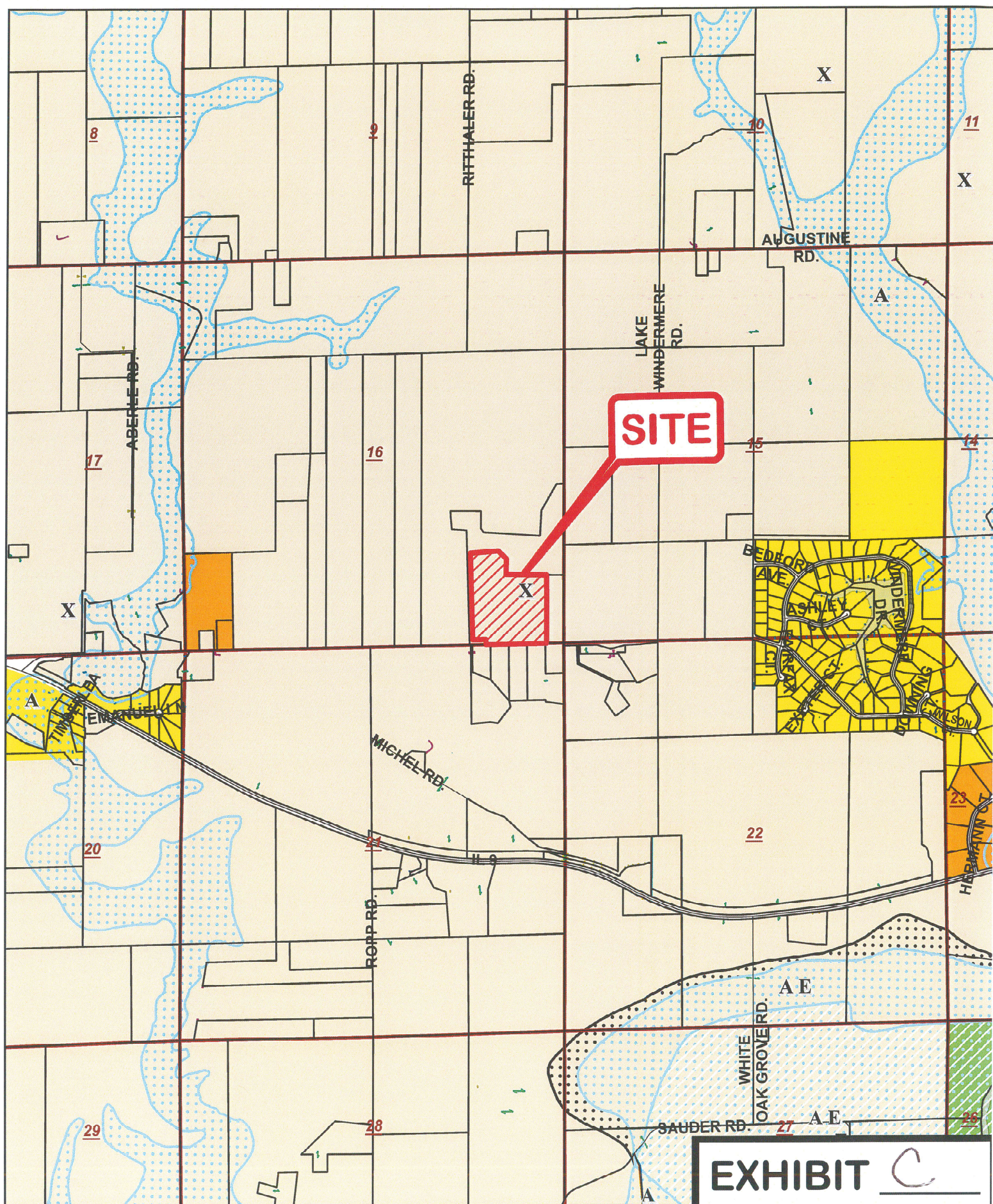


SITE

LAKE
WINDERMERE RD.

EXHIBIT B

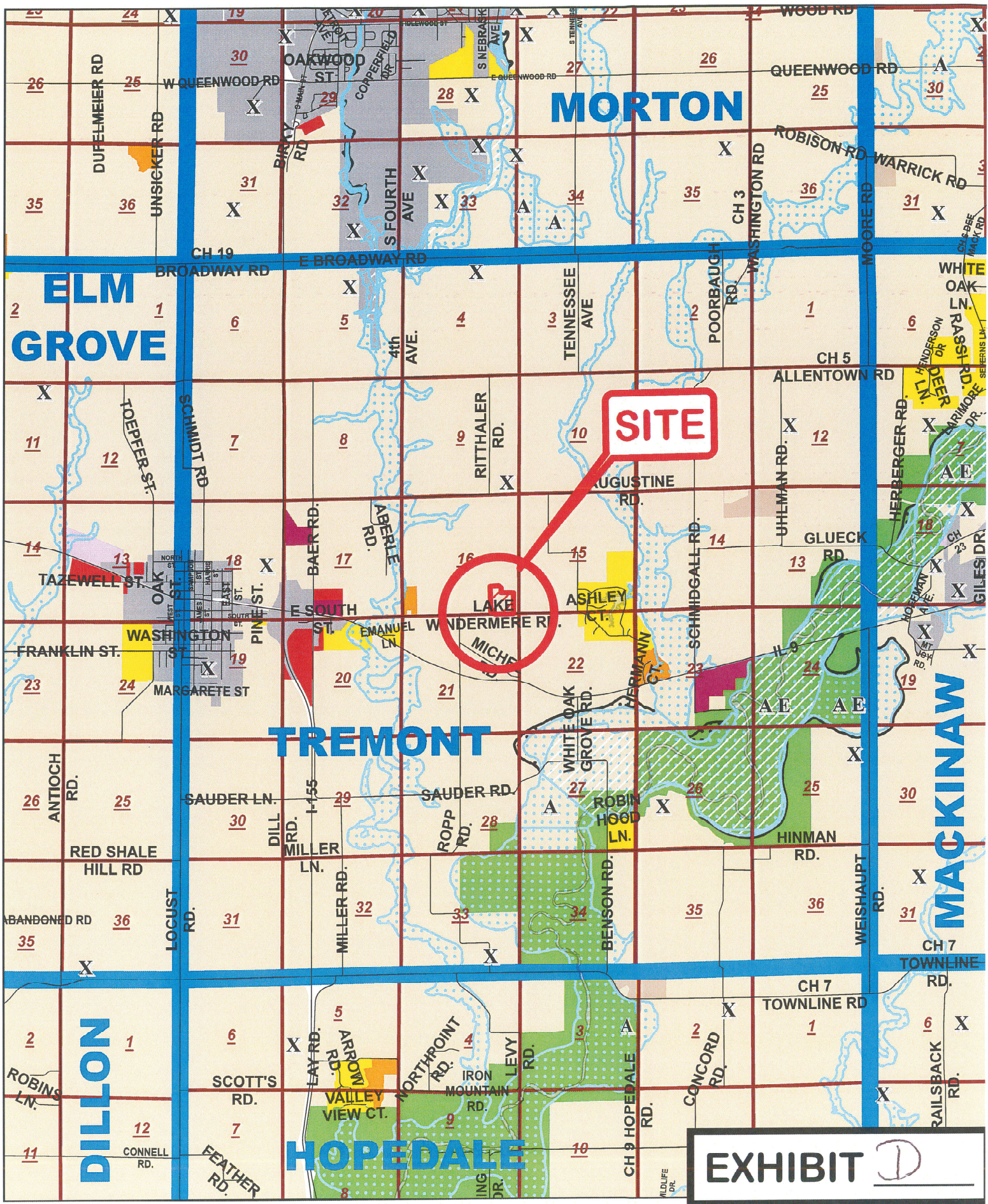
Zoning



Zoning
District
AG Area

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

EXHIBIT C



SITE

EXHIBIT D

Zoning

District

AG Area

A-1

A-2

C-1

C-2

CITY

CONS

I-1

I-2

R-1

R-2

R-R

TAZEWELL COUNTY
COMMUNITY DEVELOPMENT AND PLANNING
ZONING BOARD OF APPEALS REPORT (25-43-S)

Applicant: Brad Sauder

Requested Action: Special Use to allow the creation of 4 new dwelling sites in an A-1 Agriculture Preservation Zoning District.

Date of Application: August 1, 2025

Location: Parcel number 12-12-16-400-006

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: September 2, 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 Agricultural Preservation District with a Special Use.
- The applicant has submitted a variance application in conjunction with the special use application, requesting to create more than one, but not more than four, new parcels from a single parcel.
- The area identified for special use is approximately 25 acres in size and is used for agricultural production currently.

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. If approved, the new single-family dwellings will be reviewed for all dimensional standards upon building permit submittal.

EXHIBIT E₁

- **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.**

(NEGATIVE) The subject property is within 1.5 miles of a planning jurisdiction with an officially adopted Comprehensive Plan, the Village of Tremont. While the Comprehensive Plan does have a Future Land Use Map, the subject property is not identified as having a specific future land use. Staff did not find any goals or objectives in the plan addressing the subject matter of development in the general area of the proposed application.

The Tazewell County Comprehensive Plan states that, "one method of accommodating new development while protecting agricultural uses is preserving prime farmland for agricultural uses." The future land use designation of the subject property is A-2. This designation's purpose is to "protect and maintain agricultural uses, agricultural economy, the open space and natural features of rural areas, and preserve agricultural land of the county in order to: (1) Protect lands for continued farming; (2) Allow non-farm residential development on a limited basis; and (3) Minimize conflicts between agricultural and non-agricultural areas." The subject property primarily consists of soils which are productive (productivity index of 125 or greater). Due to the subject property containing these productive soils and the current utilization of the property for agricultural purposes, the proposed special use request is not consistent with the following goals, objectives, and policies of the Tazewell County Comprehensive Plan:

- Appropriate areas for agricultural land are protected to allow for agricultural activities to continue.
- Agricultural activities are protected to allow for their establishment and continued operation.

The Tazewell County Comprehensive Plan also speaks about what quality sustainable development looks like within the County. Some of the principles and strategies on this topic include:

- Locate new residential development near roadways and contiguous to existing development to preserve agricultural land.
- Locate new residential development in rural areas close to roadways to preserve contiguous tracts of farmland.
- Avoid leapfrog development and isolated development to preserve contiguous tracts of productive agricultural land.

The proposed development does meet portions of these principles and strategies by having the proposed residences close to Lake Windermere Rd as well as being near existing residential development to the north and south. All the above listed statements intentions are to preserve agricultural land, particularly contiguous tracts. The subject property is roughly 25 acres of agricultural land. A flag lot which contains the residence to the north, surrounds the subject property on both the west and north sides while the property to the east has some agricultural production and borders a pond. The southern portion of the property borders Lake Windermere

making the subject property not contiguous with other agricultural land in the area. While not immediately adjacent to existing agricultural land, the subject property is only split off from farmland to the west by the 40 ft flag portion of the lot which contains the residence to north of the subject property. This farmland to the west is also owned by the same property owner as the one proposing the special use, resulting in not a long distance to travel between both properties when farming activities occur.

After review of all applicable sections of the 2011 Tazewell County Comprehensive Plan, it is deemed that the proposed special use is not consistent with the purposes, goals, and objectives as the request takes productive agricultural land out of production in order to develop single-family dwellings.

- **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 development of four new single-family dwellings on the site would not have adverse visual impacts on the surrounding area as residential buildings are a development type that is prominent in the surrounding area.

- **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) The proposed special use is requesting the development of four (4) single family dwellings. The surrounding area sees many other examples of single-family dwellings on similarly sized lots. As such, the proposed special use possesses no foreseeable danger or risk to the public health, safety, morals or general welfare of Tazewell County or its residents.

- **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) Other properties in the immediate vicinity are utilized either for row-crop production or single-family dwellings. The addition of four new single-family dwellings would not detract from the enjoyment of adjacent properties as this type of use does not cause issues such as increased noise, foul smells, or an overbearing amount of vehicular traffic.

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

(POSITIVE) The addition of four new dwellings on the subject property would not substantially diminish property value in the area as single family dwellings are a use seen along Lake Windermere Rd in the immediate vicinity.

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

(POSTIVE) As mentioned in the application, the applicant will provide new utilities, access roads, and any other necessary facilities.

- **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 mentioned in the application, the applicant has obtained an entrance permit for the township Road Commissioner.

- **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 four single dwellings on a property that is adjacent other properties which feature the same type of development. 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.**

(NEGATIVE) The subject property contains five different types of soils, all of which are 125 rated or higher.

Soil types:

- 36C2 (Tama): 150
- 43 (Ipava): 160
- 278 (Stronghurst): 135
- 279B2 (Rozetta): 125
- 280C2 (Payette): 125

While the subject property is not as large as other agricultural properties in the area and is not contiguous to any other piece of farmland, the nearest distance to farmland is roughly 40 ft across the flag portion of the lot directly to the west. This farmland is also in the same ownership as the subject property, making farming activities easier to conduct due to the small distance separating the properties.

As the property is entirely composed of soils with a productivity index of 125 or more, this finding is judged to be negative.

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

(POSITIVE) The subject property is in a location which sees both agricultural production and single-family dwellings. As there are other single-family dwellings in the immediate vicinity, the proposal is consistent with existing uses in the general area.

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

(NEGATIVE) As the proposal does not meet sections of the Tazewell County Comprehensive Plan and removes productive lands from agricultural production, the property is unsuitable for the Special Use.

Recommendation:

Based upon the considerations and findings of fact, the Tri-County Regional Planning Commission Planner recommends denial of the requested Special Use to allow the establishment of four single-family dwellings at the subject property (12-12-16-400-006).

Respectfully submitted.

Adam Crutcher
Tri-County Regional Planning Commission Planner

From: Stacy Thompson <sthompson@tchd.net>

Sent: Wednesday, August 27, 2025 3:36 PM

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

Cc: Melissa Goetze <mgoetze@tchd.net>

Subject: [EXTERNAL] TCHD EH Comments on September 2025 ZBA cases

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Sincerely,

Stacy M. Thompson, MS, LEHP

Environmental Health Supervisor

Tazewell County Health Department

21306 Illinois Route 9, Tremont, IL 61568

Main Line: 309-925-5511

<http://www.tazewellhealth.org>

EXHIBIT F

Melissa A. Kreiter

From: Emily Rogier <manager@tazewellcfb.org>
Sent: Tuesday, August 12, 2025 3:34 PM
To: Melissa A. Kreiter
Cc: Jaclynn Workman
Subject: [EXTERNAL] RE: Sauder Case

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.

Hi Melissa!

So sorry – it was board meeting yesterday and it gets crazy in my office.

Looks like based on our Livestock Mapping Program, there are a few head of cattle that run adjacent to the 25-acre parcel Brad is petitioning. But it's nothing we would consider a large feeding livestock operation, and no cause for concern on our end. Any other livestock that's nearby Lake Windermere falls outside of the ½ mile radius.

Hope that helps. Let me know if I can answer any other questions or help y'all with the case.

Thanks!



Emily Rogier

Manager, Tazewell County Farm Bureau

1505 Valle Vista Blvd. Pekin, IL 61554

Office: 309-347-3165 | Cell: 618-670-9001

www.tazewellcfb.com

From: Melissa A. Kreiter <MKreiter@tazewell-il.gov>
Sent: Friday, August 8, 2025 1:45 PM
To: Emily Rogier <manager@tazewellcfb.org>
Cc: Jaclynn Workman <JWorkman@tazewell-il.gov>
Subject: Sauder Case

Emily – can you provide me with the location(s) of the nearest livestock feeding operations for the site referenced in the attached case.

The rezoning case I am attaching was withdrawn, but a new case will be filed – and the site is exactly the same.

I will be sending the new cases out sometime Monday or Tuesday.

Thank you so much!!
Melissa

Highway Commissioner
Todd Kilgus
Tremont, IL. 61568

Tremont Road District
Phone: 925-3258

Application for Entrance Permit

Name B Sauder Family Trust #10 Permit No. _____

Address 22870 Scotts Lane Tremont

Location of Proposed Entrance:

Land Section 16 Area of Tract 24 N

Subdivision _____ yes X no _____ Name of Subdivision _____

Lot No. _____ Recorded: _____ Book _____ Page _____

Document No. _____

Legal Description: (If not subdivision)

SE 1/4 of SE 1/4 of Sec 16 T24N R3W

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.

Brod Sauder, Trustee

Date: 5-29-25

Signature-owner/applicant

Approved - Disapproved

Date: 5-29-25

~~Date:~~ _____

Todd Kilgus

Twp. Road Commissioner

Permit Number to be assigned by the Township Road Commissioner.

Culvert Size required 1 Diameter 15" Length TBD

EXHIBIT H