

TAZEWELL COUNTY LAND USE COMMITTEE AGENDA
Chairman, K. Russell Crawford
Tazewell County Justice – JCCR
Wednesday, September 9, 2026, at 5:00 p.m.

1. **Call to Order.**
 2. **Roll Call.**
 3. **Approval of Minutes:** August 11, 2026 & August 18, 2026
 4. **Public Comment.**
 5. **New Business.**
 - a. **Cases:**

LU-26-11, 26-36-Z	Gary Smith	Rezoning	Washington Twp
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 - b. **Plats and Subdivisions:** None
 - c. **Resolutions:**
 - i. LU-26-12 - Subdivision Modification (Benjamin Koch)
 - d. **Discussion:**
 - i. Proposed Amendment 78, Zoning Code – Data Center Moratorium
 6. **Unfinished Business.**
 7. **Staff Report:** Review Year to Date Revenue and Building Activity
 8. **Next Meeting:** Tuesday, October 13, 2026
 9. **Recess.**
- Members:** Chairman - K. Russell Crawford, Vice Chairman – Jon Hopkins, Eugene Glueck, Mark Goddard, Jay Hall, Greg Longfellow, Eric Schmidgall, Greg Sinn, Eric Stahl, and Joe Woodrow

**REPORT OF ZONING BOARD OF APPEALS
TO TAZEWELL COUNTY BOARD
ON A PROPOSED MAP AMENDMENT TO
CHAPTER 157, ZONING CODE OF TAZEWELL COUNTY**

(Zoning Board Case No. 26-36-Z)

TO THE TAZEWELL COUNTY BOARD:

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on September 1, 2026, pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: AMENDMENT TO THE TAZEWELL COUNTY ZONING CODE

LOCATION AND/OR PROPERTY INVOLVED:

P.I.N. 02-02-03-400-034; an approximate 46.42 +/- acre parcel located in part of the S ½ if the SE ¼ of Sec 3, T26N, R3W of the 3rd PM, Washington Twp., Tazewell Co., IL;

Located at 1712 Nofsinger Rd., Washington, IL.

REQUESTED BY: Gary Smith

PROPOSAL: The petition of Gary Smith for a Map Amendment to change the official zoning maps of Washington Township from an A-1 Agriculture Preservation District to a R-R Rural Residential District.

PARTIES OF RECORD: Gary Smith, Petitioner

B. JURISDICTION

NOTICE OF HEARING: A notice of the proposed Rezoning thereon was published in the Tazewell Chronicle on August 12, 2026, and a copy of the publication was mailed to the petitioner within five working days after publication.

AGENCY COMMENTS: The Tazewell County Land Use Planner submitted a report recommending approval of the proposed Rezoning request.

Tazewell County Health Department submitted a report regarding the proposed Rezoning request stating when the property is divided, all existing septic components must remain on the property served and meet a minimum setback of 5 feet from any new property lines. If public water and sewer are not available on the new parcel, well and/or septic permit applications must be submitted to TCHD prior to construction.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Rezoning request recommending approval.

Tazewell County Farm Bureau made no comment regarding the proposed Rezoning request.

Tazewell County Highway made no comment regarding the proposed Rezoning request.

Tazewell County EMA made no comment regarding the proposed Rezoning request.

Scott Weaver, Washington Township Road Commissioner made no comment regarding the proposed Rezoning request.

Jon Oliphant, Washington Planning & Zoning made no comment regarding the proposed Rezoning request.

Tazewell Community Development Staff recommended approval of the proposed Rezoning request.

C. FINDINGS OF FACTS

1. *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 R-R classification which is for low density residential development. As the proposed zoning amendment looks to change the zoning to match the future land use category, the proposal follows the orderly development pattern laid out in the Comprehensive Plan.

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

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

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

(POSITIVE) Much of the land to the west, north, and east of the subject property is low density single-family dwellings zoned under R-R. As there are other examples of residential developments of similar size to the one that is proposed, staff find the request to be consistent with other properties in the general area.

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

(POSITIVE) A majority of the properties adjacent to the subject property are zoned R-R or R-1 with the nearest properties having a zoning classification that permits residential development by right (without special approval) being adjacent to the subject property. Those properties are considered in the general area of the subject property therefore making this finding positive.

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

(NEGATIVE) 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 R-R does not list agriculture as a permitted use in the zoning district. The soils of the subject property have a productivity index of 125 or greater, indicating the site has productive farmland. As the site is identified as having productive soils for agriculture and is currently utilized as so, the subject property is deemed to be suitable for the uses permitted under the existing zoning classification.

6. *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 R-R to allow for the development of single-family dwellings. The general area also features single family dwellings of a similar size and spacing. The allowance of single-family dwellings at the subject property would not be out of character for the general area due to the existing surrounding development.

7. *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 general area features two primary utilizations of land with those being agricultural production and single-family dwellings.

8. *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 property currently has a single-family dwelling situated on it. Other properties in the area are mostly utilized for agricultural purposes as well but there are some properties which contain single family dwellings or have large tracts of undeveloped timber land.

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

(POSITIVE) The subject property is within 1.5 miles of the City of Washington which has a Comprehensive Plan. The Plan identifies the subject property as containing rural residential development which the proposed rezone would look to do.

10. *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 R-R would align the property with the future land use map as seen in the Tazewell County Comprehensive Plan as the subject property is designated as R-R Rural Residential. Comprehensive Plans are generally seen as documents which serve public benefit so this rezone would be seen as a positive in this instance. Otherwise, the public does not see much of a gain from rezoning from A-1 to R-R as the amount of housing that would potentially be available is fairly small. Denying the proposed rezone would require the property owner to continue utilizing the subject property for agricultural purposes.

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

(POSITIVE) Due to the subject property requesting to be rezoned to match the future land use category listed in the Comprehensive Plan and the below principles and strategies being met, the proposed zoning map amendment is consistent with the goals, objectives, and policies of the Tazewell County Comprehensive Plan:

- Locate new residential development near roadways and contiguous to existing development to preserve agricultural land.
- Land development occurs in an orderly fashion.

D. RECOMMENDATION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby recommends, based on the findings of fact set forth above, that the petition be approved.

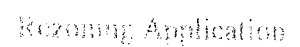
Ayes: 5 –, Fehr, McClanahan, Miller, Vaughn, and Chairman Lessen
Nays: 0
Absent: Bong, Cupi

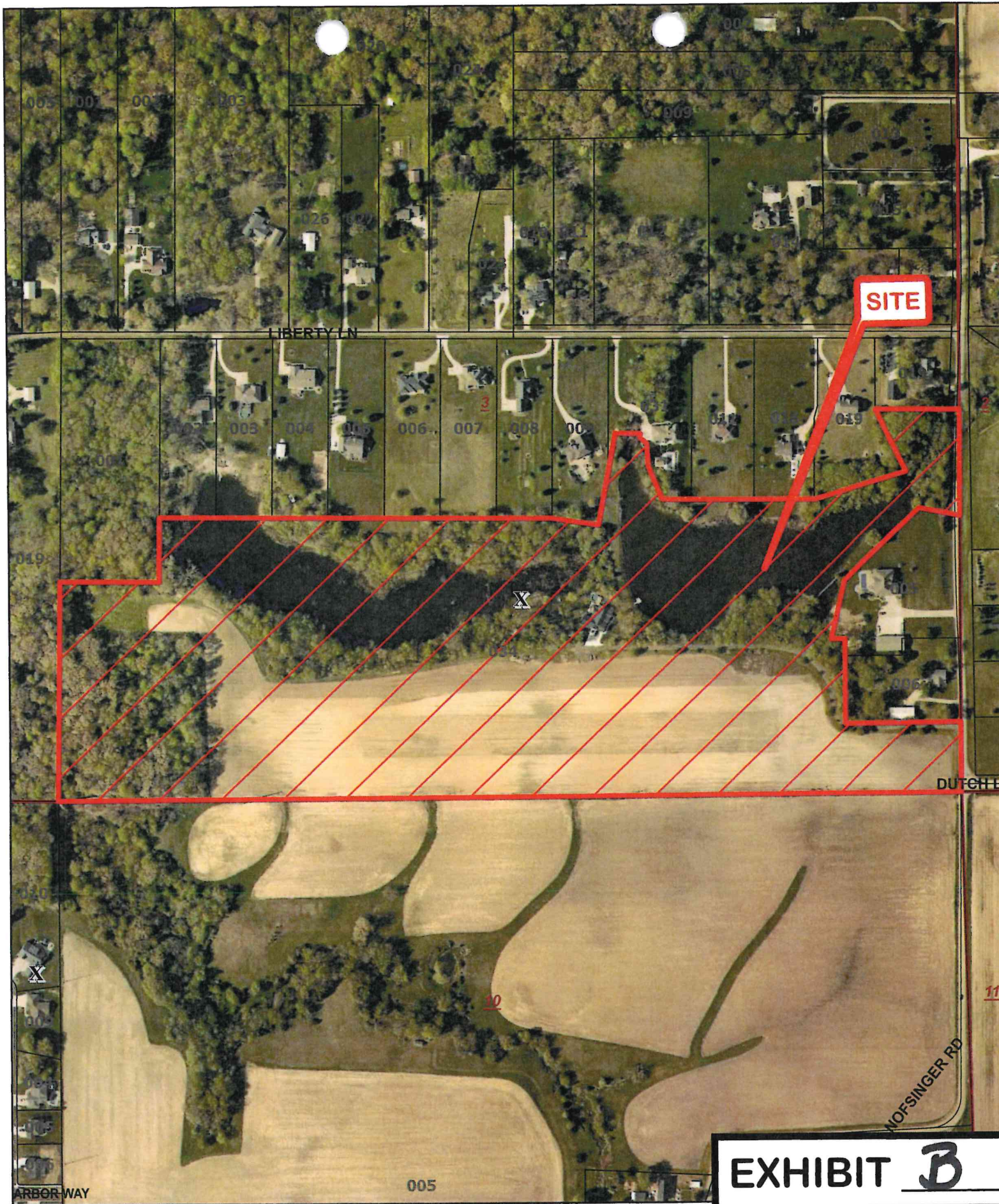
Dated this 1st day of September 2026.

/s/ DUANE LESSEN

Chairman, Zoning Board of Appeals
Tazewell County, Illinois

NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!





SITE

LIBERTY LN

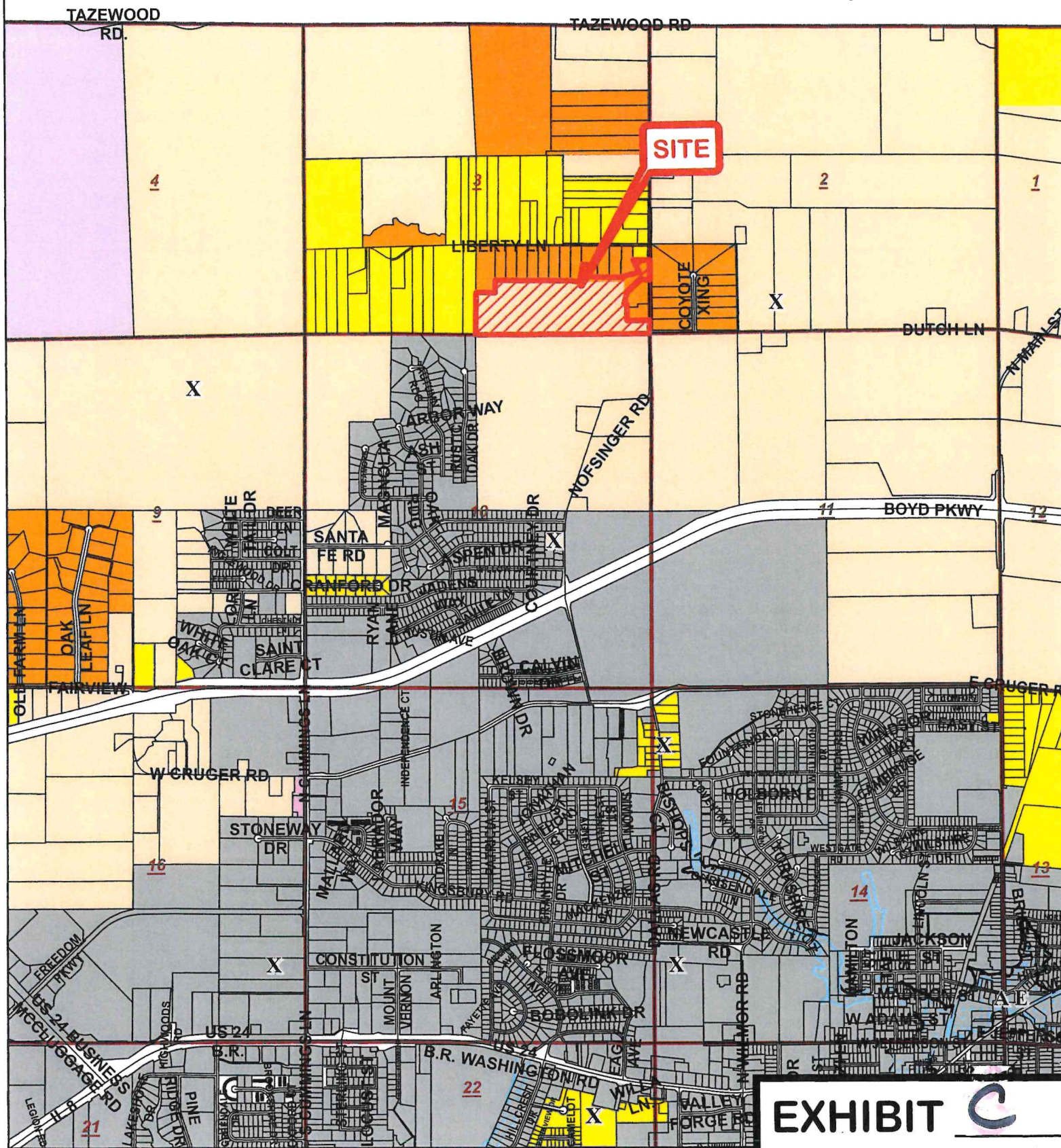
DUTCHMAN RD

NOFSINGER RD

EXHIBIT **B**

N





Zoning

District

AG Area

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

COMMITTEE REPORT
LU-26-12

Mr. Chairman and Members of the Tazewell County Board:

Your Land Use Committee has considered the following **RESOLUTION** and recommends it be **approved** by the Board:

R E S O L U T I O N

WHEREAS, Benjamin and Kyra Koch are the owners of P.I.N. 12-12-32-200-014 consisting of approximately 92.97 acres and being located in the East half and part of the Northwest Quarter of the Northeast Quarter of Section 32, Township 24 North, Range 3 West of the 3rd Principal Meridian, Tremont Township, Tazewell County, Illinois; and

WHEREAS, Benjamin and Kyra Koch purchased P.I.N.(s) 12-12-32-200-005, 12-12-32-200-006, 12-12-32-200-007, 12-12-32-200-008 and 12-12-32-200-011, each a separate and existing parcel on December 28th, 2020, later combining the properties on October 21st, 2021, thereby creating 12-12-32-200-014; and

WHEREAS, P.I.N. 12-12-32-200-014, having been created from the aforementioned P.I.N.s, does not have frontage on a public road (Miller Road) but does have access via an easement across the South 60' of the North 32-1/2 acres of the Northwest Quarter of the Northeast Quarter of Section 32; and

WHEREAS, Benjamin and Kyra Koch wish to transfer ownership of Pt. of P.I.N. 12-12-32-014, approximately 28+/- acres and previously identified as P.I.N. 12-12-32-200-011 and 12-12-32-200-005, containing an existing dwelling and several agricultural buildings, and;

WHEREAS, Benjamin and Kyra Koch wish to construct a new dwelling on the remaining 65+/- acres in the South Quarter of the Northeast Quarter of Section 32; and

WHEREAS, both dwelling sites will continue to be accessed via the existing South 60' of the North 32-1/2 acres of the Northwest Quarter of Section 32 easement; and

WHEREAS, the Land Use Committee of the Tazewell County Board has made the following findings of fact:

1. The granting of the waiver to allow continued access via the 60' perpetual easement will not have a negative effect on the purpose of the Comprehensive Plan.
2. There is not a need for a public road at this location to access an existing dwelling homesite or the future dwelling homesite.
3. The granting of the waiver to allow access via the established 60' easement is the minimum adjustment necessary that will allow for the reasonable use of the land as there are no other alternatives for the Koch's to obtain access.

NOW THEREFORE BE IT RESOLVED, that the Tazewell County Board grant the prayer of the petitioner for continued access to the 28+/- acre parcel and the 65+/- acres via the South 60' of the North 32-1/2 acres of the Northwest Quarter of Section 32 (P.I.N. 12-12-32-200-009).

Adopted this 30th day of September, 2026.

Chairman, Tazewell County Board

ATTEST:

Tazewell County Clerk

TAZEWELL COUNTY COMMUNITY DEVELOPMENT
REQUEST FOR SUBDIVISION MODIFICATION

NAME: Benjamin Koch
ADDRESS: 11810 Miller Rd Tremont IL 61568
PHONE: 309-349-2106
EMAIL: BCKOCH@gmail.com

Modification Request For:

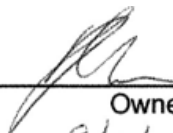
☐ Non-conforming public road/subdivision
☐ Agricultural Access
☒ Private road/easement for access
☐ Waive road length requirements
☐ Other

Legal Description or Property Identification Number:

Part of P.I.N. 12-12-32-200-014
Sec 32 T24N R3W 92.97Ac Tract Lying in NE ¼

This modification request is due to the extra-ordinary hardship which is as follows:

We purchased the following parcels December 28, 2020; 12-12-32-200-005 (17.64ac), 12-12-32-200-006 (33.47ac), 12-12-32-200-007 (16.86ac), 12-12-32-200-008 (14.03ac) and 12-12-32-200-011 (10.97), none of which have road frontage on Miller Rd. We later combined the properties in order to receive one tax bill but now wish to separate the existing homesite and build our family home on the remainder of the parcel (65+/-ac). Neither the existing home-site nor the new home-site will have road frontage, but all will have access via an existing easement which has always been used to access the properties.

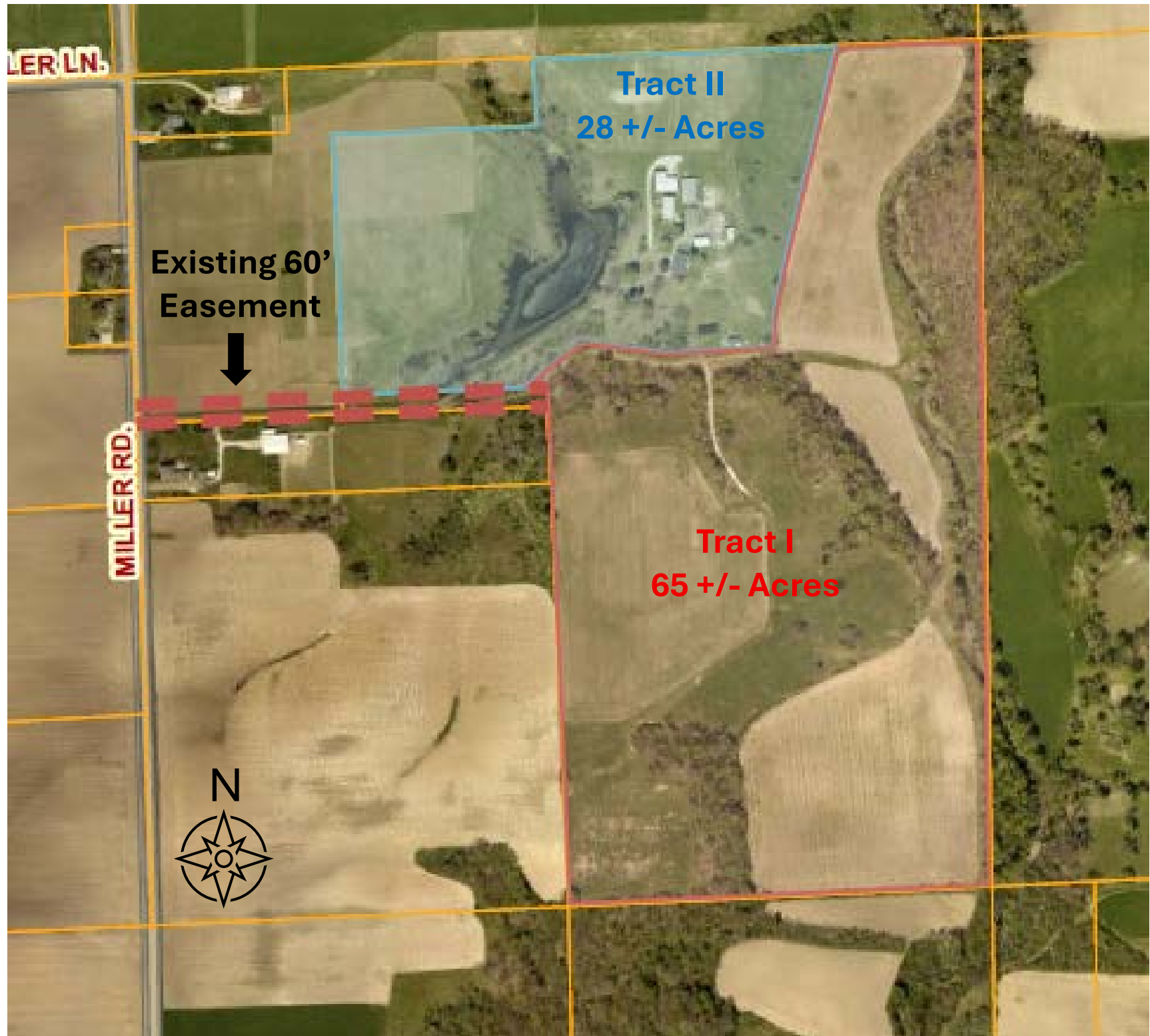


Owner/Applicant
9/2/26

DATE

For Office Staff Only:

Date of Submittal:	<u>9/2/2026</u>	Approval Date:	_____
Fee of \$200.00 paid:	<u>RME</u>	Denial Date:	_____



Proposed Amendment No. 78 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 - RULES OF CONSTRUCTION AND GLOSSARY OF TERMS

§ 157.004 RULES OF CONSTRUCTION.

- (H) Any use of land which is not explicitly allowed under this code **or as adopted by supplemental ordinance** shall be considered **to be allowed under that category of described use to which it is most analogous prohibited.**

SECTION 2 - RULES OF CONSTRUCTION AND GLOSSARY OF TERMS

§ 157.005 DEFINITIONS.

DATA CENTERS. A physical room, building, or facility that houses computer systems, related equipment and infrastructure to run, deliver, or transmit technological applications and services, or to store and manage data associated with technological equipment, applications, systems or services.

SECTION 3 - DISTRICT REGULATIONS AND STANDARDS

§ 157.063 DATA CENTERS.

Notwithstanding any other provision of this Chapter, a temporary six (6) month moratorium is hereby established on the acceptance, processing, consideration, approval, or issuance of any zoning, special use, building, or other development approval for the establishment, construction, expansion, or conversion of property for use as a new Data Center, as a principal use within the unincorporated areas of Tazewell County. During this time the County will evaluate appropriate zoning districts and development standards for Data Centers, including, but not limited to, setbacks, noise, lighting, energy and water consumption, cooling systems, electrical infrastructure, backup power generation, battery energy storage systems, environmental impacts, emergency response, traffic, landscaping, fencing, insurance, and decommissioning.

The moratorium shall become effective upon the effective date of this Section and shall remain in effect until April 28, 2027, at 11:59 p.m., unless repealed or modified earlier by action of the County Board.

Permit Summary Report Fees/Count By Month						
12/01/2025 TO 09/30/2026				12/01/2024 TO 09/30/2025		
Fee Name	Row Total	Row Total		Fee Name	Row Total	Row Total
911 Addressing	\$1,250.00	17		911 Addressing	\$700.00	14
911 Addressing Subdivision	\$0.00	0		911 Addressing Subdivision	\$140.00	1
Adjudication Fine	\$680.99	2		Adjudication Fine	\$8,275.52	7
Administrative Variance	\$0.00	0		Administrative Variance	\$200.00	2
Change-In-Use: Comm/Ind	\$200.00	1		Change-In-Use: Comm/Ind	\$200.00	1
Commercial - Addition/Alterations	\$2,150.00	2		Commercial - Addition/Alterations	\$2,950.00	4
Commercial - Electrical	\$1,425.00	15		Commercial - Electrical	\$600.00	6
Commercial - HVAC - Cooling	\$515.00	2		Commercial - HVAC - Cooling	\$0.00	0
Commercial - HVAC - Heating	\$515.00	2		Commercial - HVAC - Heating	\$0.00	0
Commercial - New Construction	\$2,125.00	5		Commercial - New Construction	\$1,225.00	1
Commercial - Plumbing	\$110.00	2		Commercial - Plumbing	\$55.00	1
Commercial - Plumbing Per Add. Fixture	\$90.00	2		Commercial - Plumbing Per Add. Fixture	\$0.00	0
Communication Co-Locate	\$16,250.00	13		Communication Co-Locate	\$7,500.00	6
Communication Facility	\$0.00	0		Communication Facility	\$14,775.00	3
Demolition	\$700.00	8		Demolition	\$700.00	8
Enterprise Zone	\$7,250.00	3		Enterprise Zone	\$0.00	0
Erosion - Site Specific	\$250.00	1		Erosion - Site Specific	\$250.00	1
Erosion - Standard	\$1,575.00	10		Erosion - Standard	\$1,925.00	11
Fence	\$1,500.00	30		Fence	\$1,200.00	24
Flood Plain Development	\$200.00	1		Flood Plain Development	\$200.00	1
Home Occupation RENEWAL	\$675.00	15		Home Occupation RENEWAL	\$990.00	22
Inspection Fine	\$450.00	6		Inspection Fine	\$450.00	6
Move A Structure	\$100.00	1		Move A Structure	\$0.00	0
NO CHARGE AG STRUCTURE	\$0.00	3		NO CHARGE AG STRUCTURE	\$0.00	7
Not for Profit	\$300.00	1		Not for Profit	\$300.00	1
OVER/UNDER	\$0.00	0		OVER/UNDER	\$70.00	1
Pool - Above Ground	\$900.00	9		Pool - Above Ground	\$900.00	9
Pool - In-Ground	\$875.00	5		Pool - In-Ground	\$525.00	3
Residential - Accessory Structure/Addition To	\$17,915.00	71		Residential - Accessory Structure/Addition To	\$13,860.00	58
Residential - Deck Attached/Detached	\$2,690.00	20		Residential - Deck Attached/Detached	\$2,990.00	23
Residential - Duplex/Condo *NEW*	\$0.00	0		Residential - Duplex/Condo *NEW*	\$600.00	1
Residential - Dwelling *NEW*	\$6,450.00	11		Residential - Dwelling *NEW*	\$8,050.00	13
Residential - Dwelling Addition	\$2,100.00	5		Residential - Dwelling Addition	\$5,050.00	14
Residential - Dwelling Remodel/Alteration	\$1,700.00	6		Residential - Dwelling Remodel/Alteration	\$1,800.00	7
Residential - Electrical Addn/Access	\$8,280.00	184		Residential - Electrical Addn/Access	\$7,245.00	163
Residential - Electrical NEW	\$715.00	13		Residential - Electrical NEW	\$880.00	15
Residential - HVAC - Cooling	\$800.00	16		Residential - HVAC - Cooling	\$950.00	16
Residential - HVAC - Heating	\$1,000.00	16		Residential - HVAC - Heating	\$975.00	17
Residential - Plumbing	\$1,430.00	26		Residential - Plumbing	\$1,650.00	30
Residential - Plumbing Per Add. Fixture	\$60.00	1		Residential - Plumbing Per Add. Fixture	\$375.00	5
Solar Energy System	\$172,800.00	40		Solar Energy System	\$94,800.00	52
Stormwater Combo	\$5,400.00	4		Stormwater Combo	\$7,325.25	3
Subdivision - Final Plat	\$0.00	0		Subdivision - Final Plat	\$325.00	1
Subdivision - Modification/Road Waiver	\$200.00	1		Subdivision - Modification/Road Waiver	\$200.00	1
Subdivision - Preliminary Plat	\$350.00	1		Subdivision - Preliminary Plat	\$0.00	0
Temporary Use	\$400.00	2		Temporary Use	\$600.00	3
Tract Survey Review	\$800.00	23	Tract Survey Review	\$650.00	20	
ZBA - Incidentals	\$0.00	0	ZBA - Incidentals	\$15,000.00	1	
ZBA - Publication Fee	\$781.05	23	ZBA - Publication Fee	\$521.61	17	
ZBA - Rezoning	\$1,400.00	2	ZBA - Rezoning	\$1,400.00	2	
ZBA - Special Use	\$6,000.00	13	ZBA - Special Use	\$8,050.00	18	
ZBA - Special Use - Chickens	\$0.00	0	ZBA - Special Use - Chickens	\$900.00	3	
ZBA - Variance	\$4,800.00	16	ZBA - Variance	\$2,700.00	9	
Totals:	\$276,157.04	650	Totals:	\$221,027.38	632	