

## WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room  
6:00 P. M. Tuesday, January 28, 2020

### Minutes

- Call to Order:

Ms. Holmes called the meeting to order at 6:00 pm

- Roll Call: Kim Holmes, Teresa Gauger, Karen Krug, and Marty Clinch were present.

Ms. Holmes declared a quorum present.

Others present: Erik Gibson

- Approval of minutes for November 26, 2019.

Motion to approve November minutes made by Clinch, seconded by Gauger. *Motion Carried.*

- Permit/Petition Extensions

- Request for extension of petition 2018-22-S Spring Bay Road Solar LLC. By Borrego Solar Ms. Melissa Samaroo from Borrego discussed that they would like to keep the SUP active as they are hoping another round of funding will be approved.

Motion to approve a 15 month extension made by Gauger, seconded by Krug.

Roll call vote: Teresa Gauger – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*, Kim Holmes – *Yes*.

*Motion Carried.*

- Request for extension of petition 2018-12-S FFP IL Community Solar, LLC. By Forefront Power

Mr. Jording noted that Forefront Power had made a request for an extension of their SUP as well. Their request is for a 12 mo. Extension.

Motion to approve a 12 month extension made by Gauger, seconded by Krug.

Roll call vote: Karen Krug – *Yes*, Marty Clinch – *Yes*, Kim Holmes – *Yes*, Teresa Gauger – *Yes*.

*Motion Carried.*

- Extension of permit for Alvin Schultz 1227 Sunset Dr.

Ms. Jording noted that Mr. Schultz had some setbacks due to family issues this past year and that has slowed the progress significantly. She noted Mr. Schultz expects to have the home completed to the point they can move in by summer, the permit would then be closed. They would then finish the exterior siding of the home.

Motion to approve a 365 day extension made by Gauger, seconded by Clinch. Roll call vote: Marty Clinch – *Yes*, Kim Holmes – *Yes*, Teresa Gauger – *Yes*, Karen Krug – *Yes*. *Motion Carried.*

- Swearing in and/or affirmation- completed for each petition.

- Petitions Submitted for Review:

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**2020-01-V Clayton Township** by Tim Robertson for a Variance for a 2,268 square feet shed an increase of 468 Sq. Ft. over the lot maintenance shed size restriction on a 2.42 acre parcel in the Agricultural (AG) District, Pt. SW ¼, SW ¼, Section 16, T28N-R1E of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described as 2216 County Road 2000 N., Benson, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2020-01-V**

Tim Robertson was sworn in.

Mr. Robertson presented that he would like to build a 2,268 Sq. Ft. shed on his property. He noted the property was destroyed by the tornado several years ago and only one shed remained. The future plan is to build a house on the property, this building will help maintain the lot. He noted

that he previously received a variance for a 32 x 63 shed, this would modify that request to a 36 x 63 shed. The existing garage would be torn down as soon as the new shed is completed. There will be no water or septic installed at this time.

**Findings by the Zoning Board of Appeals for Petition 2020-01-V:**

- A. Non-conforming uses in the same district and permitted uses in other districts shall not be considered grounds for issuance of a Variance (Affirmative)**
- B. The granting of the Variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same district. (Affirmative) No special privileges have been conveyed.**
- C. The ZBA has found that the reasons set forth in the application justify the granting of the Variance. (Affirmative) Reasonable justification has been presented.**
- D. The ZBA finds that the granting of the Variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. (Affirmative)**
- E. The Variance requested is the least amount of Variance required to allow the proposed structure on the existing lot, without regard to aesthetics or personal inconvenience to the property owner. (Affirmative)**

Motion to approve petition 2020-01-V for a variance for a 2268 sq. ft. shed made by Holmes, seconded by Backer.

Roll call vote: Kim Holmes – *Yes*, Teresa Gauger – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*.  
*Motion Carried.*

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Motion to allow petitions 2020-03-S, 2020-04-S, & 2020-05-S to be presented together made by Clinch, seconded by Krug Roll call vote: Teresa Gauger – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*, Kim Holmes – *Yes*. *Motion Carried.*

- Swearing in and/or Affirmation: was completed for petition **2020-03-S, 2020-04-S, & 2020-05-S**
- Mr. Chris Green of TriGlobal Energy was sworn in. Mr. Green provided a brief update on the status of the overall project before presenting the meteorological tower information. Mr. Green also provided an update on the project ownership noting the Copenhagen Infrastructure Partners will be the company who will own and operate the project once constructed. Mr. Green went on to explain the three Met. Towers currently proposed, they include tower 1 in Panola township (2020-04-S), tower 2 located in Clayton township (2020-03-S), and tower 3 located in Greene township (2020-05-S). All three towers will consist of a 60 M. tall monopole supported by guy wires. The towers measure wind speed, barometric pressure, and temperature. The tower typically takes a 3 person crew 2 days to install and is set on steel plate with no permanent foundation. The towers are brought in using a standard light duty pickup truck and trailer and a skid loader. The tower will be 1.1 times the height from and road or property line and painting according to FAA requirements. The Board asked how the crews would enter the properties. Mr. Green noted that they would use the skid loader to move the equipment to the installation location, they usually will not drive the truck into the field. The Board asked about emissions. Mr. Green noted that there is a solar panel that powers a battery which runs the equipment, there are no emissions.

**2020-03-S Clayton Township** by Woodford Wind Energy, LLC. for a Special Use to install a 60m tall meteorological tower that will be used to gather wind and atmospheric data for a wind energy development project located in the (AG) Agriculture District, on 80 acres, N1/2, NE1/4, Block 2 of Section 25 and T28N-R1E of the 3rd P.M. Woodford County, Illinois, and more commonly described as 600 ft. south of the intersection of County Road 1900 N and County Road 2600 E, on the west side of County Road 2600 E. Minonk, Illinois..

**Findings by the Zoning Board of Appeals for Petition 2020-03-S:**

- A. Will not be detrimental to the public health, safety, and welfare;** (Affirmative)  
This petition meets the requirements of the zoning ordinance and tall structure section.
- B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility;** (Affirmative) This is located in a rural area, not near any homes.
- C. Will not be injurious to the district in which it shall be located;** (Affirmative) Will not be detrimental to the district.
- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** (Affirmative) The land is vacant and leased from the landowner. This structure will not prevent neighboring land owners from using the land.
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** (Affirmative) This project is in an existing field, no ground will be permanently removed from farming.
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;** (Affirmative)  
This parcel is located in the rural area, no traffic concerns.
- G. Is consistent with the Woodford County Comprehensive Land Use Plan.** (Affirmative)

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**2020-04-S Panola Township** by Woodford Wind Energy, LLC. for a Special Use to install a 60m tall meteorological tower that will be used to gather wind and atmospheric data for a wind energy development project located in the (AG) Agriculture District, on a 46.39 acres, S1/2 lot 2, NW1/4 of Section 7 and T27N-R2E of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described as 2300 ft. south of the intersection of County Road 1600 N and County Road 2600 E, on the East side of County Road 2600 E. El Paso, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2020-04-S**

**Findings by the Zoning Board of Appeals for Petition 2020-04-S:**

- A. Will not be detrimental to the public health, safety, and welfare;** (Affirmative)  
This petition meets the requirements of the zoning ordinance and tall structure section.
- B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility;** (Affirmative) This is located in a rural area, not near any homes.
- C. Will not be injurious to the district in which it shall be located;** (Affirmative) Will not be detrimental to the district.
- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** (Affirmative) The land is vacant and leased from the landowner. This structure will not prevent neighboring land owners from using the land.
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** (Affirmative) This project is in an existing field, no ground will be permanently removed from farming.
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;** (Affirmative)  
This parcel is located in the rural area, no traffic concerns.
- G. Is consistent with the Woodford County Comprehensive Land Use Plan.** (Affirmative)

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**2020-05-S Greene Township** by Woodford Wind Energy, LLC. for a Special Use to install a 60m tall meteorological tower that will be used to gather wind and atmospheric data for a wind energy development project located in the (AG) Agriculture District, on a 60 acres, E. side, NW1/4 of Section 17 and T27N-R1E of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described as 2400 ft. east of the intersection of County Road 1500 N and County Road 2100 E, on the south side of County Road 1500 N. Roanoke, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2020-05-S**

**Findings by the Zoning Board of Appeals for Petition 2020-05-S:**

- A. Will not be detrimental to the public health, safety, and welfare;** (Affirmative)  
This petition meets the requirements of the zoning ordinance and tall structure section.
- B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility;** (Affirmative) This is located in a rural area, not near any homes.
- C. Will not be injurious to the district in which it shall be located;** (Affirmative) Will not be detrimental to the district.

- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** (Affirmative) The land is vacant and leased from the landowner. This structure will not prevent neighboring land owners from using the land.
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** (Affirmative) This project is in an existing field, no ground will be permanently removed from farming.
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;** (Affirmative)  
This parcel is located in the rural area, no traffic concerns.
- G. Is consistent with the Woodford County Comprehensive Land Use Plan.** (Affirmative)

Motion to approve petition 2020-03-S, 2020-04-S, & 2020-05-S to install 60 M tall Meteorological towers with all findings in the affirmative made by Gauger, seconded by Clinch.

Roll call vote: Teresa Gauger – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*, Kim Holmes – *Yes*.  
*Motion Carried.*

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**2020-02-A County Wide**, by the Conservation, Planning, and Zoning to amend the Woodford County Zoning Ordinance Section 4 - General Provisions, Section 5 - Administration, Enforcement and Fees, Section 11 - Agriculture District, Section 12 - Conservation District, Section 13 - Residential Single Family District, Section 14 - Residential Multi Family District, Section 15 - Light Industrial District, Section 16 - Heavy Industrial District, Section 17 - General Commercial District, Section 25 - Variances, Section 26 – Amendments. These change amend the minimum size of accessory structures requiring a permit, Zoning Compliance Certificate filing, Duties of the County Board relating to Special Uses, permit fees, height restrictions, Home Occupation regulations, and postage cost requirements for ZBA Petitions in Woodford County.

- Swearing in and/or Affirmation: was completed for petition **2020-02-A** Mr. Blake Parsons, Dr. Chuck Nagel, and Mr. Don Tolan were sworn in. The C. P. & Z. Committee called their joint meeting to order.

Mr. Parsons presented each change proposed, the Board discussed the change to the minimum square footage permitting requirement after some discussion it was determined that this change should be pulled to allow further evaluation of the issue with the Assessments office. Ms. Holmes asked if the changes in section 5-1300 would drive changes to the zoning permit and information provided to individuals pulling permits. Ms. Jording noted they would make adjustments to the paperwork to address these changes. Mr. Parsons explained that the fee changes were an attempt to streamline the fee structure, these changes will reduce the fees for some permits and increase it for others. Ms. Jording noted it removes the large jumps in fees when someone hits a Sq. Ft. cutoff. Mr. Parsons noted the peak height change will also simplify the requirement, it also eliminates the ability to manipulate a structure into meeting the mean height by adjusting wall height and roof pitch. Ms. Jording explained that the Home Occupation changes were driven by a disagreement in the Residential District rules and the Home Occupation rules, this change will bring those sections

into agreement. Mr. Parsons noted that the final changes are to add the petitioner paying the cost of postage for variance and map amendment petitions, he noted this was added into the Special Use section but had mistakenly not been added to the other to petition types. The Board determined they would like to omit the section 4-1700 changes from their recommendation.

Motion to accept and approve changes to the Woodford County Zoning Ordinance omitting section 4-1700 changes and any changes which may have resulted from that recommended change presented in petition 2020-02-A made by Ms. Gauger, seconded by Mr. Clinch

Roll call vote: Karen Krug – *Yes*, Marty Clinch – *Yes*, Kim Holmes – *Yes*, Teresa Gauger – *Yes*.  
*Motion Carried.*

The C. P. & Z. Committee adjourned.

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• Other Business to Come Before the Board:

- Update on previous months petition/s  
All the petitions submitted to the County Board were approved.

- Update on next month petition/s

There will be one map amendment at a special meeting February 13 at 3:30 p.m.

The regular meeting on February 25 will be a single variance so the Hearing Officer will hear the petition.

- IACZO Seminar discussion: The Board was reminded to expect a training in the fall for Zoning Board members.
- Public Input - None
- ZBA By-Law discussion - (if necessary) None
- Executive Session – None
- Adjournment

Mr. Clinch made the motion to adjourn at 7:37, 2<sup>nd</sup> by Ms. Gauger. *Motion Carried.*

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Lisa Jording, Secretary

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Kim Holmes, Chairman

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Date