

**(DRAFT COPY – SUBJECT TO APPROVAL BY THE ZONING BOARD OF APPEALS)  
MINUTES OF A PUBLIC HEARING AND THE DELIBERATIONS OF THE TAZEWELL  
COUNTY ZONING BOARD OF APPEALS**

A Public Hearing of the Tazewell County Zoning Board of Appeals was held at 6:00 P.M. on Tuesday, June 7, 2011, Tazewell County Justice Center, 101 South Capitol Street, Pekin, Illinois. Chairman James Newman called the meeting to order.

**PRESENT:** Chairman James Newman, JoAn Baum, Monica Connett, Robert Vogelsang, Loren Toevs, and Ken Zimmerman

**ABSENT:** Duane Lessen

**STAFF:** Kristal Deininger, Community Development Administrator; Matt Drake, Assistant States Attorney; Nicholas Hayward, Land Use Planner; Melissa Kreiter, Administrative Assistant; and Land Use Members: Russ Crawford, Paul Hahn, Darrell Meisinger, Rosemary Palmer, Mel Stanford, Sue Sundell

**OTHERS**

**PRESENT:** Petitioners and Objectors

**MINUTES:** Moved by Toevs, seconded by Baum, to approve the Minutes of the May 3, 2011 Zoning Board of Appeals Meeting as presented. **Motion carried by voice vote.**

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**CASE NO. 11-19-S:** The petition of Chris Swingle, d/b/a Affordable Storage Inc. for an expansion to an existing Special Use for a Non Residential Planned Unit Development (as approved in Case No. 06-40-S) to allow for additional existing structures to be utilized as indoor storage facilities, to allow existing structures to remain and be utilized as non-conforming residential rental apartments; Warehouse Mini-Storage facility, an Outdoor Storage facility, a Truck Rental business, and a Minor Auto Repair Business from existing structures all situated in a C-2 General Commercial District.

The Tazewell County Land Use Planner submitted a report identifying 14 Positive Findings of Fact.

Tazewell County Health Department made no comment regarding the proposed Special Use request.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Special Use request recommending approval as no farmland would be removed from production.

Tazewell County Farm Bureau submitted a report regarding the proposed Special Use request making no recommendation.

Ron Sieh, City of Pekin made no comment regarding the proposed Special Use request.

Ron Hawkins, Cincinnati Township Road Commissioner submitted a report making no objection to the proposed Special Use request.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

School Districts 98 and 303 made no comment regarding the proposed Special Use request.

Chris Swingle appeared to testify on behalf of the proposed Special Use request. Mr. Swingle stated he would like to create an outdoor storage area that can not be seen from the roadway, due to the topography of the land. Mr. Swingle said the buildings were filled with items being stored and he purchased the land with the buildings existing on the property. Mr. Swingle added the storage area would be surrounded by a 6' Chain Link fence and he had not planned on using slats as there was no need to obstruct the view from the surrounding cornfields. Mr. Swingle stated there was one building shown in the video that needed a door replaced due to wind damage.

Following all Public Hearings, moved by Vogelsang, seconded by Baum, to approve **Case No. 11-19-S.**

Following discussion, moved by Vogel sang, seconded by Baum to Amend the Main Motion to include the following conditions:

1. All vehicles stored outdoors more than two days that are not being serviced as part of the automobile repair operation must be located in the fenced outdoor storage area.

**Motion carried by voice vote for the amendment.**

After considering all the evidence and testimony presented, the ZBA discussed the findings of fact and reviewed the Report of the Land Use Planner and arrived at the following findings of fact:

1. *That 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. Special Uses when combined with Variances for this same property shall be considered compliant for the purposes of this section.*

POSITIVE. The Special Use will conform to all applicable regulations of the Tazewell County Zoning Ordinance to be enforced by the Community Development Administrator.

2. *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 with a 1.5 mile planning jurisdiction.*

POSITIVE. The proposed Special Use is consistent with the following County Comprehensive Land Use Plan principle: "New and existing businesses and industries are willing and able to establish and maintain operations."

3. *The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.*

POSITIVE. All requirements have been met.

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

POSITIVE. The proposed Special Use is located on a parcel approximately 10 acres in size and contains the following uses:

- Warehousing and indoor storage in 7 different buildings;
- Outdoor storage of boats, recreational vehicles, and other large vehicles. The vehicles are currently scattered on site but are proposed to be located within a fenced area at the rear of the site;
- Automobile repair and truck rental within the main building;
- Two residential apartments that are non-conforming uses.

Adjacent properties consist of several large-lot single family dwellings set within wooded land to the north across VFW Road, a vacant dwelling to the north on the same side of VFW Road, and farmland to the east, south and west. Although there are several uses located on this property, its impacts on adjacent properties are minimal. The existing uses do not generate substantial noise, and the large setbacks of the dwellings across VFW Road and the surrounding farmland help to minimize adverse visual impacts. Therefore, adverse effects of the proposed Special Use will be minimized.

5. *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 neighboring vicinity consists of large-lot single-family dwellings, a vacant dwelling, wooded areas, and farmland. The proposed Special Use does not generate any adverse effects that are detrimental to agriculture in the area, and the nearest occupied dwellings have substantial setbacks from VFW Road, so adverse effects of the proposed Special Use on these residential properties are minimized. As a result, the comfort and general welfare of the neighboring vicinity are not endangered, so the operation of the proposed Special Use will not be detrimental to the neighboring vicinity.

6. *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. Property in the immediate vicinity is used for residential and agricultural uses. The nearest occupied dwellings are located across VFW Road and have substantial setbacks, so injurious impacts of the proposed Special Use are minimized. Farmland surrounds the subject property on three sides, and the proposed Special Use does not generate impacts that are injurious to the pursuit of agriculture. Therefore, the proposed Special Use will not be injurious to the use of property in the immediate vicinity.

7. *The Special Use shall not substantially diminish and impair property values within the neighborhood.*

POSITIVE. The warehousing, indoor storage, automobile repair, truck rental, and residential uses already exist. The proposed expansion is for outdoor storage within a fenced area at the rear of the property. The existing uses do not cause substantial adverse effects on neighboring properties, and the proposed outdoor storage will have a minimal impact because it will be located at the rear of the property adjacent to farmland. Therefore, the proposed Special Use will not lead to substantial change in the general area, so it will not substantially impair property values.

8. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

POSITIVE. The warehousing, indoor storage, automobile repair, truck rental, and residential uses already exist on site, so all necessary facilities are provided.

9. *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. The warehousing, indoor storage, automobile repair, truck rental, and residential uses already exist on site, and the current operation does not appear to cause traffic congestion and hazard on the public streets. The addition of an outdoor storage component will not lead to a substantial increase in the number of vehicle trips, so traffic congestion and hazard on the public streets will be minimized.

10. *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.*

POSITIVE. The warehousing, indoor storage, automobile repair, truck rental, and residential uses already exist on site, and the proposed expansion relates to the uses; the property will not expand physically. Also, the proposed Special Use does not include any new residential uses, so it will not generate residential development pressure. Therefore, the proposed Special Use will not increase the population density to a level that will hinder the operation of any existing livestock feeding operation within one-half mile of the site.

11. *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 will not expand the property physically and it will not generate residential development pressure. Therefore, the proposed Special Use will not hinder the operation of any livestock feeding operation located greater than one-half mile away.

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

POSITIVE. The property is not used for agriculture, so no prime farmland will be removed from production.

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

POSITIVE. Existing uses of the property within the general area consist of residential and agricultural uses. While the various uses contained on this property consist of commercial and residential uses, these uses do not have substantial adverse impacts on existing uses within the general area. Therefore, the proposed Special Use is judged to be consistent with the existing uses of property within the general area.

14. *The property is suitable for the Special Use as proposed.*

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

Moved by Vogelsang, seconded by Toevs, to accept the findings of fact of the Land Use Planner as written. **Motion carried by voice vote.**

On roll call to approve **Case No. 11-19-S as amended** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-20-S:** The petition of Steve Tibbs for a Non Residential Planned Unit Development to allow for the operation of a Commercial Retail Establishment (Pet Shop) with accessory uses to include: display of exotic animals, a seasonal petting zoo with party rental availability, dog training and animal grooming; Inside Storage of Contractor/Construction materials; a Warehouse Mini-Storage Rental Business and an Outside Storage facility in a C-2 General Commercial District.

The Tazewell County Land Use Planner submitted a report identifying 6 Positive and 8 Negative Findings of Fact.

Tazewell County Health Department submitted a report regarding the proposed Special Use permit stating the Petitioner must contact the Health Department to discuss several issues that need to be addressed.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Special Use request.

Tazewell County Farm Bureau submitted a report making no recommendation regarding the proposed Special Use request.

Ron Sieh, City of Pekin made no comment regarding the proposed Special Use request.

Joe Crowe, Illinois Department of Transportation submitted a letter stating the Department is opposed to any change until a Commercial Driveway has been constructed.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

School District 702 made no comment regarding the proposed Special Use request.

Steve Tibbs appeared to testify on behalf of the proposed Special Use request. Mr. Tibbs stated he would like to conduct dog training one hour, one night per week. Mr. Tibbs said IDOT was denying any further plans for construction pending a water run off study. Mr. Tibbs added he would really like to begin a pet shop and currently holds a license to sell Purina food and feed. Mr. Tibbs stated that he is currently using 5 units of the storage area for personal storage and friends were using an additional 2 units, but plans to rent out portions of the building for storage area. Mr. Tibbs said with regard to a proposed petting zoo, it would be associated with birthday parties which would be held primarily over the weekends. Mr. Tibbs added there would be no outside storage at this time, however it was a suggestion and he would in the future begin offering outside storage. Mr. Tibbs stated he has called for bids for the IDOT required entrance but had not received the specs from IDOT in order to know what exactly to receive bids upon. Mr. Tibbs said he would like to have the new commercial entrance completed prior to his “Grand Opening” of the pet shop.

Following all Public Hearings, moved by Baum, seconded by Toevs, to approve **Case No. 11-20-S.**

Following discussion, moved by Connett, seconded by Baum to Amend the Main Motion by eliminating the Playground Area and Petting Zoo, the applicant may at a later date reapply for these two particular use and to include the following conditions:

1. The existing entrance onto Illinois Route 9 shall be improved per Illinois Department of Transportation regulations said entrance shall be completed within ninety (90) days upon issuance of a building permit from the Community Development Administrator. If the entrance is not installed and approved by IDOT within (90) ninety days the Special Use shall be revoked.
2. Prior to operation of the outdoor storage area a 6’ chain link fence with less than fifty (50) percent view through the fence (such as green slats) shall be constructed so that stored vehicles are not visible from Illinois Route 9 or the adjacent residential property to the east. A building permit will be required for said fence.
3. Vehicular traffic accessing the site for the contractor storage use, indoor storage within the existing building, outdoor storage, and pet store shall be limited to between 7:00 a.m. and 7:00 p.m. so as not to disturb the adjacent residential property to the east.

**Motion carried by voice vote for the amendment.**

After considering all the evidence and testimony presented, the ZBA discussed the findings of fact and reviewed the Report of the Land Use Planner and arrived at the following findings of fact:

1. *That 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. Special Uses when combined with Variances for this same property shall be considered compliant for the purposes of this section.*

POSITIVE. The Special Use will conform to all applicable regulations of the Tazewell County Zoning Ordinance to be enforced by the Community Development Administrator.

2. *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 with a 1.5 mile planning jurisdiction.*

POSITIVE. The proposed Special Use is consistent with the following County Comprehensive Land Use Plan principle: "New and existing businesses and industries are willing and able to establish and maintain operations."

3. *The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.*

POSITIVE. All requirements have been met.

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

POSITIVE. Although there are several uses proposed to be located on this property, its impacts on adjacent properties are minimal.

5. *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. Existing uses within the general area are a mix of commercial, residential and agricultural uses. The applicant shall adhere to conditions as placed on the special use and therefore the mixed use proposal will not be detrimental to the general welfare of the neighboring vicinity.

6. *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. Existing uses within the general area are a mix of commercial, residential and agricultural uses. The applicant shall adhere to conditions as placed on the special use and therefore the mixed use proposal will not be injurious to the use and enjoyment of the immediate vicinity.

7. *The Special Use shall not substantially diminish and impair property values within the neighborhood.*

POSITIVE. Existing uses within the general area are a mix of commercial, residential and agricultural uses. The property is zoned C-2 which allows for the particular commercial uses that are proposed, although there will be multiple uses on the site the Special Use will not substantially diminish property values in the area.

8. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

POSITIVE. Prior to issuance of a building permit the applicant shall provide to the Community Development Administrator a parking plan which meets the Zoning Ordinance Parking requirements, an IDOT permit to upgrade the entrance and approval from the Health Department to ensure that all adequate utilities, etc, will be provided.

9. *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. Adequate measures will include the improvement of the existing access point onto Illinois Route 9 per IDOT regulations. An access point acceptable to IDOT will be developed to minimize traffic congestion and hazard on the public roadways.

10. *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.*

POSITIVE. The proposed Special Use does not involve a physical expansion of the parcel. Also, it is not a residential use, so it will not lead to an increase in population density in the immediate area. Therefore, it will not hinder the operation of any livestock feeding operation located within one-half mile of the site.

11. *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 does not involve a physical expansion of the parcel. Also, it is not a residential use, so it will not lead to an increase in population density in the general area. Therefore, it will not hinder the operation of any livestock feeding operation located greater than one-half mile from the site.

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

POSITIVE. The site was formerly used for an assembly operation and is not used for agriculture. Therefore, the proposed Special Use will not remove any prime farmland from production.

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

POSITIVE. Existing uses within the general area are a mix of commercial, residential and agricultural uses. The applicant shall adhere to conditions as placed on the special use and therefore the mixed use proposal will be consistent with existing uses in the area.

14. *The property 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.

Moved by Connett, seconded by Baum, to accept the findings of fact of the Land Use Planner as modified. **Motion carried by voice vote.**

On roll call to approve **Case No. 11-20-S as amended** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-21-S:** The petition of Mid America Advertising for a Special Use to allow the placement of an Off Premise Sign (Billboard) on property adjacent to Illinois Route 9 located in a C-2 General Business Commercial District.

The Tazewell County Land Use Planner submitted a report identifying 13 Positive and 1 Negative Finding of Fact.

Tazewell County Health Department made no comment regarding the proposed Special Use request.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Special Use request.

Tazewell County Farm Bureau submitted a report having no recommendation regarding the proposed Special Use request.

Ron Sieh, City of Pekin made no comment regarding the proposed Special Use request.

Lee White, Illinois Department of Transportation made no comment regarding the proposed Special Use request.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

School District 702 made no comment regarding the proposed Special Use request.

Gregg Snyder of Mid America appeared to testify on behalf of the proposed Special Use request. Mr. Snyder stated his company would like to construct a billboard on the proposed property. Mr. Snyder said the lighting for the billboard was made special with a casing to prevent light from spilling over. Mr. Snyder said the billboard would be 18' to the bottom of the sign and the sign itself would be an additional 10' high. Mr. Snyder added he was only the land leasing agent for the company and had no ties to the community. Mr. Snyder stated his company had no other signs within Tazewell County as the Code basically outlawed billboards until a recent Amendment. Mr. Snyder said the billboard would be constructed of engineered steel, painted, and would meet engineered and wind specifications. Mr. Snyder added they have top rated equipment and use top rated products. Mr. Snyder stated the sign face would be constructed of a vinyl material and would not be paper and his company's signs are at a 92% filled rate. Mr. Snyder said most sign ordinances have a clause that if a billboard is idle for so many days, then the sign must be removed or the permit shall be revoked. Mr. Snyder added the signs located along interstate highways are much larger than along state primary roads.

Following all Public Hearings, moved by Toevs, seconded by Connett, to approve **Case No. 11-21-S**.

Following discussion, moved by Toevs, seconded by Connett to Amend the Main Motion to include the following conditions:

1. If the sign becomes deteriorated or abandoned for a period of one (1) year said sign shall be removed or repaired by the petitioner or owner of said property within sixty (60) days of notification by the Community Development Administrator.

**Motion carried by voice vote for the amendment.**

After considering all the evidence and testimony presented, the ZBA discussed the findings of fact and reviewed the Report of the Land Use Planner and arrived at the following findings of fact:

1. *That 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. Special Uses when combined with Variances for this same property shall be considered compliant for the purposes of this section.*

POSITIVE. The Special Use will conform to all applicable regulations of the Tazewell County Zoning Ordinance to be enforced by the Community Development Administrator.

2. *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 with a 1.5 mile planning jurisdiction.*

POSITIVE. The County Comprehensive Land Use Plan does not specifically address off-premises signs. However, based on the proposed lighting for the sign and the Tazewell County Zoning Code provisions that must be adhered to, the proposed off-premises sign will not cause substantial adverse effects on the adjacent single-family dwellings to the east and west. Therefore, the proposed Special Use is judged to be consistent with the County Comprehensive Land Use Plan.

3. *The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.*

POSITIVE. All requirements have been met.

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

POSITIVE. Adjacent properties consist of single-family dwellings on approximately 10 acres to the east and west, wooded land to the north, and farmland to the south across Illinois Route 9. The proposed off-premises sign will be 28 feet in height, have an area of no more than 300 square feet, and have lighting that will shine directly on the sign face, minimizing the adverse impact on surrounding properties. While off-premises signs are best suited for commercial areas, this sign will not have substantial adverse effects on the adjacent residential properties due to the proposed direct lighting, 28-foot height, and area of no more than 300 feet. Therefore, adverse effects of the proposed off-premises sign will be minimized.

5. *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 neighboring vicinity consists of residential and agricultural uses with some commercial uses located to the southeast across Illinois Route 9. While the general area is not solely commercial, the adjacent dwellings are located approximately 400 feet from the proposed location of the off-premises sign. As a result of this distance, the height and area requirements that must be adhered to, and the proposed lighting, the proposed off-premises sign will not endanger the comfort and general welfare of the neighboring vicinity.

6. *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 property in the immediate vicinity is used for residential and agricultural uses. The off-premises sign will have no impact on the nearby agricultural uses. The nearest dwellings are located approximately 400 feet away from the proposed off-premises sign. As a result of this distance, the height and area requirements that must be adhered to, and the proposed lighting, the proposed off-premises sign will not be injurious to the use and enjoyment of the residential properties.

7. *The Special Use shall not substantially diminish and impair property values within the neighborhood.*

POSITIVE. Although the proposed off-premises sign is best suited for a commercial area, the sign should not cause substantial adverse impacts on the adjacent residential properties due to its distance from the dwellings, the height and area requirements that must be adhered to, and the proposed lighting. Therefore, the sign should not lead to substantial change in the immediate area, so it will not substantially impair property values.

8. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

POSITIVE. The proposed lighting will be suitable and all other necessary facilities will be provided.

9. *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. Adequate access to the site off of Illinois Route 9 will be achieved in the future, and the proposed sign will not generate additional traffic along Illinois Route 9. The Illinois Department of Transportation will make the final determination on whether the placement of the proposed off-premises sign will lead to traffic congestion or hazard along Illinois Route 9.

10. *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.*

POSITIVE. The proposed Special Use is an off-premises sign, and a use of this nature will not exert development pressure that could lead to an increase in population density in the immediate area. Therefore, livestock feeding operations located within one-half mile of the proposed site will not be hindered.

11. *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 an off-premises sign, and a use of this nature will not generate any impacts that will affect livestock feeding operations located more than one-half mile away. Therefore, the proposed Special Use will not hinder any such livestock feeding operations.

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

POSITIVE. The proposed off-premises sign will be located at a grassy area of the site near Illinois Route 9. Therefore, no prime farmland will be removed from production.

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

POSITIVE. Property within the general area is used for agricultural, residential and commercial uses. Although the general area is not solely commercial, the proposed off-premises sign will not have substantial adverse effects on the adjacent residential uses and the surrounding agricultural uses. Therefore, the proposed Special Use is judged to be consistent with the existing uses of property in the general area.

14. *The property 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.

Moved by Baum, seconded by Connett, to accept the findings of fact of the Land Use Planner as modified. **Motion carried by voice vote.**

On roll call to approve **Case No. 11-21-S as amended** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-22-S:** The petition of William Royer for a Special Use to allow the creation of one new dwelling site in an A-1 Agriculture Preservation District.

The Tazewell County Land Use Planner submitted a report identifying 14 Positive Findings of Fact.

Tazewell County Health Department submitted a report regarding the proposed Special Use request stating a well and septic permit would be required.

Tazewell County Soil & Water Conservation District submitted a report recommending denial of the proposed Special Use request as farmland would be taken out of production.

Tazewell County Farm Bureau submitted a report regarding the proposed Special Use request stating the request has a direct impact on agriculture and recommended approval.

Jon Oliphant, City of Washington submitted a letter recommending approval regarding the proposed Special Use request.

Dave Weaver, Washington Township Road Commissioner made no comment regarding the proposed Special Use request however, an Entrance Permit had been issued for the proposed site.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

School Districts 51 and 308 made no comment regarding the proposed Special Use request.

William Royer appeared to testify on behalf of the proposed Special Use request. Mr. Royer stated he would like to create a site for his daughter and son in law to build a home upon. Mr. Royer said his daughter lived close, however, they wanted to live on the farm so her children would be able to enjoy the farm as she did growing up. Mr. Royer added the proposed dwelling would be constructed in what is now part of the cornfield, however it would only be 7/10<sup>th</sup>s of an acre of farmland removed from production.

Following all Public Hearings, moved by Toevs, seconded by Connett, to approve **Case No. 11-22-S.**

After considering all the evidence and testimony presented, the ZBA discussed the findings of fact and reviewed the Report of the Land Use Planner and arrived at the following findings of fact:

1. *That 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. Special Uses when combined with Variances for this same property shall be considered compliant for the purposes of this section.*

POSITIVE. The Special Use will conform to all applicable regulations of the Tazewell County Zoning Ordinance to be enforced by the Community Development Administrator.

2. *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 with a 1.5 mile planning jurisdiction.*

POSITIVE. The proposed Special Use will be consistent with the following County Comprehensive Land Use Plan implementation strategy: "Locate new residential development near roadways and contiguous to existing development to preserve agricultural land."

3. *The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.*

POSITIVE. All requirements have been met.

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

POSITIVE. The proposed Special Use will be a new dwelling on an existing parcel approximately 25 acres in size that contains a dwelling and farmland. In relation to the proposed site, farmland exists to the west, Route 24 exists to the north, three single-family dwellings exist among wooded areas across Cruger Road to the east, and the existing dwelling on the property exists to the south. The proposed dwelling will be compatible with the adjacent residential and agricultural uses, so adverse effects will be minimized.

5. *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 neighboring vicinity consists of farmland, single-family dwellings, and wooded areas. Cruger Road curves north and has a dead end at Route 24; several dwellings exist among wooded land along this curve, and this group of dwellings is surrounded by farmland to the west, south and east. The proposed dwelling will be compatible with the residential and agricultural uses in the neighboring vicinity, so it will not endanger the public health, safety, morals, comfort or general welfare.

6. *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. Property in the immediate vicinity is used for residential and agricultural uses. The proposed dwelling will be compatible with these uses and will remove only a small portion of farmland from production, so it will not be injurious to the existing residential and agricultural uses in the immediate vicinity.

7. *The Special Use shall not substantially diminish and impair property values within the neighborhood.*

POSITIVE. The general area consists of residential and agricultural uses, and the proposed dwelling will be compatible with these existing uses and will not lead to substantial change in the general area. Therefore, the proposed dwelling will not substantially impair property values within the general area.

8. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

POSITIVE. An entrance permit for the Special Use has been approved, and all necessary utilities will be able to be provided since the area is an established residential area. Therefore, all necessary facilities will be provided.

9. *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. Cruger Road has a relatively low traffic volume in this area, and the addition of one dwelling will not cause a substantial increase in the number of trips that occur along the road. Therefore, traffic congestion and hazard on the public streets will be minimized.

10. *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.*

POSITIVE. The proposed dwelling will be built close to Cruger Road across from other dwellings in an area that contains several dwellings, so it will not exert substantial development pressure and will not encroach on any existing livestock feeding operation. Therefore, the proposed dwelling will not increase the population density to a level that would hinder the operation of any existing livestock feeding operation located within one-half mile.

11. *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 a single dwelling on a parcel approximately one acre in size, and it will not exert substantial development pressure. Therefore, the proposed Special Use will not hinder the operation of any livestock feeding operation located more than one-half mile away.

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

POSITIVE. The proposed dwelling will be built on farmland, but it will be constructed close to Cruger Road, and only about 1 acre of farmland will be removed from production. Therefore, the proposal is judged to allow for appropriate residential development without substantially harming the pursuit of agriculture.

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

POSITIVE. The existing uses of property within the general area are residential and agricultural uses. The proposed Special Use is a single-family dwelling that will remove very little farmland from production and enable agriculture to continue in the general area. Therefore, the proposed Special Use is consistent with the existing uses of property within the general area.

14. *The property 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.

On roll call to approve **Case No. 11-22-S** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-23-S:** The petition of Ronald Springer for a Special Use to allow the creation of one new dwelling site in an A-1 Agriculture Preservation District

and

(Subject to Approval of the Subdivision Modification by the Land Use Committee)

**CASE NO. 11-24-V:** The petition of Ronald Springer for a Variance to waive the requirements of 7TCC1-7(f) for the creation of a New Zoning Lot of record having no frontage on a public road but will have access via a express ingress and egress easement in an A-1 Agriculture Preservation District.

Moved by Zimmerman, seconded by Connett to continue **Case No. 11-23-S** and **Case No. 11-24-V** to the July 7, 2011 ZBA Public Hearing.

**Motion carried by voice vote.**

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**CASE NO. 11-25-V:** The petition of David Litwiller for a Variance to waive the requirements of 7TCC1-5(o)(1) allow the construction of a 6' Privacy Fence on a Corner Lot beyond the building setback line to the front property line, to be 2' higher than allowed in an A-1 Agriculture Preservation District.

Tazewell County Health Department made no comment regarding the proposed Variance request.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Variance request.

Tazewell County Farm Bureau submitted a report regarding the proposed Variance request stating the case may have an impact on agriculture and recommended approval.

Village of Hopedale made no comment regarding the proposed Variance request.

Hopedale Township Road Commissioner submitted a report regarding the proposed Variance request having no objection.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Variance request.

Lee White, Illinois Department of Transportation made no comment regarding the proposed Variance request.

District 16 Schools were notified and made no comment regarding the proposed Variance request.

David Litwiller appeared to testify on behalf of the proposed Variance request. Mr. Litwiller stated he would like to construct a 6' white vinyl privacy fence in his yard, but was limited as his property was surrounded by road on all three sides. Mr. Litwiller said he had grandchildren that often played outside and there was a lot of traffic on IL 122. Mr. Litwiller added he had contacted IDOT and they did not give any restriction as long as he did not encroach into the right of way. Mr. Litwiller stated he would repair the fence if damaged by a snowplow during winter months and the fence would be 1 ½ feet off of the right of way line for IL 122. Mr. Litwiller said the fence panels were 8' in length and would follow the curve of the roadway along IL 122. Mr. Litwiller added the fence was approximately 25' from the edge of the right of way of IL 122.

Following all Public Hearings, moved by Toevs, seconded by Baum, to approve **Case No. 11-25-V**.

After considering all the evidence and testimony presented, the ZBA discussed and arrived at the following findings of fact:

1. *The particular surroundings and topographical conditions of the property upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. The property is limited in area due to being surrounded on three sides by IL Route 122, Lynn Road, and Stringtown Road, therefore reducing the petitioner's options for placement of a fence of the requested height.

2. *The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. The property is limited in area due to being surrounded on three sides by IL Route 122, Lynn Road, and Stringtown Road, therefore reducing the petitioner's options for placement of a fence of the requested height.

3. *Granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood in which the property is located.*

POSITIVE/ Allowing the height Variance will not be detrimental to the public welfare and will not have negative effects on the site distance at the intersection of Lynn Road and IL Rte. 122.

4. *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.*

POSITIVE. Allowing the height Variance will not increase congestion or impair site distance.

5. *The purpose of the variance is not based exclusively upon a desire to increase the monetary gain realized from the property.*

POSITIVE. The petitioner is only desiring to enclose his backyard for privacy.

6. *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.*

POSITIVE. The property is limited in area due to being surrounded on three sides by IL Route 122, Lynn Road, and Stringtown Road, therefore reducing the petitioner's options for placement of a fence of the requested height.

7. *The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*

POSITIVE. The property is limited in area due to being surrounded on three sides by IL Route 122, Lynn Road, and Stringtown Road, therefore reducing the petitioner's options for placement of a fence of the requested height.

8. *The plight of the owner is due to unique circumstances.*

POSITIVE. The property is limited in area due to being surrounded on three sides by IL Route 122, Lynn Road, and Stringtown Road, therefore reducing the petitioner's options for placement of a fence of the requested height.

Moved by Baum, seconded by Zimmerman, to accept the findings of fact as discussed.

On roll call to approve of **Case No. 11-25-V** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-26-V:** The petition of Margaret Voll, as representative for Norma Taylor for a Variance to waive the requirements of 7TCC1-10(f)(1)(iii) to allow the construction of an Addition to Dwelling (Handicap Accessible Ramp) to be 34' from the centerline of Karo Street which is 16' closer than allowed in a R-1 Low Density Residential District.

Tazewell County Health Department made no comment regarding the proposed Variance request.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Variance request.

Tazewell County Farm Bureau submitted a report regarding the proposed Variance request having no recommendation.

Ron Sieh, City of Pekin made no comment regarding the proposed Variance request.

Ron Hawkins, Cincinnati Township Road Commissioner submitted a report having no objection to the proposed Variance request.

John Anderson, Tazewell County Highway Engineer

District 108 and 303 Schools were notified and made no comment regarding the proposed Variance request.

Margaret Voll appeared to testify on behalf of the proposed Variance request. Ms. Voll stated she was Norma Taylor's daughter and her father built the home years ago. Ms. Voll said her mother had a stroke a few years ago and had recently lost the ability to walk without using a walker. Ms. Voll added a handicap ramp was needed as her mother was no longer able to go up and down stairs. Ms. Voll stated there was a ramp on the home next to her mother's home as well.

Joel Fitzanko appeared to testify on behalf of the proposed Variance request. Mr. Fitzanko stated he would be constructing the ramp. Mr. Fitzanko said the porch would be extended slightly so that a wheelchair could be used in the future if needed. Mr. Fitzanko added the ramp would be constructed of treated lumber.

Following all Public Hearings, moved by Vogelsang, seconded by Baum, to approve **Case No. 11-26-V**.

After considering all the evidence and testimony presented, the ZBA discussed and arrived at the following findings of fact:

1. *The particular surroundings and topographical conditions of the property upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. The existing home is non-conforming and does not meet current setback requirements. The ramp is needed to accommodate the owner who is in a wheelchair.

2. *The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. The existing home is non-conforming and does not meet current setback requirements. The ramp is needed to accommodate the owner who is in a wheelchair.

3. *Granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood in which the property is located.*

POSITIVE. The existing home is non-conforming and does not meet current setback requirements. There are other wheelchair ramps in the area that have been allowed for the same purpose.

4. *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.*

POSITIVE. Allowing the Variance will not impair supply of light, create congestion on Karo Street or diminish property values. There are other wheelchair ramps in the area that have been allowed for the same purpose.

5. *The purpose of the variance is not based exclusively upon a desire to increase the monetary gain realized from the property.*

POSITIVE. The owner simply needs to wheelchair ramp to allow for easier accessibility to the home.

6. *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.*

POSITIVE. Due to the non-conforming homes in the area and the small lots sizes, Variance of this nature have been approved in this area for similar uses.

7. *The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*

POSITIVE.

8. *The plight of the owner is due to unique circumstances.*

POSITIVE. The existing home is non-conforming and does not meet current setback requirements. The ramp is needed to accommodate the owner who is in a wheelchair.

Moved by Connett, seconded by Baum, to accept the findings of fact as discussed.

On roll call to approve of **Case No. 11-26-V** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-27-V:** The petition of Gregg Norman for a Variance to waive the requirements of 7TCC1-10(f)(1)(iii) to allow placement of an Accessory Structure to be 20' from the centerline of Oriole Lane which is 30' closer than allowed and to waive the requirements of 7TCC1-5(o)(1) to allow the construction of a 6' Privacy Fence on a Corner Lot beyond the building setback line to the front property line to be 2' higher than allowed in a R-1 Low Density Residential District.

Tazewell County Health Department made no comment regarding the proposed Variance request.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Variance request.

Tazewell County Farm Bureau submitted a report having no recommendation regarding the proposed Variance request.

Ron Sieh, City of Pekin made no comment regarding the proposed Variance request.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Variance request.

District 108 and 303 Schools were notified and made no comment regarding the proposed Variance request.

Gregg Norman appeared to testify on behalf of the proposed Variance request. Mr. Norman stated he had obtained a Variance in December for an addition to his dwelling. Mr. Norman said the idea of the fence and movement of the shed requiring a Variance as well never crossed his mind. Mr. Norman added the shed was moved to be in line with the fence, as they were both constructed from the same type of wood.

Following all Public Hearings, moved by Toevs, seconded by Zimmerman, to approve **Case No. 11-27-V**.

After considering all the evidence and testimony presented, the ZBA discussed and arrived at the following findings of fact:

1. *The particular surroundings and topographical conditions of the property upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. Due to the lot layout, the property having two front yards and location of the existing home allowing the shed in the proposed location is the most practical area. Allowing the Variance for the fence height is needed to provide additional security and safety for the in-ground swimming pool located on the property.

2. *The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. Due to the lot layout, location of the existing home allowing the shed in the proposed location is the most practical area. Allowing the Variance for the fence height is needed to provide additional security and safety for the inground swimming pool located on the property.

3. *Granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood in which the property is located.*

POSITIVE. Allowing the Variance for the shed and fence will not be injurious to other property in the area.

4. *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.*

POSITIVE. Allowing the Variance will not impair light or air and will not increase congestion or diminish property values in the area.

5. *The purpose of the variance is not based exclusively upon a desire to increase the monetary gain realized from the property.*

POSITIVE. The owner had no other alternative for location of the shed and the fence height is needed for security and safety purposes due to the inground pool located on the property.

6. *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.*

POSITIVE. Variances of this nature have been granted in the area due to similar circumstances.

7. *The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*

POSITIVE.

8. *The plight of the owner is due to unique circumstances.*

POSITIVE. Due to the lot layout, the property having two front yards and location of the existing home allowing the shed in the proposed location is the most practical area. Allowing the Variance for the fence height is needed to provide additional security and safety for the in-ground swimming pool located on the property.

Moved by Baum, seconded by Connett, to accept the findings of fact as discussed.

On roll call to approve of **Case No. 11-27-V** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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**CASE NO. 11-28-V:** The petition of Brad Barker for a Variance to waive the requirements of 7TCC1-10(f)(2)(i) to allow construction of an Addition to Dwelling (Attached Garage) to be 5' from the side property line which is 5' closer than allowed for property located in a R-1 Low Density Residential District.

Tazewell County Health Department made no comment regarding the proposed Variance request.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Variance request.

Tazewell County Farm Bureau submitted a report having no recommendation regarding the proposed Variance request.

Ron Sieh, City of Pekin made no comment regarding the proposed Variance request.

Roger Spangler, Village of Morton submitted a report stating no concern regarding the proposed Variance request.

Dave Risinger, Groveland Township Road Commissioner made no comment regarding the proposed Variance request.

John Anderson, Tazewell County Highway Engineer made no comment regarding the proposed Variance request.

District 709 Schools were notified and made no comment regarding the proposed Variance request.

Brad Barker appeared to testify on behalf of the proposed Variance request. Mr. Barker stated he previously requested a Variance for an unattached garage, however, upon starting construction, it was determined to be easier and more aesthetically pleasing to attached the garage to the dwelling, rather than attaching it at a future date.

Following all Public Hearings, moved by Vogelsang, seconded by Baum, to approve **Case No. 11-28-V**.

After considering all the evidence and testimony presented, the ZBA discussed and arrived at the following findings of fact:

1. *The particular surroundings and topographical conditions of the property upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. Although the petitioner changed the layout as originally proposed in Case No. 09-59-V by deciding to add the breezeway, the existing grade of the property prohibits the petitioner from placing the attached garage and breezeway in another location. Further this is an expansion of the existing unattached garage and therefore location of the addition is the most practical area for the attached garage and breezeway.

2. *The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property with the same zoning classification.*

POSITIVE. Although the petitioner changed the layout as originally proposed in Case No. 09-59-V by deciding to add the breezeway, the existing grade of the property prohibits the petitioner from placing the attached garage and breezeway in another location. Further this is an expansion

of the existing unattached garage and therefore location of the addition is the most practical area for the attached garage and breezeway.

3. *Granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood in which the property is located.*

POSITIVE. Allowing the Variance will not be detrimental or injurious to other properties in the area.

4. *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.*

POSITIVE. The new addition will be aesthetically appropriate for the area and will therefore not diminish property values.

5. *The purpose of the variance is not based exclusively upon a desire to increase the monetary gain realized from the property.*

POSITIVE. The petitioner is simply in need of additional storage for personal vehicles, etc.

6. *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.*

POSITIVE.

7. *The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*

POSITIVE. Although the petitioner changed the layout as originally proposed in Case No. 09-59-V by deciding to add the breezeway, the existing grade of the property prohibits the petitioner from placing the attached garage and breezeway in another location. Further this is an expansion of the existing unattached garage and therefore location of the addition is the most practical area for the attached garage and breezeway.

8. *The plight of the owner is due to unique circumstances,*

POSITIVE. Although the petitioner changed the layout as originally proposed in Case No. 09-59-V by deciding to add the breezeway, the existing grade of the property prohibits the petitioner from placing the attached garage and breezeway in another location. Further this is an expansion of the existing unattached garage and therefore location of the addition is the most practical area for the attached garage and breezeway.

Moved by Connett, seconded by Baum, to accept the findings of fact as discussed.

On roll call to approve of **Case No. 11-28-V** the vote was:

Ayes: 6 – Baum, Connett, Lessen, Toevs, Vogelsang, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Lessen

**Motion declared carried.**

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### **NEXT MEETING**

The next meeting of the Zoning Board of Appeals will be **Wednesday, July 6, 2011** at 6:00 p.m. in the Tazewell County Justice Center, 101 South Capitol Street, Pekin, Illinois.

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### **ADJOURNMENT**

There being no further business, moved by Baum, seconded by Connett, to adjourn the Zoning Board of Appeals Public Hearing at 8:20 p.m.

Kristal Deininger, Secretary

Secretary's Note: For further information regarding the discussion and testimony during the Public Hearing, please contact the Community Development Department for copies of the transcripts.