

(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, November 5, 2013, Tazewell County Justice Center, 101 South Capitol Street, Pekin, Illinois. Chairman James Newman called the meeting to order.

PRESENT: Chairman James Newman, Duane Lessen, Sandy May, Alternate Donald Vaughn, Phil Webb, Loren Toevs and Ken Zimmerman

ABSENT: JoAn Baum

STAFF: Kristal Deininger, Community Development Administrator; Kyle Smith, Land Use Planner; Melissa Kreiter, Administrative Assistant; and Land Use Members: Monica Connett, Terry Hillegonds, Rosemary Palmer, Greg Sinn and Sue Sundell

OTHERS

PRESENT: Petitioners and Objectors

MINUTES: Moved by May, seconded by Toevs, to approve the Minutes of the October 3, 2013 Zoning Board of Appeals Meeting with changes. **Motion carried by voice vote.**

CASE NO. 13-35-A: Proposed Amendment No. 41 to the Tazewell County Zoning Code referred for hearing by the Tazewell County Land Use Committee to amend the following:

SECTION 1.

ARTICLE 28. COMMUNITY DEVELOPMENT ADMINISTRATOR

7 TCC 1-28 (c) Jurisdiction, Authority and Duties.

- vi. Review all applications for permits for the construction, enlargement, *structural, alterations*, conversion, or relocation of any building or structure.
- viii. Issue building permits and certificates of ~~compliance~~ *occupancy*, and inspect, if necessary, the building for which the permit or certificate applies.

7 TCC 1-28 (d) Additional Duties Concerning Flood Insurance Studies.

- iii. Order a discontinuance of the illegal construction of buildings or structures below the ~~highest known flood level~~ *Base Flood Elevation, as determined by a Flood Insurance Study, and the Flood Protection Elevation.*
- v. *Determine damaged caused to property and structures as a result of flooding events. Maintain a current file of all damaged caused to structures as it relates to substantial damage determinations.*
- vi. *Maintain all flood related information as it relates to the Community Ratings System (CRS) and prepare required documentation for CRS Cycle visits.*

SECTION 2.

ARTICLE 31. BUILDING PERMIT

7 TCC 1-31 (c) When Permit Required.

- (7) The alteration of the interior of any residential, institutional, commercial, industrial, or multi-family structure;
- (10) Installation of new electrical service or equipment and repairs to or replacement of existing electrical systems ~~of any institutional, commercial, industrial or multi-family structure;~~
- (11) Installation or alteration of any heating, ventilation, air conditional or other mechanical system ~~of any institutional, commercial, industrial or multi-family structure;~~
- (12) Installation or alteration of any plumbing system ~~of any institutional, commercial, industrial or multi-family structure.~~

7 TCC 1-31 (d) Exemptions. No building permit shall be required for the following:

- (1) Routine maintenance or repair of buildings, or structures, or equipment such as siding, veneering, repainting or re-roofing;
- (4) Fences used for Agricultural purposes and operations.
- (5) Ornamental fencing consisting of decorative posts, lattices, arbors, trellises;

7 TCC 1-31 (e) Application for Building Permit. An application for a building permit shall be filed in the office of the Community Development Administrator on forms prescribed by the Community Development Administrator, along with the fees for building permits, plan review and inspections as prescribed in Appendix “A” of Title 7, Chapter 5, and other pertinent information. Such application shall contain and be accompanied with the following:

- (10) All plans for commercial, industrial, multi-family and institutional shall also show:
 - a. Ingress and egress;
 - b. Off-street loading;
 - c. Exterior lighting; and
 - d. Location of signage
- (11) If the permit is for a single-family or two-family dwelling, additions to dwellings, or for a residential accessory structures and additions to, three (3) full sets of building plans and specifications with square footage listed.

7 TCC 1-31 (f) Issuance of a Building Permit. A building permit shall be issued when the Community Development Administrator determines that an application for a building or structure ~~permit~~ conforms to the applicable regulations and standards of the ordinance, and all required permits and approvals have been obtained, and all relevant fees have been paid. ~~pursuant to 7TCC1-33(a) Fee Schedule associated with a building permit.~~

7 TCC 1-31 (g) Denial of a Building Permit. The Community Development Administrator shall deny the application for a building ~~permit~~ or structure if the proposed construction or use does not meet the applicable provisions by this ordinance.

7 TCC 1-31 (i) Conspicuous Posting. The building permit posting card issued by the Community Development Administrator shall be conspicuously posted by the applicant on the property for which it was obtained in the manner prescribed by the Community Development Administrator. The building permit posting card shall remain posted until such time as a permanent certificate of compliance occupancy pursuant to Article 32, Certificate of Occupancy has been issued by the Community Development Administrator.

7 TCC 1-31 (j) Changes to Approved Permits.

- (2) An amendment to a building permit which requires payment of an additional fee, either because of an increase in the size of the buildings or a change in the scope of the work, shall not be approved until the applicant has paid the additional fees and the amendment has been reviewed and approved for compliance with the County’s regulations.

7 TCC 1-31 (k) Expiration of Building Permit.

- (6) There shall be a maximum of two (2) permits issued for the same construction project for a single structure. Construction not completed by the expiration of the second permit shall be considered a violation of this section and the Community Development Administrator shall issue to the applicant a Notice of Violation and Notice to Appear before the Tazewell County Hearing Officer.

7 TCC 1-31 (m) Stop Work Order. When any building or structure is being constructed, either without a building permit or in violation of a properly issued building permit, the Community Development Administrator or their designee is hereby authorized to issue a Stop Work order on the premises where the violation is taking place.

The Community Development Administrator shall assess a fee for a stop work order as set forth in ~~Article 33, Fee Schedule~~ as prescribed in Appendix “A” Title 7, Chapter 5.

SECTION 3.

ARTICLE 32

~~ZONING COMPLIANCE CERTIFICATE~~

CERTIFICATE OF OCCUPANCY

~~7 TCC 1-32 (a) Requirement of Zoning Compliance Certificate~~ Certificate of Occupancy. The following provisions shall apply to residential and non residential and nonresidential principal and accessory structures. No building, or structure ~~or use of land~~, shall be occupied or used until a certificate of occupancy ~~compliance~~ is issued by the Community Development Administrator after a determination that the building, or structure, ~~or use of land~~ is in accordance with the provisions of any special use permit, plat approval, building permit, and all regulations of this Ordinance. A temporary certificate of occupancy ~~compliance~~ may be issued in accordance with the provisions of this article.

7 TCC 1-32 (b) When Certificate Required.

- (1) A certificate of occupancy ~~compliance~~ shall be issued by the Community Development Administrator for either of the following after compliance with all provisions of these regulations has ~~have~~ been determined:
 - ii. Occupancy ~~and use of land~~ or change in use of a building ~~or land~~.

7 TCC 1-32 (c) Issuance of Zoning Compliance Certificate Procedures for Issuance of a Certificate of Occupancy.

- (1) ~~The When all work as described on the building permit is complete including all exterior construction, the applicant shall notify the Community Development Administrator in writing. After examination of the premise to ascertain that all work described on the building permit and all exterior work has been conducted and incompliance with the applicable regulations of this Ordinance, the Community Development Administrator shall issue the Zoning Compliance Certificate. (Amendment #35—12/10)~~

The Community Development Administrator shall inspect the property that is the subject of a building permit, a certificate of occupancy or a temporary certificate of occupancy to determine whether the use of the property and structures comply in all other respects with the pertinent provisions of these regulations, applicable sections of the County Code, the Illinois State Environmental Barriers Act (if applicable), and the Illinois Department of Public Health Code (if applicable).

- (2) No certificate of occupancy ~~compliance certificate~~ shall be issued for a change-in-use until the premises have been inspected and such change is certified by the Community Development Administrator to be in compliance with all applicable regulations of the zoning district in which it is located.
- (3) ~~The Community Development Administrator shall issue the original copy of the Zoning Compliance Certificate to the applicant and shall retain a duplicate copy for his/her records.~~

If the Community Development Administrator determines, after inspection, that a structure is not in compliance with applicable standards set for in this section, the established enforcement process shall be initiated within ten (10) working days after the inspection to bring the applicant into compliance.

- (4) *If the Community Development Administrator determines, after inspection, that the structure is in compliance with applicable standards set forth in this section, and if all relevant fees have been paid, a certificate of occupancy shall be issued within ten (10) working days after the final inspection.*
- (5) *The construction authorized by a permit for new construction including additions or alterations of existing structures shall be in compliance when construction is complete and all building supplies and materials have been removed from the property. Failure to remove all materials left-over from the building's construction shall be considered a violation and the Community Development Administrator shall issue to the applicant a Notice of Violation and Notice to Appear before Tazewell County Adjudication Hearing Officer.*
- (6) *A demolition authorized by a permit for the demolition of a building or structure shall be in compliance when all remnants of the building or structure have been removed from the property. The use of the building's materials to fill in the excavated area is strictly prohibited. Failure to remove all remnants of the building or structure within the life of the permit shall be considered a violation and the Community Development Administrator shall issue to the*

7 TCC 1-32 (d) Temporary Certificate of Occupancy Compliance.

7TCC 1-32 (e) Failure to Obtain Compliance Certificate of Occupancy. Failure to obtain Compliance a Certificate of Occupancy prior to occupancy or use of a structure shall result in the issuance of a Notice of Violation and Notice to Appear to the applicant before the Tazewell County Adjudication Hearing Officer which could result in a fines of \$50.00 per day for occupancy or use of said structure. ~~There shall be a fine of \$50.00 per day for occupancy or Use of a Structure prior to obtaining a Certificate of compliance.~~

SECTION 4

ARTICLE 33
FEE SCHEDULE

7 TCC 1-33 (a) Fees Charged for Building Permits. The following fees shall be charged for the processing of applications and the issuance of building zoning permits, and shall be collected by the Community Development Administrator, who shall be accountable to the County for such fees:

~~(1) Residential Structures:~~

- ~~i. Dwelling \$200.00 per dwelling unit
(Includes two family & multi family)
(Amendment #26 3/08)~~
- ~~ii. Additions to dwelling:

 - ~~—less than 650 square feet \$75.00~~
 - ~~—650' square feet to 1,200 square feet \$85.00~~
 - ~~—1,200 square feet to 2,500 square feet \$110.00~~
 - ~~—over 2,500 square feet \$200.00~~
 (Amendment #26 3/08)~~
- ~~iii. Accessory structures and additions to:

 - ~~—less than 250 square feet \$60.00~~
 - ~~—250 square feet to 650 square feet \$75.00~~
 - ~~—650 square feet to 1,200 square feet \$85.00~~
 - ~~—1,200 square feet to 2,500 square feet \$110.00~~
 - ~~—over 2,500 square feet \$200.00~~
 (Amendment #26 3/08)~~

~~(2) Non Residential Structures:~~

- ~~i. Commercial/Industrial:

 - ~~—new construction \$2.50 per~~
 - ~~—100 square feet with a minimum of: \$500.00~~
 (Amendment #26 3/08)~~
- ~~ii. Additions to Commercial/Industrial:

 - ~~—\$.60 per 100 square feet with a minimum of: \$350.00~~
 (Amendment #26 3/08)~~
- ~~iii. Accessory structures Commercial/Industrial:

 - ~~—\$.60 per 100 square feet with a minimum of: \$350.00~~
 (Amendment #26 3/08)~~

~~(3) (1) Fees:~~

- ~~i. Home Occupations: \$150.00~~
- ~~ii. Temporary Use: \$100.00 \$175.00~~
- ~~iii. Swimming Pools:

 - ~~—Above ground Pools \$50.00~~
 - ~~—In ground Pools \$75.00~~
 (Amendment #26 3/08)~~
- ~~iv. Fences \$30.00~~

v.	Move a structure	\$50.00
vi.	Demolitions	\$20.00
vii.	iii. Change-in-use of a building or land where no construction is involved:	
	a. Residential & Agriculture Use	\$100.00
	b. Commercial/Industrial	\$200.00
viii.	Signs	\$50.00
	(Amendment #29 5/09)	
viii.	Billboards	\$300.00
	(Amendment #29 5/09)	
x.	Stop Work Orders	
	a. Residential:	\$200.00
	b. Agriculture:	\$25.00
	c. Industrial/Commercial:	\$500.00
xi.	Communication Facilities:	\$15.00 per vertical foot
	(Fee to include equipment buildings & fencing)	
	(Amendment #26 3/08)	
xii.	Communication Facilities (Co-location)	\$1000.00
	(Amendment #26 3/08)	
xiii.	Small Wind Energy Systems:	\$200.00
	(Amendment #24 4/07)	
xiv.	Wind Energy Conversion Systems:	
	Each Turbine:	\$20.00 per foot of total (Amendment #26
		3/08) height (including blades)

Tazewell County Health Department made no comment regarding the proposed Amendment.

Tazewell County Soil & Water Conservation District submitted a report making no comment regarding the proposed Amendment.

The Tazewell County Farm Bureau submitted a report stating they approve of regarding the proposed Amendment.

All municipalities were notified however only the following comments were received regarding the proposed Amendment:

Jon Oliphant, City of Washington submitted a report stating the City was in support of the proposed changes in the proposed Code Amendment.

Administrator Deininger gave an explanation regarding the proposed Zoning Code Amendment and the reasons for such changes..

Following all Public Hearings, moved by Lessen, seconded by Vogelsang, to recommend approval of **Case No. 13-35-A** to the Tazewell County Board.

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

1. *The proposed amendment shall not be detrimental to the orderly development of Tazewell County as the Amendment is clearly needed to due to the adoption of the Tazewell County Building and Property Maintenance Code.*
2. *The proposed amendment shall not be detrimental to or endanger the public health, safety, morals or general welfare of Tazewell County.*

Moved by Lessen, seconded by May, to approve the findings of fact as written. **Motion carried by voice vote.**

On roll call to recommend approval of **Case No. 13-35-A** the vote was:

Ayes: 7 – Lessen, May, Toevs, Webb, Alt. Vaughn, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Baum

Motion declared carried.

CASE NO. 13-36-Z: The petition of Gary & Vickie Greene for a Map Amendment to the Official Deer Creek and Mackinaw Township Zoning Maps of Tazewell County to change the zoning classification of property from an A-1 Agriculture Preservation District to a R-R Rural Residential Zoning District.

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

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

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

Tazewell County Farm Bureau submitted a report regarding the proposed Rezoning request recommending approval with reservations.

Mike Rankin, Mackinaw Township Road Commissioner made no comment regarding the proposed Rezoning request.

Tom Wallace, Deer Creek Township Road Commissioner submitted a report regarding the proposed Rezoning request having no objection, however he attached a letter regarding the poor condition of the road surface.

John Anderson, Tazewell County Highway Engineer submitted a report stating that there was no impact to a County Highway, therefore no issue from an access standpoint, however, there has been a Speed Study request by the Road Commissioner due to deteriorated road conditions due to the presence of a gravel pit and gravel trucks.

School District 701 made no comment regarding the proposed Rezoning request.

William Embry appeared to testify on behalf of the proposed Rezoning request. Mr. Embry stated Mr. and Mrs. Greene would like to create 3 buildable lots. Mr. Embry said the proposed property contained only 7 ½ acres of tillable land with low soil productivity and the remaining acreage was timber and ravine. Mr. Embry added there was 60' of frontage along the public right of way, which was the reasoning behind only creating 3 lots, each would maintain 20' of ownership to the right of way. Mr. Embry stated there would be maintenance agreement recorded with each lot for the use of an existing gravel drive.

Following all Public Hearings, moved by Vaughn, seconded by Webb, to recommend approval of **Case No. 13-36-Z** to the Tazewell County Board.

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

POSITIVE. The proposed amendment shall not be detrimental to the orderly development of Tazewell County as it is consistent with other nearby residential uses.

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

POSITIVE. At this time, the proposed zoning amendment poses 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. The request is consistent with existing uses of property within the general area of the property in question. The subject site is bounded by residentially zoned land.

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

POSITIVE. The proposed amendment will allow and encourage single family residential development adjacent to existing single family residential homes.

5. *The suitability of the property in question for the uses permitted under the existing zoning classification.*

POSITIVE. Because of the subject property's wooded and rolling topography it is not suitable for farming operations, as allowed by right in the A-1 zoning district.

6. *The suitability of the property in question for the uses permitted under the proposed zoning classification.*

POSITIVE. The property in question is suitable for the uses permitted under the proposed zoning classification of R-R given the consistency with other nearby parcels being utilized for residential purposes.

7. *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. Per the applicants, the recent trend in the immediate area has been toward residential development, generally with higher density than what is currently being proposed.

8. *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.*

9. *The proposed map amendment is within one and one half (1 1/2) miles of a municipality and consistent with an adopted Comprehensive Plan.*

POSITIVE. The proposed zoning map amendment is not within 1.5 miles of a municipality with an adopted Comprehensive Plan.

10. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.*

POSITIVE. The relative gain to the public should the subject site remain A-1 is negligible as compared to the hardship imposed upon the individual property owners should this rezoning request be denied.

11. *The proposed amendment is consistent with the goals, objectives, and policies of the Tazewell County Comprehensive Plan.*

POSITIVE. The proposed zoning map amendment is consistent with the goals, objectives, and policies of the Tazewell County Comprehensive Plan listed below:

- Provide sufficient land to accommodate new residents and businesses in accordance with the Comprehensive Plan.
- Locate new development contiguous to existing development to aid police and fire protection.
- Locate new residential development along local roads to facilitate efficient travel and maintain public safety.
- Avoid leapfrog development and isolated land development to preserve contiguous tracts of productive agricultural land.
- Locate new residential development in rural areas close to roadways to preserve contiguous tracts of farmland.
- Minimize conflict between land uses.

Moved by Lessen, seconded by Zimmerman, to approve the findings of fact as written. **Motion carried by voice vote.**

On roll call to recommend approval of **Case No. 13-36-Z** the vote was:

Ayes: 7 – Lessen, May, Toevs, Webb, Alt. Vaughn, Zimmerman and Chairman Newman

Nays: 0

Absent: 1 - Baum

Motion declared carried.

CASE NO. 13-37-S: The petition of Loran & Anna Horn 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 recommending approval of the proposed Special Use request.

Tazewell County Health Department submitted a comment regarding the proposed Special Use request stating no objection.

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

Tazewell County Farm Bureau submitted a report recommending approval regarding the proposed Special Use request.

Roger Spangler, Village of Morton submitted a letter regarding the proposed Special Use request stating the proposed request met the Village of Morton standards and had no objection.

Greg Menold, Morton Township Road Commissioner submitted a report stating no objection regarding the proposed Special Use request.

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

School District 709 made no comment regarding the proposed Special Use request.

NOTE – THE FOLLOWING TESTIMONY INCLUDES TESTIMONY CONDUCTED FOR CASE 13-37-S AND CASE 13-38-V

Anna Horn appeared to testify on behalf of the proposed Special Use and Variance request. Mrs. Horn stated she and her husband would like to sell a portion of their 3 ½ acres as they feel it has become too much land for them to maintain. Mrs. Horn said she and her husband bought the land over 40 years ago and her husband built the existing dwelling himself. Mrs. Horn added they have additional land to offer for sell to increase the lot size. Mrs. Horn stated they were not a part of the Tara Trace subdivision and they have been in contact with the Health Department and had soil samples taken. Mrs. Horn said the Health Department would not allow a septic system on an acre of ground if a problem arose, and noted the Health Department was aware of the high water table in the area. Mrs. Horn added the Tara Trace Subdivision did not exist when they bought and constructed their dwelling, and they originally had water issues with their property however were able to resolve those issues by installing a sump pump. Mrs. Horn stated when they replaced their septic system the contractor directed their discharge water towards the road. Mrs. Horn said she was not aware of any water issues with any of her neighbors.

Rodney Wanner appeared to testify against the proposed Special Use and Variance request. Mr. Wanner stated he built his dwelling in the established subdivision with 2 ½ acres lots, and thought that was what everyone in the area must have. Mr. Wanner said he had water problems and had spent the past 5 years working with the Health Department trying to resolve the issues. Mr. Wanner added he was even involved in a lawsuit due to the run off from his septic and property. Mr. Wanner stated the water flows naturally across his land and the Horn's property as well the sand filters for any septic system would absorb water from a natural spring running under the property. Mr. Wanner said he had to install a tile and run it 1,000' along a utility easement and direct the water into a gully, as well as installing a dry pond on his property as a collection point for water.

Beverly Berger appeared to testify against the proposed Special Use and Variance request. Ms. Berger stated her property was 1/8th of a mile south of the proposed site and all water run off in the area goes to her 3 acre lake. Ms. Berger said her family had owned land in the area for many years and the area has very wet ground. Ms. Berger added the water run off in the area created a huge problem on her property 20 years ago.

Stan Klein appeared to testify against the proposed Special Use and Variance request. Mr. Klein stated he lived due south of the proposed site. Mr. Klein said Mr. Wanner addressed a lot of the water runoff concerns but he wanted to add he was building a shallow berm on his property to direct the water into the road right of way ditch. Mr. Klein added there was an 8 ½' drop from one side to the other on his lot. Mr. Klein stated he was concerned if the lot was sold the new owners would be allowed to have livestock. Mr. Klein said the Horns may be able to create a swale on their side property to direct the flow of water to the road right of way. Mr. Klein added the land had a North to South and then East to West natural fall.

Karen Murphy appeared to testify against the proposed Special Use and Variance request. Ms. Murphy stated she was building a dwelling on a 4.89 acre parcel that had been in her family for over 80 years. Ms. Murphy said she had to carefully place the dwelling on the lot so the dwelling would not flood. Ms. Murphy added she had to install a culvert to keep the water from washing out their driveway.

Marcia Wanner appeared to testify against the proposed Special Use and Variance request. Ms. Wanner stated she had submitted a picture of the dry pond constructed on her property along with a letter detailing her concerns and said her land also had an 8' drop from the front to the back of her property.

Following all Public Hearings, moved by Lessen, seconded by Vaughn, to continue **Case No. 13-37-S** to the January 7, 2013 Zoning Board of Appeals Public Hearing requiring that the Petitioner provide the following

1. Submit documentation to demonstrate that the pre-construction and post-construction will not impact adjoining properties or increase water run off from the site.
2. Provide more information from Tazewell County Health Department regarding the type of septic system to be installed.

On voice vote, motion declared carried.

CASE NO. 13-38-V: The petition of Loran and Anna Horn for a Variance to waive the requirements of 7TCC 1-7 (f) to allow the creation of a new zoning lot of record to have 131 feet of frontage along Tara Trace which is 69' feet less than allowed in an A-1 Agriculture Preservation Zoning District.

The Tazewell County Land Use Planner submitted a report recommending approval of the proposed Variance request.

Tazewell County Health Department had no comment. (See Case No. 13-37-S)

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

Tazewell County Farm Bureau submitted a report recommending approval regarding the proposed Variance request.

Roger Spangler, Village of Morton submitted a letter regarding the proposed Variance request stating the proposed request met the Village of Morton standards and had no objection.

Greg Menold, Morton Township Road Commissioner submitted a report stating no objection regarding the proposed Variance request.

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

School District 709 made no comment regarding the proposed Variance request.

NOTE – THE TESTIMONY FOR CASE 13-38-V WAS INCLUDED IN THE TESTIMONY LISTED ABOVE IN CASE 13-37-S.

No action was taken on **Case No. 13-38-V** given **Case No. 13-37-S** was continued to the January 7, 2013 Zoning Board of Appeals public hearing.

OTHER BUSINESS: Administrator Deininger stated there would be no meetings held during the month of December, Zoning Board or any other County Board Committees.

NEXT MEETING

The next meeting of the Zoning Board of Appeals will be **Tuesday, January 7, 2013** at 6:00 p.m. in the Tazewell County Justice Center, 101 South Capitol Street, Pekin, Illinois.

ADJOURNMENT

There being no further business, moved by May, seconded by Toevs, to adjourn the Zoning Board of Appeals Public Hearing at 7:22 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.