

## WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room  
6:00 P. M. Tuesday, September 25, 2018

### Minutes

- Call to Order:

Mr. Smith called the meeting to order at 6:00 pm

- Roll Call: Jerry Smith, Teresa Gauger, Jerry Lay, Kim Holmes, and Curtis Heilman were present.  
Chairman Smith declared a quorum present.  
Others present: Blake Parsons, Erik Gibson

- Approval of minutes for August 28, 2018. This item was discussed at the end of the meeting.  
Corrections were requested to page 3, 5 and 6.

Motion to approve with corrections made by Mr. Lay, seconded by Ms. Holmes. *Motion Carried.*

- Swearing in and/or affirmation- completed for each petition.
- Petitions Submitted for Review:

**2018-25-V Spring Bay Township** - Brittany & Joshua Crisman for a Variance in side yard setback to erect an addition to an existing shed in the Agriculture District, located on a .48 acre lot commonly described as 1499 Spring Bay Rd, East Peoria, IL.

- Swearing in and/or Affirmation: was completed for petition **2018-25-V**

Ms. Brittany Crisman and Mr. Josh Crisman presented that they would like to put an addition on the existing shed. The shed has been there approximately as long as the house. It is currently three feet off the property line and they would like to put an addition off the front in line with the current shed. Ms. Gauger asked about the lean-to. Ms. Crisman stated they would also like to add a lean-to on the back over the existing concrete slab for storage of a skid loader. Mr. Lay asked if this would be in line with the existing shed. Ms. Crisman stated it would be in line with the existing shed. Ms. Holmes asked if notices were sent out to the neighbors. Ms. Jording stated they were.

#### **Findings by the Zoning Board of Appeals for Petition 2018-25-V:**

**A. Non-conforming uses in the same district and permitted uses in other districts shall not be considered grounds for issuance of a variance.** (Affirmative)

**B. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same district.** (Affirmative)

**C. The ZBA has found that the reasons set forth in the application justify the granting of the variance.** (Affirmative)

**D. The ZBA finds that the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.** (Affirmative)

**E. The variance requested is the least amount of variance required to allow the proposed structure on the existing lot, without regard to aesthetics or personal inconvenience to the property owner.** (Affirmative)

Motion to approve petition 2018-25-V by Holmes approve the variance in side yard setback to put an addition on the existing shed with all findings in the affirmative, seconded by Lay:

Roll call vote: Teresa Gauger – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*, Curtis Heilman – *Yes*, Jerry Smith – *Yes. Motion carried.*

**2018-26-S Spring Bay Township - Darren & Kimberly Mitchell** for an expansion of an existing Special Use to also allow weddings and events while continuing to maintain public stables, located in the (AG) Agricultural District, commonly described as 163 E North Lakeview Drive, East Peoria, Illinois

- Swearing in and/or Affirmation: was completed for petition **2018-26-S**

Ms. Kimberly Mitchell explained that they would like to expand the existing special use to allow weddings, events, non-profits and women's retreats at the property. Mr. Mitchell noted they would be using the existing buildings and entrances.

Mr. Heilman noted that he would like to decline from voting on this petition due to a conflict of interest being that he does business with the Mitchells.

Ms. Gauger asked if there were already restrooms in the structures.

Mr. Mitchell noted he builds homes and there is a restroom there but they will be adding two handicap restrooms. He noted they have a large indoor riding area and all the events would be inside as far as the noise. The buildings would be heated and air conditioned and insulated, there will be bathrooms. It is not a bar, there will be no kitchen. Ms. Mitchell noted that they would add interior doors to all the barn doors to insulate against noise. Mr. Mitchell noted that they had 22 horses and a personal trainer with 15-20 cars at a time. He noted that the neighbors likely didn't know that number of vehicles were there. Ms. Mitchell noted that they do not have that number of horses at this time. Ms. Mitchell noted that traffic flow would remain the same. Mr. Mitchell discussed that the parking area would be shielded from the road and nearby neighbors. Ms. Mitchell noted that additional trees would be planted to provide additional screening in some areas. Mr. Mitchell noted that they are here to ensure that the neighbors are happy and the board has everything they would like to see.

Ms. Holmes asked if the road is township and if the commissioner was happy with the entrance. Mr. Mitchell noted that the road commissioner noted no concerns. Ms. Mitchell stated they would be removing some trees to widen the entrance and putting up stone pillars to differentiate the entrance to the stable and events area from their home. Mr. Mitchell noted that the entrance was already wide due to semi's coming in to load and unload horses. Mr. Mitchell also noted he would accomplish any necessary erosion and storm water controls.

Ms. Holmes asked if all the neighbors had been notified. Ms. Jording noted that they discovered today that one of the neighbors had not received his notice. Ms. Jording noted that they were attempting to determine why the map showed all the 250 ft. neighbors but the list did not show everyone.

Mr. Gibson asked if the individual was in attendance. Ms. Jording noted they were in attendance.

Mr. Lay asked if this would become a dual use facility. Ms. Mitchell noted more so for the old barn. Not as much for the new barn. Mr. Mitchell noted the old barn is a historic 1897 post and beam barn. Ms. Mitchell presented some photos showing the barns in question. The smaller historic barn had a lean-to that has been torn off and will be replaced with the same size lean-to. Mr. Lay asked about the capacity of the event center. Ms. Mitchell discussed that it would be based on the parking capacity which they are estimating to be 65-75. Ms. Mitchell noted based on the 3-1 ration the capacity would be approximately 195-225 people, they would also have parking for handicap and delivery vehicles. Mr.

Lay asked about signage. Ms. Mitchell noted that they will have a sign between the two pillars they would erect by the entrance.

Ms. Holmes asked about further information on the sign. Ms. Jording noted that no signs are allowed in the AG district. Ms. Jording noted they had discussed signs and petitioner had indicated they would have none. Mr. Mitchell stated they were not changing the name and they had a sign previously. Ms. Jording asked if the Stable Special Use included signage. Mr. Mitchell stated he believed it did. Ms. Homes asked about sign size. Ms. Mitchell stated not more than 3 ft. by 5 ft. Ms. Holmes noted that provisions for a sign in compliance with a home occupation of 17.5 sq. ft. would be sufficient. Ms. Mitchell noted it would.

Ms. Sherry Powley was sworn in. Ms. Powley discussed that two other interested parties were supposed to be here, Donald and Carrie Koch but they are unable to attend. Mr. Gibson reminded Ms. Powley that this portion is for questions only.

Ms. Powley asked what kind of events they would have.

Ms. Mitchell discussed they would have wedding ceremonies and receptions, she also noted she has a passion for Non-Profits particularly for MS research. She also noted that she has a passion for helping women and would like to host women's retreats with various sessions and have young women be involved and educate in these retreats with some lasting two days. Ms. Mitchell discussed the retreats she would like to host. Ms. Powley asked about the size of the wedding events. Ms. Mitchell noted it was based on parking, if they had parking for 75-80 autos, it would allow a capacity of around 200-250 people. Ms. Powley asked if participants would stay overnight, which Ms. Mitchell indicated they would. Ms. Mitchell explained that they would have bunk beds in the loft area of the old barn. They would have bathroom facilities. Ms. Powley asked if alcohol would be allowed. Ms. Mitchell stated they would require the caterer to bring in and hold the appropriate licenses and insurance, no BYOB allowed. She noted they would also require an onsite event manager for the day of the event to assist with everything. Ms. Powley asked about the number of events they plan to host a year. Ms. Mitchell noted that she did not expect to see a weekly event. She stated that it is dependent on demand, she does not see the demand for weekly events. Ms. Mitchell noted they would be on weekends, perhaps Friday evenings to Saturday or Sunday for the retreats. Ms. Powley asked how late they would allow the weddings to run. Ms. Mitchell noted that they would likely see the music stop at 1030, she noted that her daughter's wedding the doors were open and there was no insulation.

Mr. Matt Jackson was called and he stated he did not have questions but would present testimony.

Mr. and Ms. Koch were filed interested parties but not present.

Mr. Scott Favreau was called he had no questions.

Mr. Pete Fenner was sworn in.

Mr. Matthew and Nykoll Jackson were sworn in.

Mr. Jackson discussed that the past wedding event the music was very loud and went very late. He noted that the whole pasture was filled with cars and the cars were also parked across the road as well. He discussed that there was great concern over the number of cars and the consumption of alcohol during events. He discussed that they are in a residential area and several neighbors were unaware of the petition. He also discussed concerns over overnight guests and concerns over the wear and tear on the roads. He noted that he strongly objects. Ms. Jackson noted she felt character is a huge concern when running a business. She stated she looked on the internet to find out who the applicant was and found that she felt there was a lack of character, she noted there was an indictment for Mr. Mitchell. She stated she was concerned over the people coming in and felt this was not done above reproach.

Ms. Homes asked about how late the event went. Mr. Jackson stated that he was unsure of exact time but it was late and his children were in bed.

Mr. Mitchell asked if Mr. Jackson drove the mustang. Mr. Jackson stated he used to have a mustang.

Ms. Powley came forward to discuss that the Mitchells have frequent loud activities on their properties. She noted that when they requested the special use 10 years ago for the stable she did not object and it seemed to fit with the area. Ms. Powley expressed concern that the Mitchells never came to speak with any of the neighbors about this proposal. She noted that she and several neighbors walked the

neighborhood and spoke to the neighbors and many of them had not received a notice and they were upset about the request. Ms. Powley noted that there were 16-17 contiguous neighbors were not notified and were upset. Ms. Powley also discussed that she did not feel that this use would meet the requirements of the implementation strategies of encouraging new residential, commercial and industrial developments to be contiguous with municipalities and existing water and sewer. Or the strategy to encourage new commercial development to be along major transportation corridors. This is not the case. She noted this is a rural residential not commercial area. Mr. Lay asked when the notice was published, Ms. Jording stated it was in the paper September 5, she noted there was an issue with neighbor notification and not all the neighbors received the notice.

Ms. Mitchell asked how many parties Ms. Powley had heard in the last 1 year, 5 years, 10 years. Ms. Powley stated she could not say how many but she does know when she is disturbed. Mr. Mitchell asked if the fireworks noise could be coming from the neighbors down Upper Spring Bay Rd. Ms. Powley noted she did not know.

Ms. Gauger made a motion to continue the petition since all the neighbors were not notified, seconded by Lay.

Roll call vote: Kim Holmes – *Yes*, Jerry Lay – *Yes*, Curtis Heilman – *Present*, Jerry Smith – *Yes*, Teresa Gauger – *Yes*. *Motion carried.*

**Mr. Kamphuis was called up for his extension request. (see below)**

**2018-11-S Cruger Township(Continued)** - Sol America Energy/George Mori for a Special Use to operate a 25 – 30 acre Solar Farm Energy System on a tract of land West/South West of Marshall Rd in Lakeview Acres Subdivision, Eureka, Illinois, located in the (AG) Agriculture District.

Mr. Smith discussed that they will now move to petition 2018-11-S to deal with a few specific items that the County Board requested be addressed. He noted that they would explain the items specifically so everyone is aware of what will be discussed.

- Swearing in and/or Affirmation: was completed for petition **2018-11-S**

Mr. Gibson explained that they are going to try be as procedurally accurate as possible. He noted that we are here to hear rebuttal from the objectors only, there will be no new testimony from the applicant. He explained that the rebuttal is evidence that rebuts or disproves evidence made in the applicant's initial rebuttal. Mr. Gibson gave the main points presented in the applicant's rebuttal those points were:

- Height: 8-9 feet (panels)
- Setback: 750 Ft
- Fence height: 6-8 ft
- Lighting, noise, glare: met
- Underground wiring
- Ag Mitigation agreement
- DNR letter submitted
- No outdoor storage

Mr. Gibson also reminded everyone not to talk over each other as there was a court reporter taking down the meeting. There should be no opinions or speculation, if anyone who is not a registered interested party signed up to speak they may speak during the public comment section of the meeting. Mr. Keyt mentioned that Mr. Gibson indicated they had entered an Ag mitigation agreement, he noted that they will enter into an agreement, they had not entered the agreement yet. Mr. Maccari noted that

there additional items in the rebuttal, he asked if those items could be addressed. Mr. Gibson noted that they could not since they did not present any evidence, he only made a blanket statement. Mr. Chris Syndram asked if the petitioner was the land owner and if he had to be present. Mr. Gibson noted that the land owner did not have to be present. Mr. Smith asked if anyone wished to rebut the panel height of 8-9 ft., no response. Mr. Smith asked if anyone wished to comment on setback of 750 ft., no response. Mr. Smith asked if anyone had comment on the fence height, no comments. Mr. Smith asked if anyone had comments on lighting, noise or glare, no comment. Mr. Smith asked if anyone wished to rebut the underground wiring, no comments. Mr. Smith asked Mr. Gibson to go through the remainder. Mr. Gibson asked if anyone wanted to rebut that they presented that they would enter into an Ag mitigation agreement if asked, no comment. Mr. Gibson asked if anyone wanted to rebut that a letter was submitted by IDNR, no comment. Mr. Gibson asked if anyone wished to rebut that the applicant presented they would have no outdoor storage, no comment. Mr. Gibson noted that the last item was that the applicant stated they would attempt to be compatible with the neighboring properties. Mr. Gibson asked if anyone wished to comment on that. Mr. Zimmer asked for clarification on what could be addressed. Mr. Gibson read from the transcript:

*"Sol America's wish is to be compatible with the area. They want to do a project, yes, and they are willing to take those additional steps to help alleviate some of the concerns that citizens have. We can't eliminate all the concerns. We can't eliminate any concern that all the citizens have, but I think what we can do is try to go above and beyond what the code has, and we are willing to do that."*

Mr. Zimmer, Mayor of Eureka spoke on compatibility, he discussed that there is no comparable commercial development for miles, it is not compatible with the neighboring properties. It is not compliant with the Eureka comprehensive plan it does not comply with the Woodford County long range plan. In fact the findings submitted by the Board reads as follows:

*"Not Consistent with the Woodford County comprehensive long range plan, this is agriculture, it is by residential. In reading the Woodford County comprehensive plan and in consideration with the Eureka Long range plan in which the area is included as potential residential development, might be at odds with the special use request."*

Mr. Zimmer discussed that this area is not compatible, he discussed that Woodford County and Eureka ESDA does not have a plan to mitigate a tornado going through this area with solar panels. Mr. Zimmer discussed that the welfare of the neighbors should be considered, this will affect the neighboring property values. He noted that the petition brought one real estate expert who was not from the area and presented a study not from the area. The opposition brought five statements from area real estate experts that said this would affect the values. Compatibility to the surrounding area certainly affects the enjoyment of their property. They presented a petition with 318 people that agreed their enjoyment would be affected.

Ms. Gauger asked where the statement Mr. Zimmer read came from. Mr. Zimmer stated they came of the County website from the meeting minutes. Ms. Holmes noted that is in the minutes from July.

Mr. Darryl Wilson noted he would be having his council rebut this issue.

Mr. Tom Janssen, attorney on behalf of Mr. Garey and Mr. Wilson. Mr. Janssen stated that they believe the ZBA should determine a negative finding that the petitioner has failed to address on point B section 24-1300 requires the ZBA make a finding that the granting of the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. He noted they were amazed that the petitioner never made attempts to obtain nearby property owner reaction prior to submitting their application to the May 22 public hearing. He noted that the petitioner testified that proximity to residential neighbors was not a consideration when selecting the location so the neighbor's view of a solar farm was not important to them. Property owners who will be able to see the farm have stated it will be injurious to their enjoyment of their property. The applicant views that the industrial equipment is not injurious. The views of both the applicant and property owners is

opinion so which opinion should carry the most weight. The opinion of the property owners who will actually have to look at what they consider to be an eyesore or the opinion of the applicant, an out of state company with no human eyes and their representatives that will not have to look the solar farm equipment every day. Sola America amended its original petition to add a vegetative barrier, it appears this was added after the applicant realized after May hearing that nearby property owners do not want to look at the solar farm. It appears by the addition of this barrier that the applicant agrees with the property owners. The barrier would only block a portion of the view due to the contours of the land. Neighbors will still be able see many panels. The proposed solar farm will be injurious to the use and enjoyment of other nearby properties, the ZBA should have negative findings on point B and recommend denial of the application. Furthermore in connection with the compatibility with the comprehensive land use plan, on page 13 it states as far as expansion and future development for incorporated communities it will most likely be land adjacent to current corporate limits so new developments have access to public water and sewer. The Counties land use plan indicates development for residential purposes be preferred in areas adjacent to municipalities for those reasons and this runs counter to that. Mr. Janssen noted on page 26 of the land use plan principle 2, strategy 2 states the County Board should as part of their land use respect the future land use plan of municipalities within their 1.5 mile planning jurisdiction. Taking this into account Woodford County comprehensive plan requires the applicant to give great deference to the plans of the municipalities and the land use plan they have developed, siting this there would run contrary to the land use plan and the development plan of Eureka and is not consistent with the Counties land use plan. Mr. Smith asked if there were any other objectors that had points. None were heard.

Mr. Smith stated that the board would now take into consideration the report from Tri-County Regional Planning Commission.

Ms. Gauger read item A:

***A. Will not be detrimental to the public health, safety, and welfare;***

*The proposed solar array will be located on rural agricultural land, southwest of the nearest residential area. The premises will be surrounded by a six-to-eight-foot tall chain link fence with a locking gate. Panels are constructed to absorb light and create a negligible amount of glare. Sound emitted from the project comes from the transformer, which is situated in the site plan such that it will not be audible from outside the project boundaries. Once constructed the solar array will not emit any substances, sounds, or light which could be considered detrimental to the public health, safety, or welfare.*

Ms. Holmes read item B:

***B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant should demonstrate reasonable efforts to minimize incompatibility;***

*As already permitted, property in the immediate vicinity of the project area is predominantly tilled agriculture land. A residential subdivision lies to the northeast and agriculture land zoned residential lies to the east. Once operational, the solar array will not require full-time staff to operate nor will it pose any health or safety hazards. Moreover, the applicant has affirmed to place all equipment in such a way to minimize visual impacts on surrounding properties and to not impact public infrastructure (i.e. water main) near the site. Therefore, the proposed special use should not prove injurious to the use and enjoyment of property in the immediate vicinity.*

Mr. Lay read item C:

***C. Will not be injurious to the district in which it shall be located;***

*The subject property is zoned Agriculture. Once constructed, the proposed solar array should not have any significant impact on the remaining agriculture land in the subject property or surrounding agriculture land. The array will not emit chemicals, sound, light, or shadow which would impede farming activities in the area, nor will it create significant traffic or activity in the area. Moreover, the solar array will be constructed to not destroy the soil beneath and to not negatively impact storm water movement. Upon decommissioning, the array may be removed, and the ground beneath may be reclaimed for agriculture use.*

Mr. Heilman read item D:

***D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;***

*Property north, west, and south of the subject property is zoned Agriculture, and property east of the subject property is zoned Single Family Residential. From Finding C, a small solar array should not be injurious to the productive use of agriculture land, which includes its normal and orderly development and improvement.*

*The proposed array also should not impede normal and orderly residential development in the area. Residential-zoned areas to the near- and far-east of the site may be developed for residential use with no impediments. No spur roads or "dead-end streets" in the area were built with growth in the direction of the subject property in mind; existing construction and street patterns make southwest development more difficult than growth to the south. Moreover, no long-term study has shown negative property value impacts on wind or solar energy developments. Considering that solar energy developments are less visible than wind farms and emit no sound, the array's impact should not have a significant effect on the area's normal and orderly development.*

Ms. Gauger read item E:

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

*Per the applicant, all utilities and necessary facilities will be provided.*

Ms. Holmes read item F:

***F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;***

*Construction of the array will likely cause a temporary increase to traffic on area roads.*

*However, this additional traffic should not pose any significant hazard. Upon construction, traffic impacts will be limited to approximately one maintenance vehicle per month. Therefore, the proposed special use should not negatively impact traffic in the area.*

Mr. Lay read item G:

***G. Is consistent with the Woodford County Comprehensive Land Use Plan.***

*According to the Woodford County Future Land Use Map and the City of Eureka Future Land Use Map, the area identified for special use lies on the border of future agriculture and future residential areas. A solar array is highly compatible with an agriculture area: it preserves the soil beneath, does not create additional traffic/activity, and grasses planted throughout the site create habitats for pollinating insects. A solar array is less compatible with a residential area, but not incompatible. Should the City of Eureka experience profound residential development pressure limited to the area southwest of its current boundary, the subject property may be better suited to meeting residential demand. The applicant should consult with the City of Eureka regarding site layout and visual screening (e.g. trees) to best accommodate potential future residential development in the surrounding area.*

Ms. Holmes made the Motion to approve petition 2018-11-S to operate a 25-30 acre solar farm Energy system and adopt the findings of fact submitted by Tri-County Regional Planning Commission, seconded by Gauger.

**Findings by the Zoning Board of Appeals for Petition 2018-11-S:**

**A. Will not be detrimental to the public health, safety, and welfare;**

The proposed solar array will be located on rural agricultural land, southwest of the nearest residential area. The premises will be surrounded by a six-to-eight-foot tall chain link fence with a locking gate. Panels are constructed to absorb light and create a negligible amount of glare. Sound emitted from the project comes from the transformer, which is situated in the site plan such that it will not be audible from outside the project boundaries. Once constructed the solar array will not emit any substances, sounds, or

light which could be considered detrimental to the public health, safety, or welfare.

**B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant should demonstrate reasonable efforts to minimize incompatibility;**

As already permitted, property in the immediate vicinity of the project area is predominantly tilled agriculture land. A residential subdivision lies to the northeast and agriculture land zoned residential lies to the east. Once operational, the solar array will not require full-time staff to operate nor will it pose any health or safety hazards. Moreover, the applicant has affirmed to place all equipment in such a way to minimize visual impacts on surrounding properties and to not impact public infrastructure (i.e. water main) near the site. Therefore, the proposed special use should not prove injurious to the use and enjoyment of property in the immediate vicinity.

**C. Will not be injurious to the district in which it shall be located;**

The subject property is zoned Agriculture. Once constructed, the proposed solar array should not have any significant impact on the remaining agriculture land in the subject property or surrounding agriculture land. The array will not emit chemicals, sound, light, or shadow which would impede farming activities in the area, nor will it create significant traffic or activity in the area. Moreover, the solar array will be constructed to not destroy the soil beneath and to not negatively impact storm water movement. Upon decommissioning, the array may be removed, and the ground beneath may be reclaimed for agriculture use.

**D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;**

Property north, west, and south of the subject property is zoned Agriculture, and property east of the subject property is zoned Single Family Residential. From Finding C, a small solar array should not be injurious to the productive use of agriculture land, which includes its normal and orderly development and improvement.

The proposed array also should not impede normal and orderly residential development in the area. Residential-zoned areas to the near- and far-east of the site may be developed for residential use with no impediments. No spur roads or “dead-end streets” in the area were built with growth in the direction of the subject property in mind; existing construction and street patterns make southwest development more difficult than growth to the south. Moreover, no long-term study has shown negative property value impacts on wind or solar energy developments. Considering that solar energy developments are less visible than wind farms and emit no sound, the array’s impact should not have a significant effect on the area’s normal and orderly development.

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

Per the applicant, all utilities and necessary facilities will be provided.

**F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;**

Construction of the array will likely cause a temporary increase to traffic on area roads.

However, this additional traffic should not pose any significant hazard. Upon construction, traffic impacts will be limited to approximately one maintenance vehicle per month. Therefore, the proposed special use should not negatively impact traffic in the area.

**G. Is consistent with the Woodford County Comprehensive Land Use Plan.**

According to the Woodford County Future Land Use Map and the City of Eureka Future Land Use Map, the area identified for special use lies on the border of future agriculture and future residential areas. A solar array is highly compatible with an agriculture area: it preserves the soil beneath, does not create additional traffic/activity, and grasses planted throughout the site create habitats for pollinating insects. A solar array is less compatible with a residential area, but not incompatible. Should the City of Eureka experience profound residential development pressure limited to the area southwest of its current boundary, the subject property may be better suited to meeting residential demand. The applicant should consult with the City of Eureka regarding site layout and visual screening (e.g. trees) to best accommodate potential future residential development in the surrounding area.

Roll call vote: Curtis Heilman – *No*, Jerry Smith – *No*, Teresa Gauger – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*. Motion carried.

• Other Business to Come Before the Board:

- Extension of petition **2018-08-S** Panola Township – Gerald & Roberta Kamphuis requests a special to operate an event center and wedding venue, Stonebridge Stables, at 1420 State Route 251, El Paso, IL, which is in the (AG) Agriculture District.

Ms. Jording explained that Mr. Kamphuis had a petition heard in May that was approved at the June County Board meeting. He has been working to obtain all of his information and has not been able to get everything put together yet. Mr. Kamphuis was sworn in. Mr. Kamphuis explained that they had issues with electricity and HVAC for the greenhouse. They have been working to solve the issues relating to the HVAC. He stated he was asking for an extension. Mr. Smith asked how long he needed. Mr. Kamphuis asked for three months.

Ms. Holmes made the motion to extent the special use for 90 days, seconded by Gauger.

Roll call vote: Jerry Lay – *Yes*, Curtis Heilman – *Yes*, Jerry Smith – *Yes*, Teresa Gauger – *Yes*, Kim Holmes – *Yes*. *Motion carried.*

- Extension of 2018-12-S Clayton Township - FFP IL Community Solar LLC for a Special Use to operate a 32.53 acre Solar Farm Energy System, on vacant ground ¼ mile North of County Highway 2, on the West side of County Road 2500 E, Minonk, Illinois, located in the (AG) Agriculture District.

Ms. Jording discussed that the state has developed a block grant program to approve the farms. The companies must have three items; control of the property (lease), interconnection with the utility, and non-ministerial permitting (Special Use). Once they have those items they apply to the state, the first application period is January, the lottery will be drawn in February. They cannot start permitting until after the state draws in February. This was not known when the ordinance was written so some accommodation should be made since they have to come to us first by state law. Ms. Jording noted that C. P. & Z. will be submitting a text amendment next month to correct this and will propose a 15 month permitting window for all commercial level solar. Ms. Jording noted that there are two approved solar petitions at this time, her recommendation is to give them extensions. Mr. Smith asked if the recommendation was to give extensions to the two farms currently approved. Ms. Jording noted it was and the one from this evening was up to the board if they wished to extend it as well. Mr. Smith noted they would wait on the petition from this evening to see if it is approved. Ms. Jording noted that 2018-12-S is already at its 90 day expiration, 2018-22-S will come up in December. Mr. Smith asked what they are approving. Ms. Jording noted that they have a petition that is currently expired and needs an extension. The Board discussed that the draw is in February so that would require maybe six months, where did the 15 month come from. Ms. Jording discussed that the first petition was received in May and approved in June, she was trying to allow for that permitting timeline for future petitions. The

Board discussed that there are some lotteries that run concurrently but there could be later lotteries that would delay permitting further. Mr. Smith asked for a motion. Ms. Gauger made a motion to grant and extension to petition 2018-12-S FFP IL Community Solar LLC for 15 months, seconded by Lay. Roll call vote: Jerry Smith – *Yes*, Teresa Gauger – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*, Curtis Heilman – *Yes*. *Motion carried.*

- Request to Extend the permitting period for all solar Special Use petitions to a 15 month permitting window to accommodate the State Block program

The Board discussed that they will wait for the recommendation from the C. P. & Z. committee for this item.

- Update on next month petition/s – October  
Ms. Jording noted that three petitions had been filed, a text amend, a rezoning and a special use. Applicants have until Friday to file.
- IACZO Seminar discussion:  
Mr. Lay noted that he found it very informative, he did not know anything about the lotteries. Ms. Smith agreed that no one know about the lotteries for the Solar Farms.
- ZBA By-Law discussion - (if necessary) None
- Public Comment  
Mr. Gibson asked if there was anyone who wished to make public comment. None was heard.
- Executive Session (if necessary) - None
- Any action coming out of Executive Session
- Adjournment  
Mr. Lay made the motion to adjourn at 7:47, 2<sup>nd</sup> by Ms. Holmes. *Motion Carried.*

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Lisa Jording, Secretary

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Jerry Smith, Chairman

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Date