

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room
1837 S. Main St. Eureka, IL
6:00 P. M. Tuesday, October 24, 2023

- Call to Order:

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

- Roll Call: Teresa Gauger, John Obery, Terry Pille, Karen Krug and Marty Clinch were present.

Ms. Gauger declared a quorum present.

Others present: Lisa Jording

- Approval of minutes.

July 25, 2023

Motion to approve minutes with correction made by Pille, seconded by Krug. *Motion Carried, Pille abstained.*

- Swearing in/ Affirmation – Completed for each petition.

- Presentation of Petitions

#2023-17-S Palestine Township filed September 18, 2023, by Honorio Carrillo for a Special Use to allow a Rodeo, live music, food truck location the Agriculture District on 9.52 acres described as a part of the E ½ N ¼ Section 10, T26N – R1E of the 3rd P.M. Woodford County, Illinois, and more commonly described as 2381 US Highway 24 El Paso, Illinois.

Honorio Carrillo Vasquez and Maria Rosario Carrillo were sworn.

Mr. Carrillo stated he was requesting a Special Use for live music, food trucks, and rodeo at his property. The rodeo is a competition event but is not a part of a circuit. He is unaware of the need for a USDA permit but if one is needed he can pull it. There are two bridges on the property to cross the small stream for additional parking, one bridge was there when he purchased the property, he placed the second himself. The entrance off US Hwy 24 was discussed, Mr. Carrillo stated he is working with IDOT and understands he needs to upgrade his entrance. He has spoken to two engineering companies and is waiting for further information on what is needed. He noted that they park the vehicles in the pasture and have security to direct parking and manage the exiting vehicles.

He discussed that if they have an event scheduled and it rains then they cancel as it is too muddy.

The board discussed the IDOT entrance requirement and the Handicap parking requirements. It was discussed that the attendance would likely top out at approximately 300, that would dictate 100 parking spots and 4 handicap parking spaces.

Mr. Carrillo was asked if a veterinarian was on site during the event. He stated they do not have a veterinarian on site, but he does require the bull owners to bring a health certificate to show the animals are in good health.

Mr. Carrillo was asked about medical staff. He explained that he checked with El Paso and Secor EMS and both stated they were not able to attend the event but that he could hire private EMS to be on site for the events.

Mr. Carrillo discussed that he carries liability insurance for all events and the riders sign waivers.

The Board asked about outdoor music and it was noted that is governed by the liquor licensing through the county.

Ms. Gauger read the IDOT letter into the record regarding the commercial entrance requirements and placed it in the file.

The testimony portion of the hearing was closed.

Findings by the Zoning Board of Appeals for Petition 2023-17-S:

A. Will not be detrimental to the public health, safety, and welfare; The rodeo area is secure with fencing. The parking requirement is one space for every 3 people. With 300 people projected 100 parking spaces would be required and 7 handicap spots (ordinance was mis read and actually only requires 4). The riders sign a waiver and understand there is no medical personnel on site.

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

applicant shall demonstrate reasonable efforts to minimize incompatibility; The maps were reviewed, and the nearest neighbor is approximately 1500 ft away. The land has rolling hills so the effect on the enjoyment of neighboring properties would be minimal.

- C. Will not be injurious to the district in which it shall be located;** Everything needed at the location is in place except the entrance and that will be settled with IDOT.
- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** Per the overview of the property this is rolling ground and pasture. This will not impede development, most of the area is undeveloped agriculture ground and livestock areas. Health of the livestock should be considered.
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** Petitioner is working with IDOT on entrance requirements and will work on handicap parking requirements. Port-o-potties provided for events, bridge to additional parking and concerns over its suitability are tempered by the fact that the insurance company has toured the property and provides liability insurance.
- 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;** petitioner has contacted IDOT and is waiting on engineering to bring the entrance up to standard. This entrance will need to be completed prior to the next event. Security is on site for parking and traffic direction.
- G. Is consistent with the Woodford County Comprehensive Land Use Plan. This is an industrial activity;** The plan looks for productive use of the land. This ground is not farmable and could only be used for livestock or pasture so this would be a best use for the property.

Motion to approve petition 2023-17-S in Palestine Township filed September 18, 2023, by Honorio Carrillo for a Special Use to allow a Rodeo, live music, food truck location the Agriculture District on 9.52 acres at 2381 US Highway 24 El Paso Illinois with the following stipulations made by Krug, seconded by Clinch.

Stipulations:

1. Health Record of all livestock brought into the event will be kept on file.
2. Commercial entrance must be installed and approved by IDOT
3. Liability Insurance must be obtained for each event

Roll call vote: Marty Clinch – *Yes*, Karen Krug – *Yes*, Teresa Gauger – *Yes*, Terry Pille – *Yes*, John Obery – *Yes*. *Motion Carried.*

#2023-18-V Cruger Township filed September 21, 2023, by Legacy Solar LLC on behalf of Drew Bauman for a Variance in rear yard setback to allow a 5 ft. 10 in. setback for a solar array, a decrease of 4 ft. 2 in. in the Agriculture District on 4 acres described as part of the West side, 4 acres in the SE 1/4 , Section 23, T26N – R2W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 1276 County Road 700 N, Eureka, Illinois.

Katherine Bauman was sworn in.

Ms. Bauman noted they are looking to install solar panels and to maintain as much pasture ground on the property as possible. They are looking to push the array closer to the rear property line. She noted they did try to purchase or lease more ground from the surrounding farmer but were unable. They are also unable to place the array on any of the structures.

The testimony portion of the hearing was closed.

Findings by the Zoning Board of Appeals for Petition 2023-18-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.** There is no other location to place the array without losing pasture ground.
- 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.** This is a rural area and will not be a problem for surrounding properties.
- C. **The ZBA has found that the reasons set forth in the application justify the granting of the Variance.** Per the testimony this is the only location they can place the array and utilize the full available sunlight.
- 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.** The property is far back in a field, no neighbor concerns were presented.
- 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.** They need to maintain pasture ground for the animals, the request is very conservative, and they have been very mindful with the placement of the array.

F.

Motion to approve petition 2023-18-V in Cruger Township filed September 21, 2023, by Legacy Solar LLC on behalf of Drew Bauman for a Variance in rear yard setback to allow a 5 ft. 10 in. setback for a solar array, a decrease of 4 ft. 2 in. in the Agriculture District on 4 acres at 1276 County Road 700 N Eureka Illinois made by Krug, seconded by Clinch.

Roll call vote: Teresa Gauger - *Yes*, Marty Clinch – *Yes*, Terry Pille– *Yes*, John Obery – *Yes*. *Motion Carried.*

- Other Business to Come Before the Board:
 - Update on previous month’s petition/s: all petitions approved.
 - Update on next month petition/s: None
- Public Input – None
- Adjournment

Mr. Pille made the motion to adjourn at 7:00 p.m., 2nd by Mr. Clinch. *Motion Carried.*

Lisa Jording, Secretary

Teresa Gauger, Chairman

Date