

**AGENDA**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, ILLINOIS**  
**7:00 P.M.**  
**MONDAY, MAY 20, 2019**  
**FREEDOM HALL, 349 W. BIRCHWOOD, MORTON, ILLINOIS**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE TO THE FLAG**
- IV. PUBLIC HEARING**
- V. PRESENTATIONS AND SPECIAL REPORTS**
  - A. Jerry Davis from the Morton VFW - Fourth of July Fireworks.
- VI. PUBLIC COMMENT**
  - A. Public Comments
  - B. Requests for Removal of Items from the Consent Agenda
- VII. CONSENT AGENDA**
  - A. Approval of Minutes
    - 1. Regular Meeting – May 6, 2019
  - B. Approval of Bills.
  - C. Resolution 03-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - D. Resolution 04-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - E. Resolution 05-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - F. Resolution 06-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - G. Resolution 07-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - H. Resolution 08-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
  - I. Resolution 09-20 - IDOT Resolution for Improvement Under the Illinois Highway Code.
- VIII. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- IX. VILLAGE PRESIDENT**
  - A. Morton Fourth of July Fireworks Contribution for 2019.
- X. VILLAGE CLERK**
- XI. VILLAGE ADMINISTRATOR**
  - A. Changes to the Business District Building Improvement Grant.
  - B. Building Improvement Grant Recommendations.
  - C. Spring 2019 Tourism Grant Approval.
- XII. CHIEF OF POLICE**
  - A. Presentation of Presidential Volunteer Service Awards to Auxiliary Officers.
- XIII. CORPORATION COUNSEL**
- XIV. DIRECTOR OF FIRE AND EMERGENCY SERVICES**
- XV. DIRECTOR OF PUBLIC WORKS**
- XVI. PLANNING AND ZONING OFFICER**
  - A. June 2019 Tazewell County Zoning Board of Appeals Cases for Comment.
    - 1. Case No. 19-24-V – Jeffrey Roth.
    - 2. Case No. 19-25-S – Sun Ag, Inc.
    - 3. Case No. 19-26-V – Sun Ag, Inc.
    - 4. Case No. 19-27-V – Sun Ag, Inc.
    - 5. Case No. 19-28-S – Merle Clemmons d/b/a Groveland Chapels.
    - 6. Case No. 19-29-S – Charles Simmons.

**XVII. VILLAGE TRUSTEES**

- A. Trustee Blunier
- B. Trustee Leitch
- C. Trustee Leman
- D. Trustee Menold
- E. Trustee Newman
- F. Trustee Parrott

**XVIII. CLOSED SESSIONS**

**XIX. CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS**

**XX. ADJOURNMENT**

**VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING  
7:00 P.M., MAY 6, 2019**

After calling the meeting to order, President Kaufman led the Pledge of Allegiance. The Clerk called the roll, with the following members present: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.

**PUBLIC HEARING** – None.

**PRESENTATIONS** – Trustee Heer read, and President Kaufman presented a proclamation recognizing the Morton High School Girls Basketball Team for winning the 2019 Class 3A State Championship. He and Trustee Heer praised the team and coaching staff for their hard work and dedication and for representing Morton very well.

**PUBLIC COMMENT** – None.

**CONSENT AGENDA**

- A. Approval of Minutes.
  - 1. Regular Meeting – April 15, 2019
- B. Approval of Bills

Trustee Parrott moved to approve the Consent Agenda. Motion was seconded by Trustee Leman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.

No: None.

Absent: None.

**VILLAGE PRESIDENT**

President Kaufman requested approval of the appointment of Nathan Geil to the Plan Commission. Trustee Newman moved to approve. Motion was seconded by Trustee Belsley and followed by a unanimous voice vote.

**CORPORATION COUNSEL**

Attorney McGrath presented Ordinance 20-01, An Ordinance Authorizing the Lease of a Portion of the Real Property Commonly Known as 375 West Birchwood Street, Morton, Illinois Owned by the Village of Morton to Tazewell County Consolidated Communications. He noted that it is a negotiated amount close to what was budgeted on a per-square-foot basis. Chief Hilliard noted that the dispatchers are planning to move from East Peoria into the Morton facility on May 20 as of this time. Trustee Newman moved to approve. Motion was seconded by Trustee Parrott and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.

No: None.

Absent: None.

## **DIRECTOR OF PUBLIC WORKS**

DPW Loudermilk presented Ordinance 19-29, An Ordinance Making Amendments Regarding Development Fees to Chapter 13 of Title 8 of the Morton Municipal Code. Trustee Belsley moved to approve. Attorney McGrath read the Ordinance. DPW Loudermilk noted that the intent is to recoup anticipated infrastructure costs resulting from annexation for new development. Trustee Heer moved to approve. Motion was seconded by Trustee Leman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

DPW Loudermilk then requested acceptance of bid for the Paris Ave. Improvements Project in the amount of \$405,847.00 and award of contract for same to Stark Excavating Inc. He noted that there were 4 bids on this project, and it came in under the engineering estimate and within budget. Trustee Heer moved to approve. Motion was seconded by Trustee Newman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

DPW Loudermilk then requested acceptance of bid for the Pershing St. Improvements Project in the amount of \$407,609.10 and award of contract for same to Illinois Civil Contractors Inc. He noted that this also came in under the engineering estimate and within budget. Trustee Newman moved to approve. Motion was seconded by Trustee Leman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

DPW Loudermilk then presented Resolution 01-20, A Resolution Authorizing Acceptance of Morton Pocket Park Proposal from Farnsworth Group. He noted that the proposal is for \$21,500 for a pre-design and schematic, and that this total would come off of the \$100,000 that had been discussed from the Village if the project goes forward. Trustee Heer moved to approve. Motion was seconded by Trustee Leman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

DPW Loudermilk then presented Resolution 02-20 - A Resolution Authorizing Professional Services Agreement with Curry and Associates Engineers, Inc. for Water Treatment Plant Upgrades. He introduced Andy Curry from Curry and Associates, Bob Burton, current water treatment superintendent, and Trent Reid, the future water treatment superintendent as of September 1. He noted that this authorizes himself and Attorney McGrath to enter into an agreement with Curry and Associates, not to exceed \$725,250.00 for a project with a construction cost of \$10,000,000. Trustee Newman moved to approve. Motion was seconded by Trustee Parrott and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

DPW Loudermilk then presented Ordinance 20-02, An Ordinance Making Amendments Regarding Dangerous Trees to Chapter 9 of Title 8 of the Morton Municipal Code. He noted that this is something that's been talked about for several years and addresses dangerous trees to pedestrians or traffic. Trustee Heer moved to approve. Motion was seconded by Trustee Parrott and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

### **PLANNING AND ZONING OFFICER**

PZO Spangler announced that the Jeff Green Memorial Subdivision items on the agenda would need to be continued until a following meeting.

PZO Spangler then presented Special Use Cases #19-02SP, #19-03SP, and #19-03SP. He noted that these are for roof-mounted solar systems and came with unanimous recommendations from the Plan Commission. Trustee Heer moved to approve. Motion was seconded by Trustee Blunier and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.  
No: None.  
Absent: None.

### **VILLAGE TRUSTEES**

**BELSLEY** – Being Trustee Belsley's last meeting, he gave a farewell and thanked everyone involved that he has worked with over the years and reflected on his time and the commitments that public servants have given to Morton.

**BLUNIER** – Nothing to report.

**HEER** – Being Trustee Heer's last meeting, he gave a farewell and thanked everyone involved that he has worked with over the years and gave some advice for the future board.

**LEMAN** – Nothing to report.

**NEWMAN** – Nothing to report.

**PARROTT** – Nothing to report.

### **ADJOURNMENT SINE DIE**

President Kaufman requested adjournment sine die. Trustee Newman moved to adjourn. Motion was seconded by Trustee Leman and followed by a unanimous voice vote.

President Kaufman thanked and presented an award of recognition and appreciation of service to Trustees Belsley and Heer.

Clerk Ritthaler administered the oath of office to Trustee Blunier and incoming Trustees Menold and Leitch.

Following the oaths of office, the Clerk determined the following members present: Kaufman, Blunier, Leitch, Leman, Menold, Newman, Parrott – 7.

**ADJOURNMENT**

With no further business to come before the Board, Trustee Parrott moved to adjourn. Motion was seconded by Trustee Leman and followed by a unanimous voice vote.

ATTEST:

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PRESIDENT

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VILLAGE CLERK



# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
03-20	Supplemental	12-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2012

2. That there is hereby appropriated the sum of one thousand, one hundred, forty-six and 80/100

Dollars ( \$1,146.80 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by  
President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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Approved

Regional Engineer  
Department of Transportation

Date

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# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
04-20	Original	13-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2013

2. That there is hereby appropriated the sum of four thousand, six hundred, ninety-four and 56/100

Dollars ( \$4,694.56 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by  
President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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Approved

Regional Engineer  
Department of Transportation

Date

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# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
05-20	Original	14-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2014

2. That there is hereby appropriated the sum of five thousand, seven hundred, seventy-two and 55/100

Dollars ( \$5,772.55 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by  
President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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Approved

Regional Engineer  
Department of Transportation

Date

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# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
06-20	Original	15-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2015

2. That there is hereby appropriated the sum of five thousand, seven hundred, and 66/100

Dollars ( \$5,700.66 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

Approved

Regional Engineer  
Department of Transportation

Date



# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
07-20	Original	16-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2016

2. That there is hereby appropriated the sum of five thousand, four hundred, seven and 57/100

Dollars ( \$5,407.57 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by  
President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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**Approved**

Regional Engineer  
Department of Transportation

Date

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# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
08-20	Original	17-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

an agreement with the Tri-County Regional Planning Commission servings as the Metropolitan Planning Organization (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program FY 2017.

2. That there is hereby appropriated the sum of five thousand, seven hundred, five and 26/100

Dollars ( \$5,705.26 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by  
President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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Approved

Regional Engineer  
Department of Transportation

Date

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# Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
09-20	Original	18-00064-00-ES

BE IT RESOLVED, by the President and Board of Trustees of the Village  
Governing Body Type Local Public Agency Type  
of Morton Illinois that the following described street(s)/road(s)/structure be improved under  
Name of Local Public Agency  
the Illinois Highway Code. Work shall be done by Contract  
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	N/A				

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+	N/A				

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

An agreement with the Tri-County Regional Planning Commission serving as the Metropolitan Planning Organ. (MPO) to assist the participating communities to coordinate their transportation needs through the Peoria Pekin Urbanized Area Transportation Study (PPUATS) Work Program for FY 2018

2. That there is hereby appropriated the sum of five thousand, eight hundred, eighty-four and 38/100

Dollars ( \$5,884.38 ) for the improvement of  
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Sam Ritthaler Village Clerk in and for said Village  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of Morton in the State aforesaid, and keeper of the records and files thereof, as provided by  
Name of Local Public Agency  
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

President and Board of Trustees of Morton at a meeting held on \_\_\_\_\_  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL)

Clerk Signature

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Approved

Regional Engineer  
Department of Transportation

Date

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# Memo

**To:** President & Board of Trustees  
**From:** Julie Smick  
**Date:** May 9, 2019  
**Re:** Changes to the Business District Building Improvement Grant

The Morton Business Development and Redevelopment Commission met on Wednesday, May 8, 2019, and approved the following changes to the Business District Building Improvement Grant (changes are underlined):

1. Under previous requirements, a building that was used as both commercial and residential had to have the commercial portion to be 51% of the total square footage or greater to be eligible. Based on discussion, the Commissioners have chosen to add an exception to this requirement for commercially-zoned properties which include a residential component of more than 50% would be eligible if the business employs 3 or more full-time equivalent employees.
2. Previously, no costs of new construction were allowed. The Commissioners propose including the cost of demolition of an existing structure to prepare the site for new construction (which is evidenced by the issuance of a building permit for the new construction.

The Commission is asking for your approval of these changes. Thank you!



# Memo

**To:** President and Board of Trustees  
**From:** Business District Commission  
**Date:** May 9, 2019  
**Re:** Building Improvement Grant Recommendations

Below are the recommendations for Building Improvement Grants from the Business District Commission. The Commission met in May 2019, and approved the following recommendation.

Applicant	Property Address	Total Project Cost	Amount Approved by BDC	Summary of Work
Air-Land Transport	1020 W Birchwood	\$56,620	\$10,000	Replace entrance of building

The Commission is asking for your approval of these recommendations.

If you have any questions please reach out to Julie Smick.

Thank you!

# Memo

**To:** President & Board of Trustees

**From:** Julie Smick

**Date:** May 16, 2019

**Re:** Morton Spring Tourism Grant Round Recommendations

The Morton Tourism Grant Committee scored the Tourism Grant applications received for the Spring grant round.

There are two types of grants an organization can apply for:

- **Community Grant** is capped at \$3,000 and is for events which bring people into town and gain recognition for the community. These do not generate a lot of overnight hotel stays but do increase restaurant traffic, educational opportunities and improve the quality of life for residents.
- **Overnight Grant** is capped at \$10,000. The Overnight Grant requires at least 50 overnight hotel stays. These events normally provide greater economic benefits to the community and provide a higher level of non-economic benefits for the community and its visitors.

Below are their recommendations:

Event	Hosting Organization	Requested Grant Amount	Recommended Grant Amount	Comments
Battle at Birchwood	Morton Girls' Softball Assoc.	\$15,000	\$13,500	Application was for 3 tournaments at \$5,000 each
Bob & Liz Schnarr Wrestling Invitational	Morton HS Wrestling	\$5,000	\$3,500	None
MHS Invitational Soccer Tournament	MHS Athletics	\$7,000	\$6,300	None
MHS Band Invitational	MHS Band Boosters	\$10,000	\$9,000	None
MHS Girls' Basketball	MHS Athletics	\$6,000	\$4,200	None
Pumpkin Festival	Morton Chamber	\$10,000	\$10,000	None
PDGA Pro World Championships	Ledgestone	\$10,000	\$10,000	None
Ledgestone Disc Golf Open	Ledgestone	\$10,000	\$10,000	None
Soccer Invitational	Morton Premier Soccer Assoc.	\$7,000	\$6,300	None
MYBA Tournaments	Morton Youth Baseball Assoc.	\$30,000	\$20,000	3 separate tournaments to be held, maximum one group can receive is \$20,000
Famer's Market & More	PLaCE	\$3,000	\$2,700	None

The Indulgence Tours	PLaCE	\$2,000	\$1,000	None
Arts in the Park	Morton Fine Arts Assoc.	\$3,000	\$3,000	None
Kids Muddy Madness	Morton to Peoria St. Jude Run	\$3,000	\$2,700	None

If you have any questions, please feel free to contact me.



**COUNTY OF TAZEWELL  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**Kristal Bachman, Community Development Administrator**

**Sent Via Electronic Mail**

May 15, 2019

Mr. Roger Spangler – [rspankler@morton-il.gov](mailto:rspankler@morton-il.gov)  
Village of Morton Zoning  
P.O. Box 28  
Morton, IL 61550

Dear Mr. Spangler:

Attached you will find descriptions of the Zoning Case(s) as listed below which may be located within one and one-half miles of the corporate limits of Morton to be considered by the Tazewell County Zoning Board of Appeals on **Tuesday, June 4, 2019**. The hearing will be conducted at the Tazewell County Justice Center, located at 101 S. Capitol Street, Pekin, Illinois.

The case(s) are as follows:

Case No. 19-24-V	Jeffrey Roth
Case No. 19-25-S	Sun Ag, Inc.
(Upon approval of Case No. 19-25-S by the ZBA)	
Case No. 19-26-V	Sun Ag, Inc.
Case No. 19-27-V	Sun Ag, Inc.
Case No. 19-28-S	Merle Clemmons d/b/a Groveland Chapels
Case No. 19-29-S	Charles Simmons

***Your comments are extremely important to the Zoning Board in their decision making, therefore even though you may have no comment, the Zoning Board would greatly appreciate a response with regards to the above case(s) prior to the above mentioned Public Hearing Date.***

If you have need for additional information regarding any of the above case(s), please do not hesitate to contact my office.

Thank-you for your cooperation regarding this matter.

Respectfully

Kristal Bachman  
Community Development Administrator

KB/mk

Attachment(s)

**11 South Fourth Street ~ McKenzie Building ~ Suite 400 ~ Pekin, Illinois 61554**

PHONE: (309) 477-2235 ~ FAX: (309) 477-2358 ~ E-MAIL: [zoning@tazewell.com](mailto:zoning@tazewell.com)

**NOTICE OF PUBLIC HEARING**  
**LEGAL NOTICE**

Notice is given pursuant to law that the TAZEWELL COUNTY ZONING BOARD OF APPEALS will conduct a hearing on **TUESDAY, JUNE 4, 2019** beginning at 6:00 p.m. of cases as follows.

**6:00 P.M. – TAZEWELL COUNTY JUSTICE CENTER, JAMES CARIUS COMMUNITY ROOM, 101 SOUTH CAPITOL STREET, PEKIN, ILLINOIS.**

Any person having objections, concerns, or questions regarding any zoning case is invited to attend the Public Hearing. All present will be given an opportunity to be heard. Anyone wishing to participate as an “interested party” with the right to cross-examine others at the Public Hearing, **MUST** complete and file an appearance form and return to Community Development Personnel no later than one (1) business day **prior** to the hearing.

---

**CASE NO. 19-24-V:** The petition of Jeffrey Roth for a Variance to waive the requirements of 157.091(C)(1) to allow construction of a room addition to the existing dwelling which will be 34' from the rear property line which 16' closer than allowed in an A-1 Agriculture Preservation Zoning District on the following described property:

P.I.N. 05-05-13-400-005; Tract A, an approximate 1.61 acre parcel, located in part of the Northwest Quarter of the Southeast Quarter of the Section 13, Township 25 North Range 4 West of the Third Principal Meridian, Groveland Township, Tazewell County, Illinois;

located at 20360 Roth Road, Morton, IL.

---

**CASE NO. 19-25-S:** The petition of Sun Ag Inc. for a Special Use to allow an expansion of an existing Special Use (Case No. 05-21-S) to acquire adjoining land for the purpose of constructing of a new liquid bulk storage tank and for parking of equipment in an A-1 Agriculture Preservation Zoning District on the following described property:

Current owner of property to be purchased: Leona Yordy, 245 E. Broadway Rd., Morton, IL 61550

Owner of Sun Ag Inc: David Neisler, Rt 251 South, P.O. Box 227, El Paso, IL 61738

Currently a part of P.I.N 12-12-05-300-007; .62 acres to be purchased from adjoining property, located in part of the Southeast corner of the Southwest Quarter of Section 5, Township 24 North, Range 3 West of the Third Principal Meridian, Tremont Township, Tazewell County, Illinois;

located at 24480 Allentown Rd., Tremont, IL.

---

**CASE NO. 19-26-V:** The petition of Sun Ag Inc. for a Variance to waive the requirements of 157.271(A)(3) to allow construction of new liquid bulk storage tank to be 40' in height which is 6' taller than allowed in an A-1 Agriculture Preservation Zoning District which on the following described property:

Current owner of property: Leona Yordy, 245 E. Broadway Rd., Morton, IL 61550

Owner of Sun Ag Inc: David Neisler, Rt 251 South, P.O. Box 227, El Paso, IL 61738

Currently a part of P.I.N 12-12-05-300-007; .62 acres to be purchased from adjoining property, located in part of the Southeast corner of the Southwest Quarter of Section 5, Township 24 North, Range 3 West of the Third Principal Meridian, Tremont Township, Tazewell County, Illinois;

located at 24480 Allentown Road, Tremont, IL.

---

**CASE NO. 19-27-V:** The petition of Sun Ag Inc. for a Variance to waive the requirements of 157.271(A)(3) to allow reconstruction of new liquid bulk storage tank to be 40' in height which is 6' taller than allowed in an A-1 Agriculture Preservation Zoning District which on the following described property:

Owner of Sun Ag Inc: David Neisler, Rt 251 South, P.O. Box 227, El Paso, IL 61738

P.I.N. 12-12-05-300-005 & 009; currently a total of approximately 4.22 acres, located in part of the Southeast corner of the Southwest Quarter of Section 5, and Tract 2 of the East Half of the Southeast Quarter of the Southwest Quarter of Section 5, Township 24 North, Range 3 West of the Third Principal Meridian, Tremont Township, Tazewell County, Illinois;

located at 24480 Allentown Rd., Tremont, IL.

---

**CASE NO. 19-28-S:** The petition of Merle Clemens d/b/a Groveland Chapels for a Special Use for a Community Center to expand a non-conforming use (Wedding Venues) by utilizing an existing 1240' building on the property for Weddings only in an R-1 Low Density Residential Zoning District on the following described property:

P.I.N. 05-05-27-201-031; Tract 1 of Tract 9 an approximate 1.63 acre parcel, located in part of East Half of the Northeast Quarter of Section 27, Township 25 North, Range 4 West of the Third Principal Meridian, Groveland Township, Tazewell County, Illinois;

located at 18872 Springfield Road, Groveland, IL.

---

**CASE NO. 19-29-S:** The petition of Charles Simmons for a Special Use for the purpose of raising chickens in a R-1 Low Density Residential Zoning District on the following described property:

P.I.N. 06-06-03-401-019; Lot 17 of Section 2 Oaklane Acres Subdivision, located in the Southeast Quarter of Section 3, Township 25 North, Range 3 West of the Third Principal Meridian, Morton Township, Tazewell County, Illinois;

located at 22052 Oaklane, Morton, IL.

---

**CASE NO. 19-30-S:** The petition of Pete Holman for a Special Use to create one new dwelling site in an A-1 Agriculture Preservation District on the following described property:

Currently a part of P.I.N. 07-07-33-400-009; an approximate 16.19 acre parcel to be created, located in part of the East Half of Section 33, Township 25 North, Range 2 West of the Third Principal Meridian, Deer Creek Township, Tazewell County, Illinois;

located at the intersection of Cook Road and American Legion Road and westerly along Cook Road, Deer Creek, Illinois.

---

**CASE NO. 19-31-S:** The petition of Richard Whitaker for a Special Use to create one new dwelling site in an A-1 Agriculture Preservation District on the following described property:

Currently a part of P.I.N. 13-13-24-300-004, located in Northwest Quarter of the Southwest Quarter of Section 24, Township 24 North, Range 2 West of the Third Principal Meridian, Mackinaw Township, Tazewell County, Illinois.

currently located at 13336 Zimmerly Road, Mackinaw, IL.

---

**CASE NO. 19-32-S:** The petition of Brian Dabney for a Special Use to operate an Ag-related Business for a Trucking Business in an A-1 Agriculture Preservation Zoning District on the following described property:

P.I.N. 19-19-17-400-004; Tract B, an approximate 39.92 acre parcel, located in part of the Southwest Quarter of the Southeast Quarter of Section 17, Township 23 North, Range 2 West of the Third Principal Meridian, Dillon Township, Tazewell County, Illinois;

located at 30784 State Rt. 122, Minier, IL.

---

**BY ORDER OF THE TAZEWELL COUNTY ZONING BOARD OF APPEALS**

---

**/s/ DUANE LESSEN**

Chairman, Zoning Board of Appeals  
Tazewell County, Illinois

**Dates of Publication:** May 15 and 16, 2019  
**Land Use Committee:** June 11<sup>th</sup>, 2019, 3<sup>rd</sup> Floor McKenzie Building, Pekin, IL  
**County Board:** June 26<sup>th</sup>, 2019, James Carius Community Room, Pekin, IL

**CASE INFORMATION**

CASE NO.: 19-24-V PETITIONER: Jeffrey & Donna Roth

AGENT OR REPRESENTATIVE: \_\_\_\_\_

ADDRESS: 20360 Roth Rd., Morton, IL 61550 PHONE: 309-231-9903

REQUEST FOR: Variance to waive the requirements of 157.091(C)(1) to allow construction of a room addition to the existing dwelling which will be 34' from the rear property line which 16' closer than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# 05-05-13-400-005 PARCEL SIZE 1.61 PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 4/17/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY: \_\_\_\_\_

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: \_\_\_\_\_

HEALTH DEPT.: \_\_\_\_\_

TCSWCD: \_\_\_\_\_

TCFB: \_\_\_\_\_

COUNTY HIGHWAY: \_\_\_\_\_

MUNICIPALITY: \_\_\_\_\_

TOWNSHIP: \_\_\_\_\_

IDOT: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

SURROUNDING PROPERTY OWNERS: \_\_\_\_\_

PUBLICATION DATE: \_\_\_\_\_ WHERE: \_\_\_\_\_

**ACTION TAKEN:**

ZONING BOARD OF APPEALS: \_\_\_\_\_ DECISION: \_\_\_\_\_

LAND USE COMMITTEE: \_\_\_\_\_ DECISION: \_\_\_\_\_

COUNTY BOARD: \_\_\_\_\_ DECISION: \_\_\_\_\_

**FILED**

MAY 15 2019

*Chris L. Adickman*  
COUNTY CLERK  
TAZEVELL COUNTY, ILLINOIS

TAZEWELL COUNTY COMMUNITY  
DEVELOPMENT  
APPLICATION FOR ZONING HEARING  
PETITION FOR: VARIANCE

Staff Use Only:

Date Filed: 4-17-19 CASE NO. 19-24-V

Filing Fee: 300.00 Publication Fee: \_\_\_\_\_

ZBA Hearing Date: June 4, 2019

Decision Date: \_\_\_\_\_

APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

1. Applicant and Owner Information:

Applicant:

Owner:

Name: Jeffrey + Donna Roth

Name: Jeffrey + Donna Roth

Address: 20360 Roth Rd.

Address: 20360 Roth Rd.

City, State: Morton, IL 61550

City, State: Morton, IL 61550

Phone: (309) 231-9903  
(daytime contact)

Phone: (309) 231-9903  
(daytime contact)

Email: jeff.roth@live.com

Email: jeff.roth@live.com

The property interest of the applicant, if not the owner: \_\_\_\_\_

2. Site and Surrounding Property Information:

a. 911 Address or property location of subject property: 20360 Roth Rd., Morton

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)

Current Zoning: A1 Property ID Number: 05-05-13-400-005

Proposed Parcel Size/Acreage: \_\_\_\_\_ Soil Productivity Rate of site: \_\_\_\_\_

Legal Description: \_\_\_\_\_

c. Describe all existing structures, physical attributes and current land use of the property: Single family residence

d. Previous Special Use/Variance requested for this property? ☐ No ☒ Yes-Case No. \_\_\_\_\_  
When subdivided to create Roth Homestead

3. Specify what the Variance request is for: We request a variance in order to build a room addition that would measure 34' from the rear (east) property line.

4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the Zoning Code: The depth of our property does not allow for a 50' setback with the addition of a 22'x24' family room addition.

5. When evaluating Variance requests the following Standards are considered by The Zoning Board of Appeals. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

a. Explain how the particular surroundings, shape or topographical conditions of the property creates a particular hardship rather than inconvenience, if the Zoning Code regulations were to be carried out. The hardship

would be that we could not add on to our home without variance.

b. Explain how the conditions upon which the variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property. We have no neighbors to our

east. The property to the east houses buildings that we use in our family farming operation.

c. Explain how granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood or otherwise be inconsistent with any officially adopted County Plan or these regulations. The variance would not be detrimental or be

injurious to others because we have only farm ground + farm yard surrounding our property.

d. Explain how 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. Our nearest

neighbor is across the road and would be 1,300' from the room addition. The nearest road to the rear of our property is I-55 which is about 4870' from the room addition so the variance would not impair other properties or cause congestion.

e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property. The variance would allow us to expand our dining room

area + provide a family room. We do not plan to sell the property anytime soon.

f. Explain how circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of reasonable use of his or her property. Mere loss in value shall not justify a Variance. We need more space as our family grows.

g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure. The east side is the logical placement of the

room addition to meet our family's needs. An addition to the south would block egress windows needed for the downstairs bedroom. Our septic tanks are on the north side of our property.

h. Explain how the request is due to unique circumstances. The house sits close to rear property line.

6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

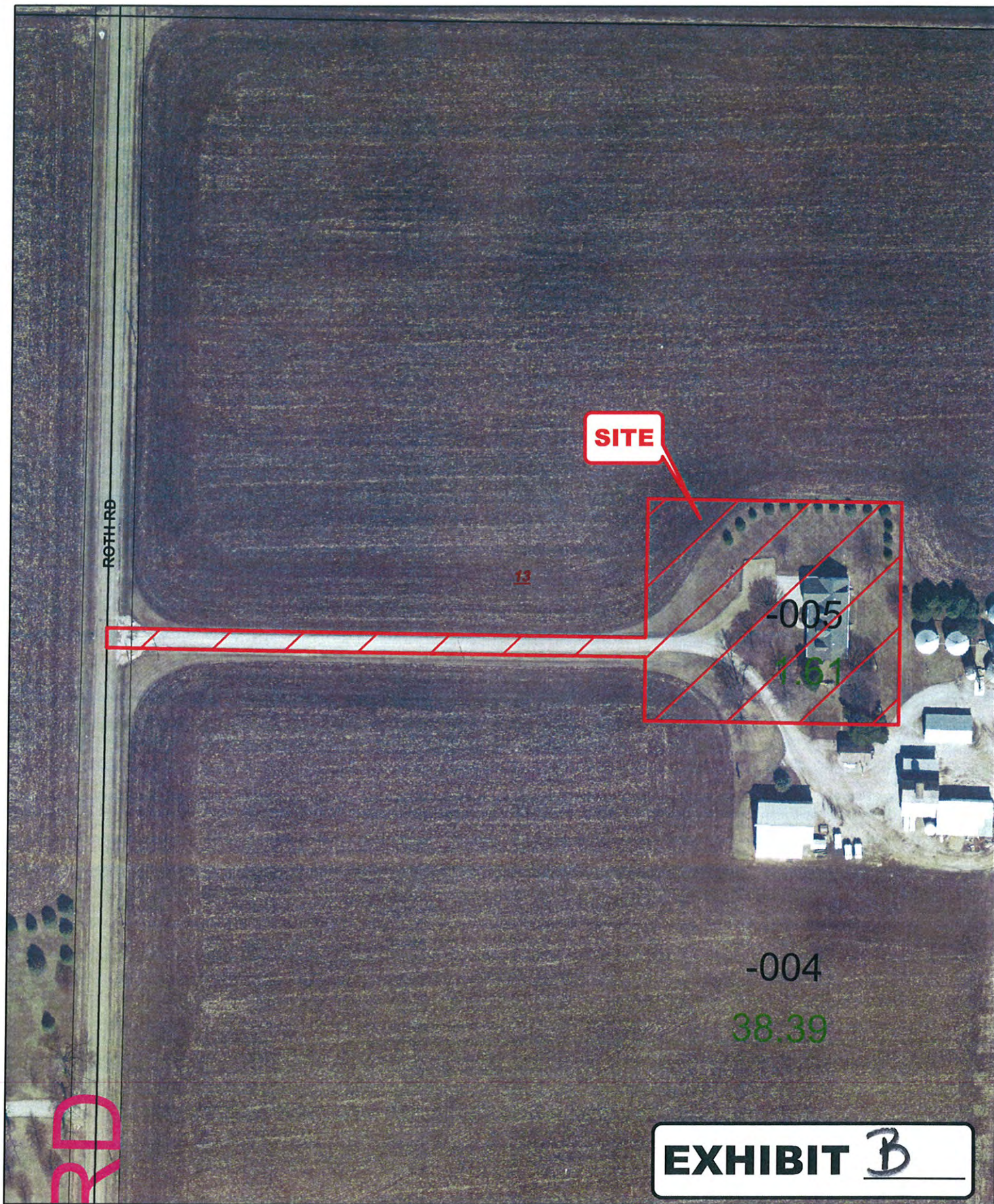
Applicant Signature: Donna Roth

Owner Signature: Donna Roth

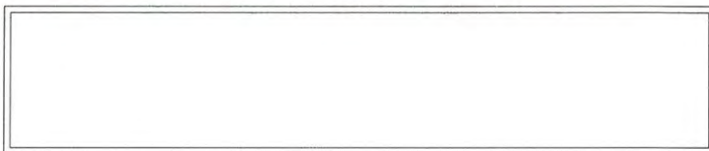
Date: 4/17/19

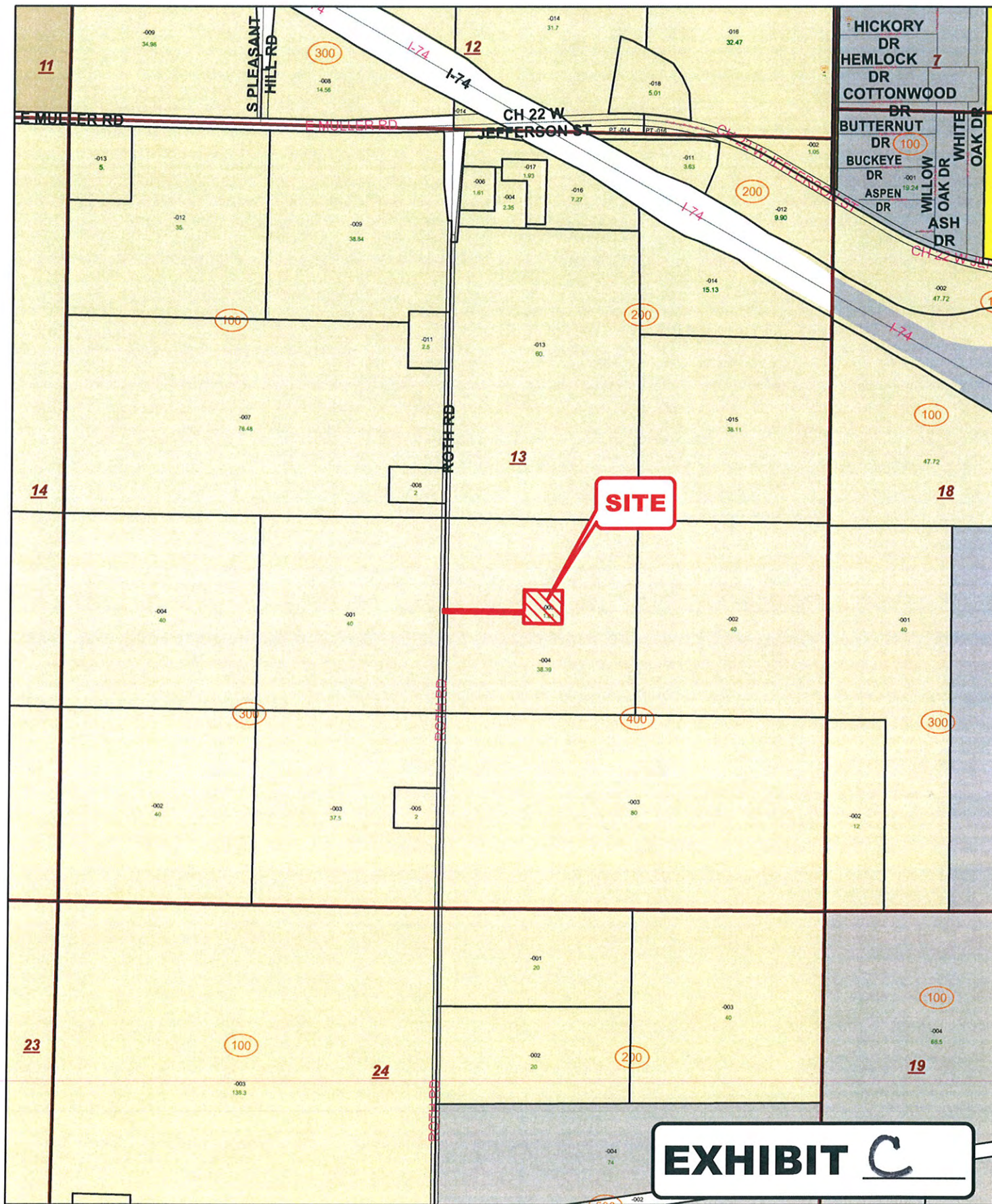
Date: 4/17/19

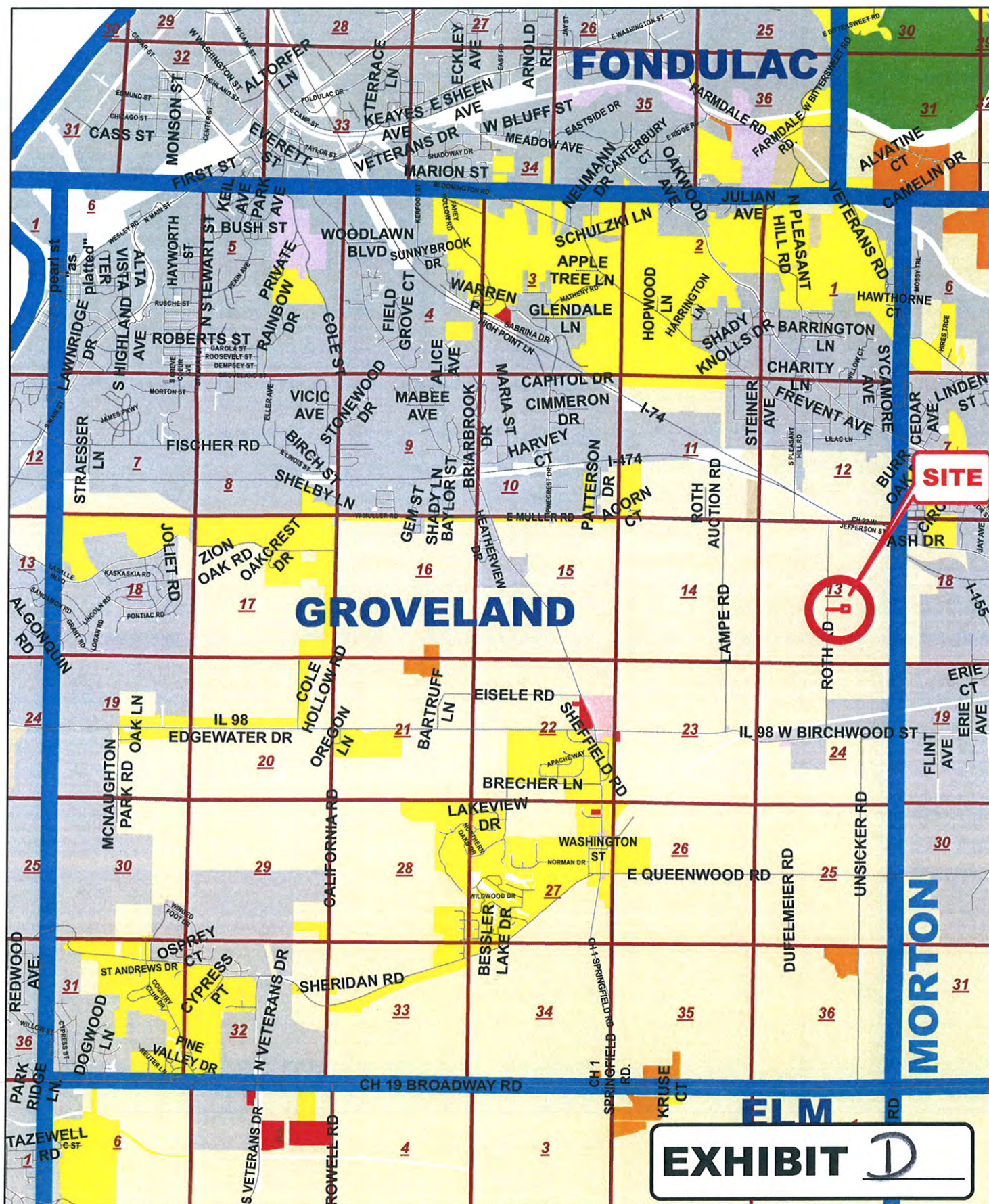




0 35 70 140 210 280 Feet







**CASE INFORMATION**

CASE NO.: 19-25-S PETITIONER: Sun Ag Inc.

AGENT OR REPRESENTATIVE: Mark Baer, David Neister


ADDRESS: 24480 Allentown Rd., Tremont, IL 61568 PHONE: 309-266-6622

REQUEST FOR: Special Use to allow an expansion of an existing Special Use (Case No. 05-21-S) to acquire adjoining land for the purpose of constructing of a new liquid bulk storage tank and for parking of equipment in an A-1 Agriculture Preservation Zoning District

P.I.N.# pt of 12-12-05-300-007 PARCEL SIZE .62 PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 4/30/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY: 

**AGENCIES NOTIFIED AND COMMENTS MADE:**

PLANNER: \_\_\_\_\_

HEALTH DEPT.: \_\_\_\_\_

TCSWCD: \_\_\_\_\_

TCFB: \_\_\_\_\_

COUNTY HIGHWAY: \_\_\_\_\_

MUNICIPALITY: \_\_\_\_\_

TOWNSHIP: \_\_\_\_\_

IDOT: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

SURROUNDING PROPERTY OWNERS: \_\_\_\_\_

PUBLICATION DATE: \_\_\_\_\_ WHERE: \_\_\_\_\_

**ACTION TAKEN:**

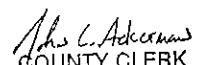
ZONING BOARD OF APPEALS: \_\_\_\_\_ DECISION: \_\_\_\_\_

LAND USE COMMITTEE: \_\_\_\_\_ DECISION: \_\_\_\_\_

COUNTY BOARD: \_\_\_\_\_ DECISION: \_\_\_\_\_

**FILED**

MAY 15 2019

  
COUNTY CLERK  
TAZEWELL COUNTY, ILLINOIS

TAZEWELL COUNTY COMMUNITY  
DEVELOPMENT

APPLICATION FOR ZONING HEARING

PETITION FOR:

- ☐ Special Use (New Dwelling Site)  
☒ Special Use (Other)

1. Applicant and Owner Information:

Applicant:

Name: Sun Ag Inc (David Neister)  
Address: 24480 Allentown Rd  
City, State: Tremont, IL 61568  
Phone: 309-266-6622  
(daytime contact)  
Email: dave.neister@sunag.net

Owner:

Name: Leona Yordy  
Address: 245 E. Broadway Rd  
City, State: Morton IL 61550  
Phone: 309 370 2862  
(daytime contact)  
Email: Daniel Yordy@gmail.com

The property interest of the applicant, if not the owner: 0

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: 24480 Allentown Rd Tremont IL 61568
- b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)  
Current Zoning: A-1 Property ID Number: Part of 12-12-05-300-007  
Proposed Parcel Size/Acreage: .62 Soil Productivity Rate of site: \_\_\_\_\_  
Legal Description: \_\_\_\_\_
- c. Describe all existing structures, physical attributes and current land use of the property: vacant - farmland
- d. Previous Special Use/Variance requests for this property? ☒ No ☐ Yes-Case No. \_\_\_\_\_

3. State the Reason For and Nature of the Special Use: This property will be used to build additional liquid bulk storage tank and park equipment upon.

- a. Hours of operation: 6:30-3:30 Number of employees: \_\_\_\_\_
- b. Number of parking spaces: \_\_\_\_\_ Handicapped: \_\_\_\_\_ Parking Lot Surface: \_\_\_\_\_
- c. Signs (size and number of): \_\_\_\_\_
- d. Number of new buildings to be constructed and proposed use of each building: (1) 1.2 million gallon bulk liquid fertilizer tank will be built on this parcel.
- e. Future expansion and time schedule: Construction begins July 1<sup>st</sup>,  
Completion August 15<sup>th</sup> 2019.

Staff Use Only:

Date Filed: 4-30-19 CASE NO. 19-25-S  
Filing Fee: 300.00 Publication Fee: \_\_\_\_\_  
ZBA Hearing Date: June 4, 2019  
Decision Date: \_\_\_\_\_  
☐ APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

4. **New Dwelling Sites Only:** A livestock feeding operation is defined by the Tazewell County Zoning Code as: Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency. \*(Contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance if you are uncertain regarding location of active livestock feeding operations.)

a. Is the property located: (Check appropriate item)

1. Less than one-half (1/2) mile of a livestock feeding operation: ☐ Yes ☐ No

\*If less than 1/2 mile is a Variance necessary? ☐ Yes ☐ No

2. More than one-half (1/2) mile of a livestock feeding operation: ☒ Yes ☐ No

b. Type of livestock operation Dairy Farm Number of animal units: 300

5. **The Zoning Board of Appeals makes a Finding of Fact for all Special Use. Please provide how your application conforms to the following: (attached an additional sheet if necessary)**

a. The site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties. Yes.

b. The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity. No affect

c. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. Will not affect neighboring property.

d. The Special Use will not substantially diminish and impair property value within the neighborhood. No

e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes

f. 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. Yes. Nothing additional will come in or leave property at this time.

g. Granting the special 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 that would hinder the operation or expansion of such operation or granting the special use, *which is located more than one half mile* from a livestock feeding operation will not hinder the operation or expansion of such operation. No

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

i. The property is suitable for the Special Use as proposed. Yes.

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Applicant Signature: [Signature]

Owner Signature: [Signature]

Date: 4-29-19

Date: 4-29-19

**OWNER'S CONSENT FORM**

I (print property owner's name) Leona Yordy  
understand that (print applicant's name) Sun Ag Inc  
is petitioning for a(n) (explain request) Special Use permit to add additional property  
to existing property

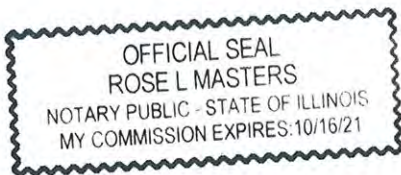
at (give address) 24480 Allentown Rd  
City Tremont State IL Zip 61568  
Parcel I.D. # Part of 12-12-05-300-007 with the Tazewell County  
Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

Leona Yordy  
Owner's Signature

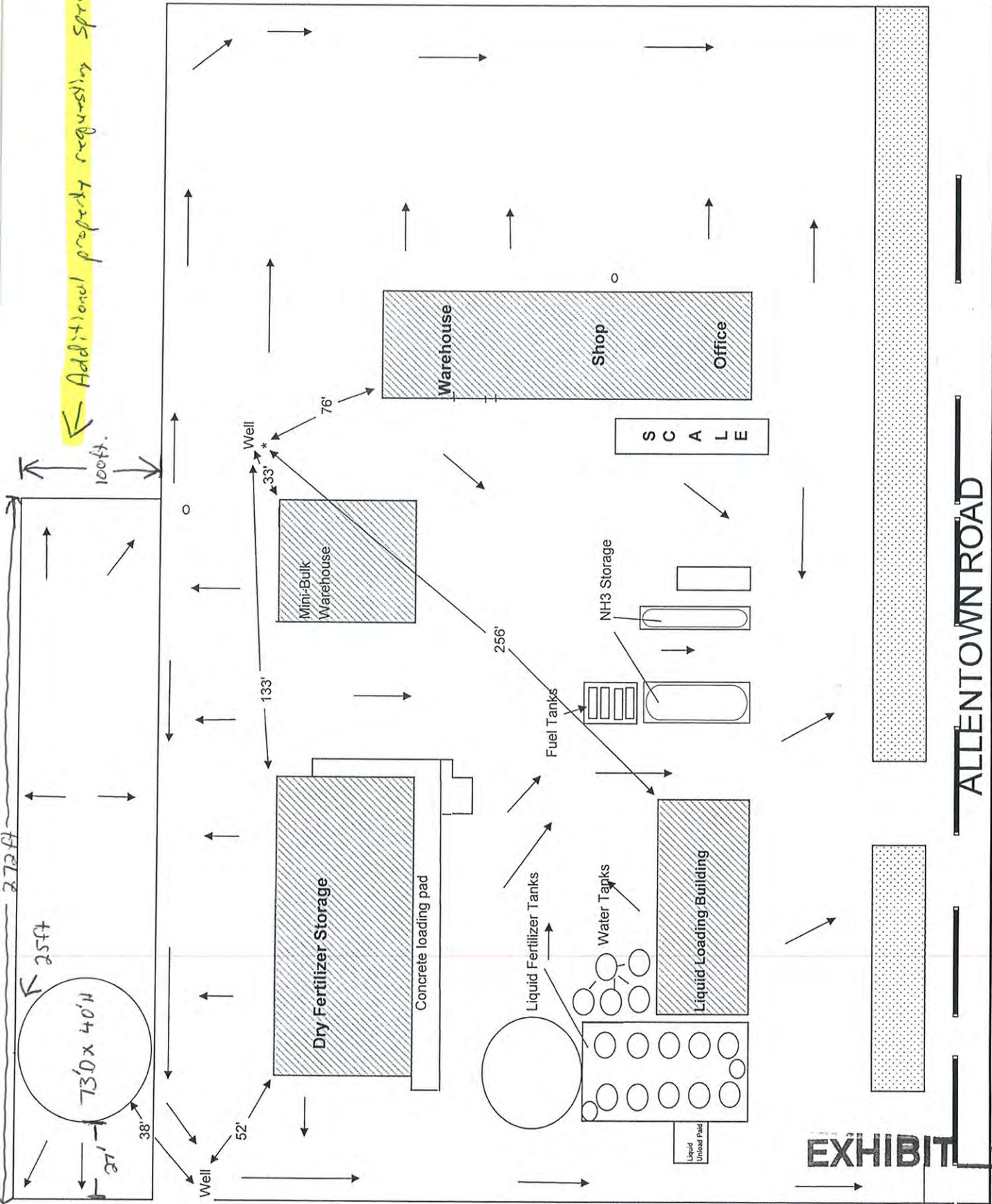
4-29-19  
Date

Subscribed and sworn to before me this 29<sup>th</sup> day of April, 20 19.



Rose L. Masters  
Notary Public

← Additional property requesting special use on.



ALLENTOWN ROAD

Sun Ag Inc.

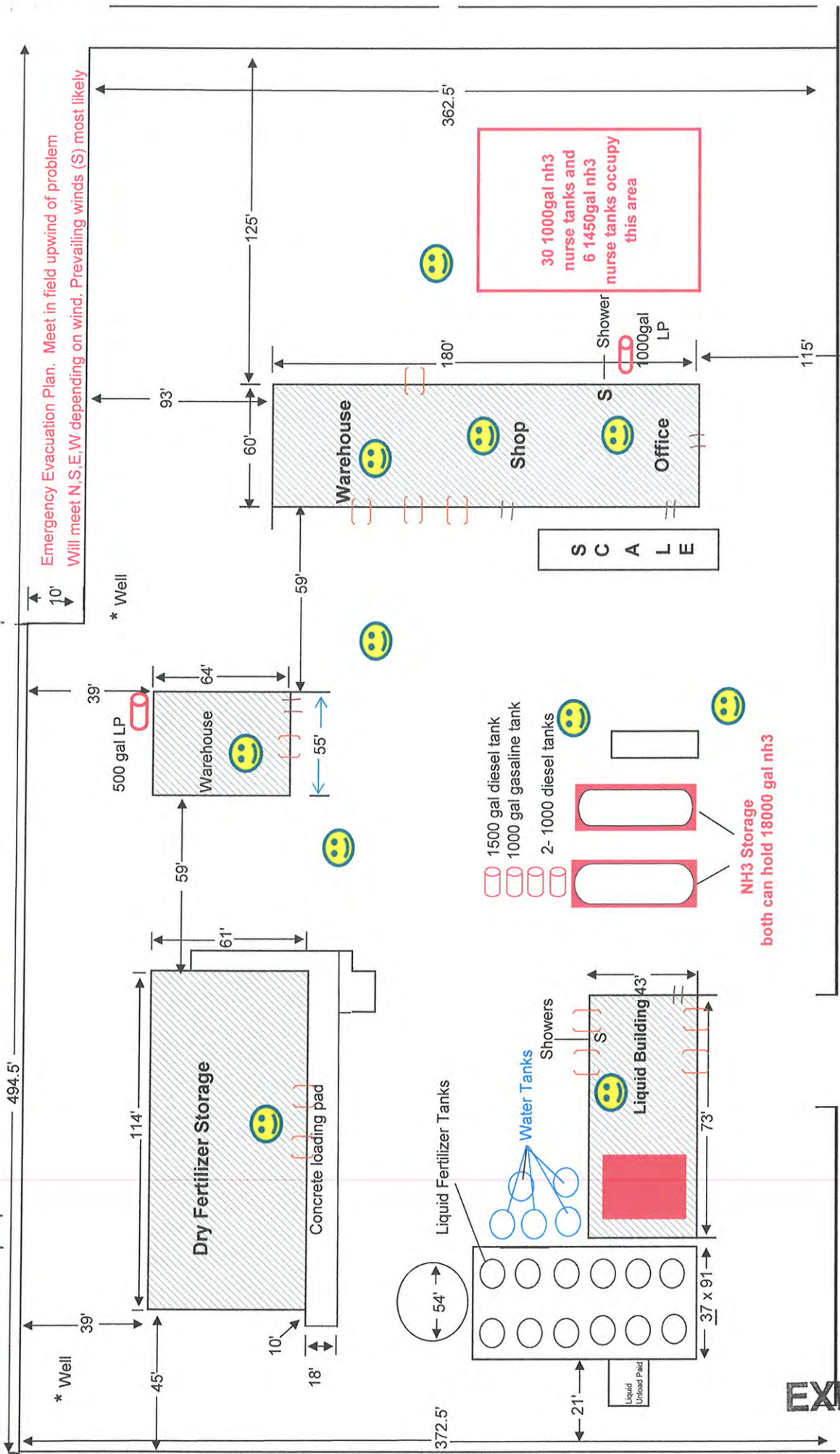
MAP NOT TO SCALE

→ Drainage Flow

EXHIBIT A

Additional property adding on here

Emergency Evacuation Plan. Meet in field upwind of problem  
Will meet N,S,E,W depending on wind. Prevailing winds (S) most likely



EXHIBIT

ALLENTOWN ROAD

Sun Ag Supply Co

24480 Allentown Road  
Tremont, IL 61568

ID #001499

Lat/Long 40.55451/-89.4672

Water Source - 1 Mile north of plant on  
corner of Broadway and 4th street

MAP NOT TO SCALE

April 1, 2019

**Case 19-25-S &  
19-26-V SITE**

**Case 19-27-V  
SITE**

-009

2.22

-005

2.22

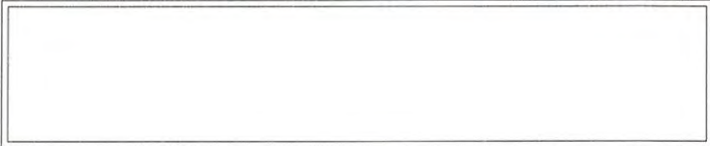
GH 5 ALLENTOWN RD

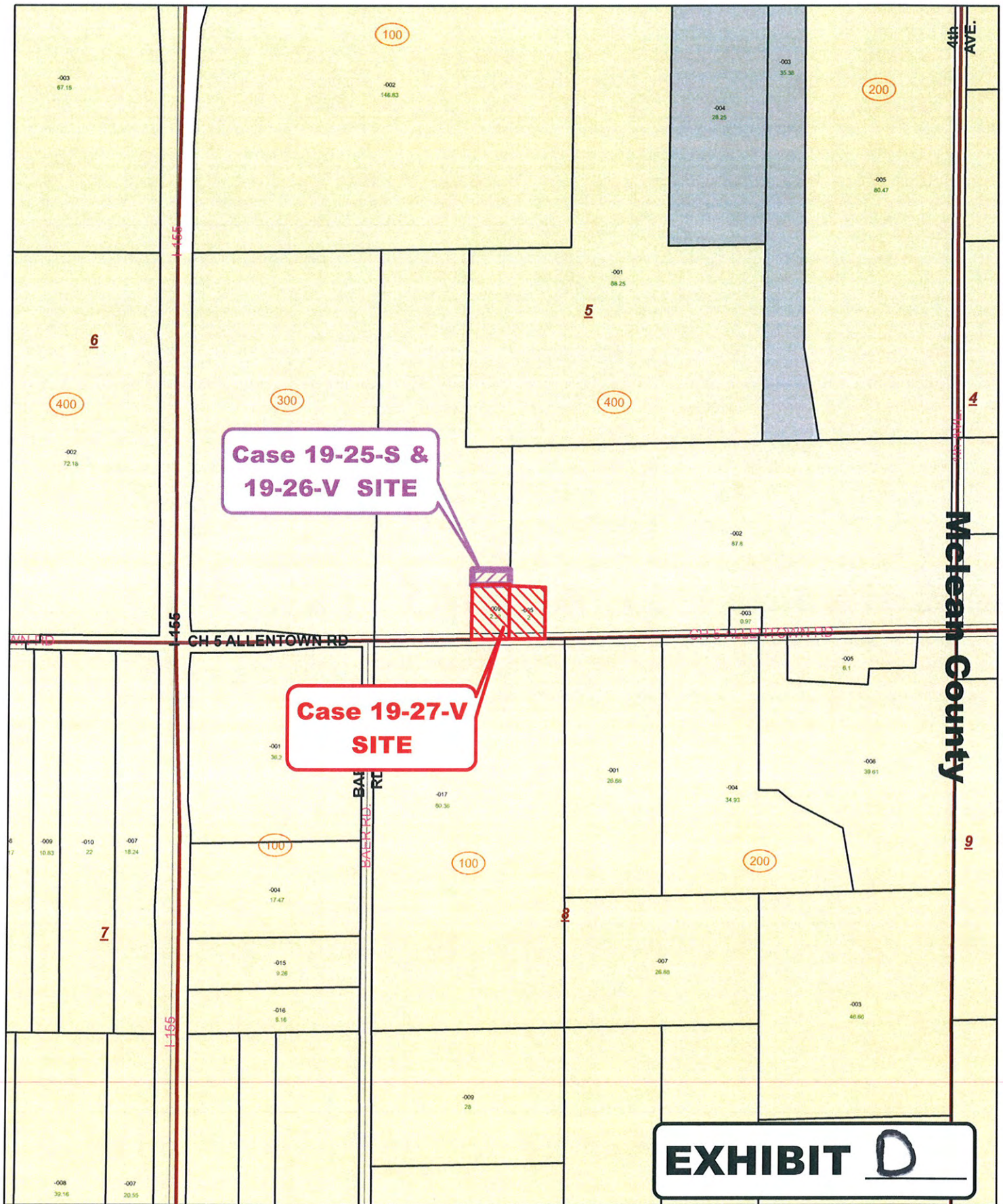
**McLean County**

**EXHIBIT C**



0 50 100 200 300 400 Feet





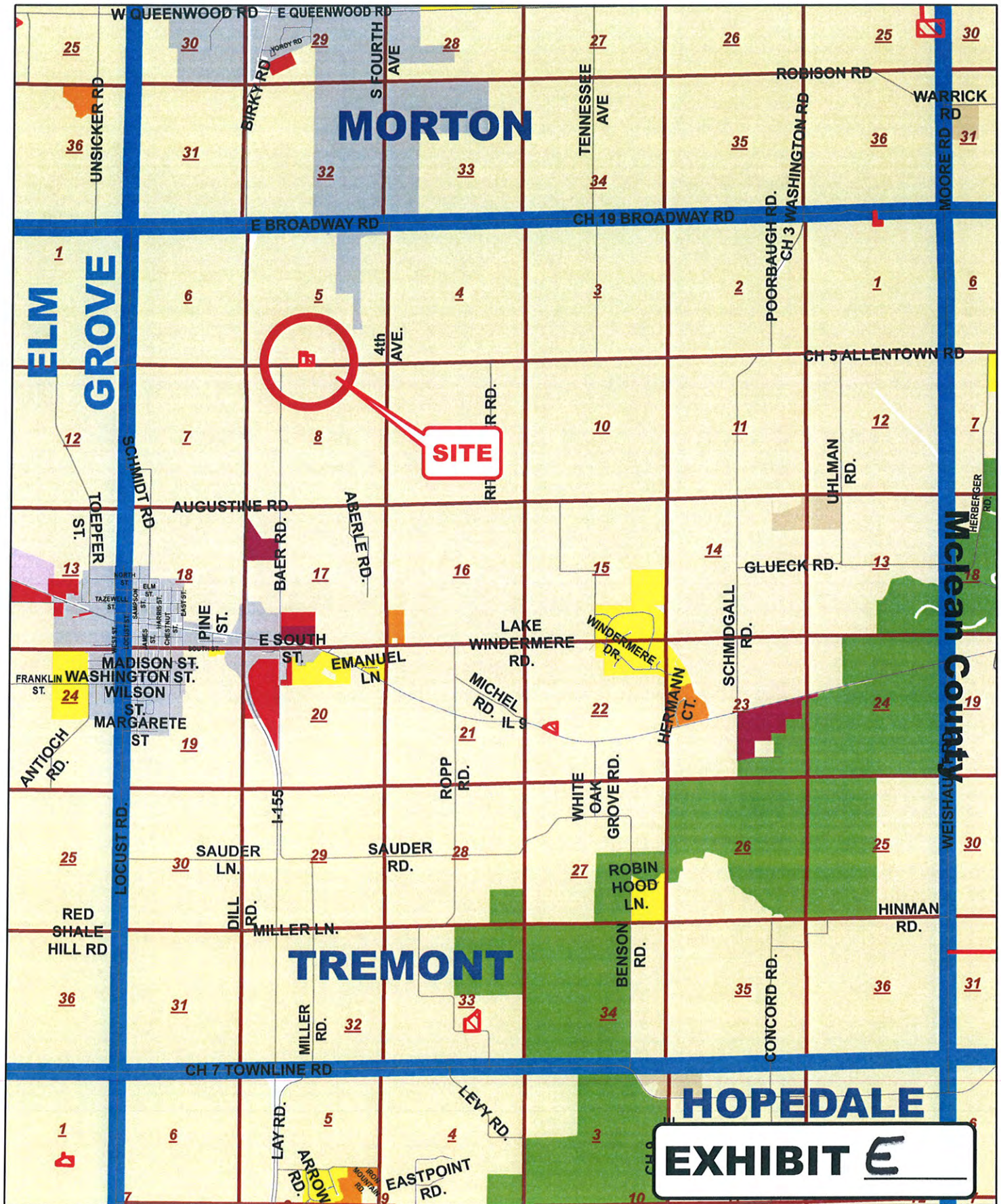
**EXHIBIT D**



0 237.5 475 950 1,425 1,900 Feet

**Zoning District**

- |         |     |      |      |     |     |
|---------|-----|------|------|-----|-----|
| A-1     | C-1 | CITY | I-1  | R-1 | R-R |
| AG Area | A-2 | C-2  | CONS | I-2 | R-2 |



0 1,300 2,600 5,200 7,800 10,400 Feet

### Zoning District

	A-1		C-1		CITY		I-1		R-1		R-R
	AG Area		A-2		C-2		CONS		I-2		R-2

**CASE INFORMATION**

CASE NO.: 19-26-V PETITIONER: Sun Ag Inc.

AGENT OR REPRESENTATIVE: Mark Baer, David Neister

ADDRESS: 24480 Allentown Rd., Tremont, IL 61568 PHONE: 309-266-6622

REQUEST FOR: Variance to waive the requirements of 157.271(A)(3) to allow construction of new liquid bulk storage tank to be 40' in height which is 6' taller than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# pt of 12-12-05-300-007 PARCEL SIZE .62 PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 4/30/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY:

**AGENCIES NOTIFIED AND COMMENTS MADE:**

PLANNER:

HEALTH DEPT.:

TCSWCD:

TCFB:

COUNTY HIGHWAY:

MUNICIPALITY:

TOWNSHIP:

IDOT:

SCHOOL DISTRICT:

SURROUNDING PROPERTY OWNERS:

PUBLICATION DATE: WHERE:

**ACTION TAKEN:**

ZONING BOARD OF APPEALS: DECISION:

LAND USE COMMITTEE: DECISION:

COUNTY BOARD: DECISION:

**FILED**

MAY 15 2019

*Theresa L. Adams*  
COUNTY CLERK  
TAZEWELL COUNTY, ILLINOIS

TAZEWELL COUNTY COMMUNITY  
DEVELOPMENT  
APPLICATION FOR ZONING HEARING  
PETITION FOR: VARIANCE

Staff Use Only:

Date Filed: 4-30-19 CASE NO. 19-26-V

Filing Fee: 450.00 Publication Fee: \_\_\_\_\_

ZBA Hearing Date: June 4, 2019

Decision Date: \_\_\_\_\_

APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

1. Applicant and Owner Information:

Applicant:

Name: Sun Ag Inc (David Neister)  
Address: 24480 Allentown Rd  
City, State: Tremont IL 61568  
Phone: 309-266-6622  
(daytime contact)

Email: dave.neister@sunag.net

Owner:

Name: Leona Yordy  
Address: 245 E. Broadway Rd  
City, State: Morton IL 61550  
Phone: 309 370 2862  
(daytime contact)

Email: DanielYordy@gmail.com

The property interest of the applicant, if not the owner: 0%

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: 24480 Allentown Rd Tremont IL 61568
- b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)  
Current Zoning: A-1 Property ID Number: Part of 12-12-05-300-007  
Proposed Parcel Size/Acreage: .62 Soil Productivity Rate of site: \_\_\_\_\_  
Legal Description: \_\_\_\_\_
- c. Describe all existing structures, physical attributes and current land use of the property: \_\_\_\_\_  
73'D Liquid Storage tank
- d. Previous Special Use/Variance requested for this property? ☒ No ☐ Yes-Case No. \_\_\_\_\_

3. Specify what the Variance request is for: Sun Ag would like to build a bulk fertilizer storage tank at a height of 40ft. Current zoning allows for 36ft.

4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the Zoning Code: Current zoning code max height of 36'. No room for larger diameter so a taller tank is our only option.

5. When evaluating Variance requests the following Standards are considered by The Zoning Board of Appeals. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. Explain how the particular surroundings, shape or topographical conditions of the property creates a particular hardship rather than inconvenience, if the Zoning Code regulations were to be carried out. \_\_\_\_\_

current zoning only allows for 36' height

- b. Explain how the conditions upon which the variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property. \_\_\_\_\_

Height of tank is unique thus needing variance to build.

- c. Explain how granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood or otherwise be inconsistent with any officially adopted County Plan or these regulations. No person or property will be affected adversely

by an additional 4ft.

- d. Explain how 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.

No affect to adjacent property. Some amount of product will come into business.

- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property. Goal is to receive inbound product at peak application times.

- f. Explain how circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of reasonable use of his or her property. Mere loss in value shall not justify a Variance. Sun Ag would be limited without the variance on storage

space but not deprived of use of our property.

- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure. Sun Ag's only restriction in building this

tank is height limitation.

- h. Explain how the request is due to unique circumstances. Goal is larger storage tank.

Footprint of property doesn't allow larger circumference so height is only option.

6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Applicant Signature: Sun Ag Inc  
Michael Kuehl

Owner Signature: Leona Gorden

Date: 4-29-19

Date: 4-29-19

OWNER'S CONSENT FORM

I (print property owner's name) Leona Yordy  
understand that (print applicant's name) Sun Ag Inc  
is petitioning for a(n) (explain request) variance to build a bulk fertilizer tank to height  
of 40'ft.

at (give address) 24480 Allentown Rd  
City Tremont State IL Zip 61568  
Parcel I.D. # Part of 12-12-05-300-007 with the Tazewell County  
Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

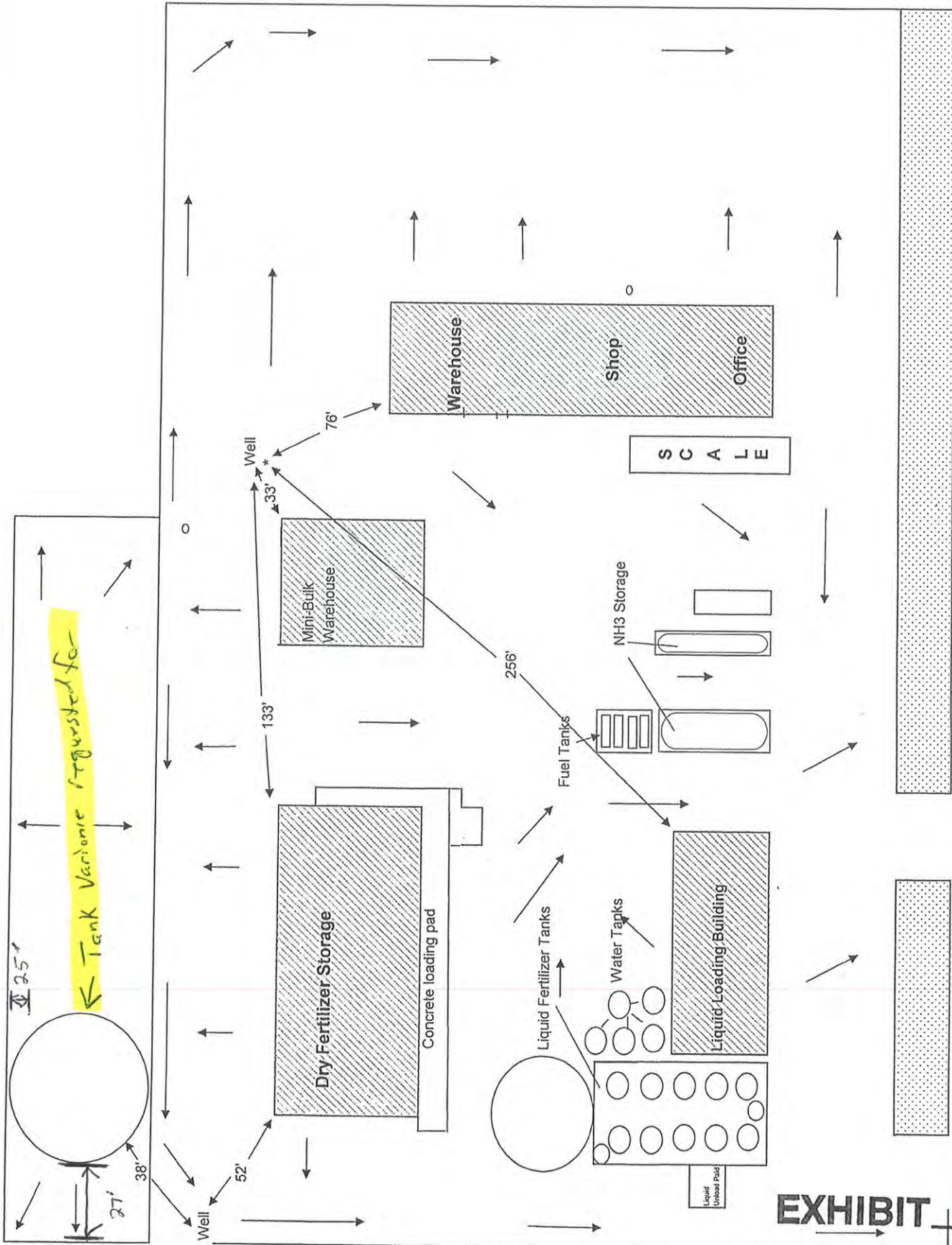
Leona Yordy  
Owner's Signature

4-29-19  
Date

Subscribed and sworn to before me this 29<sup>th</sup> day of April, 20 19.



Rose L. Masters  
Notary Public



**Case 19-25-S &  
19-26-V SITE**

**Case 19-27-V  
SITE**

-009

2.22

-005

2.22

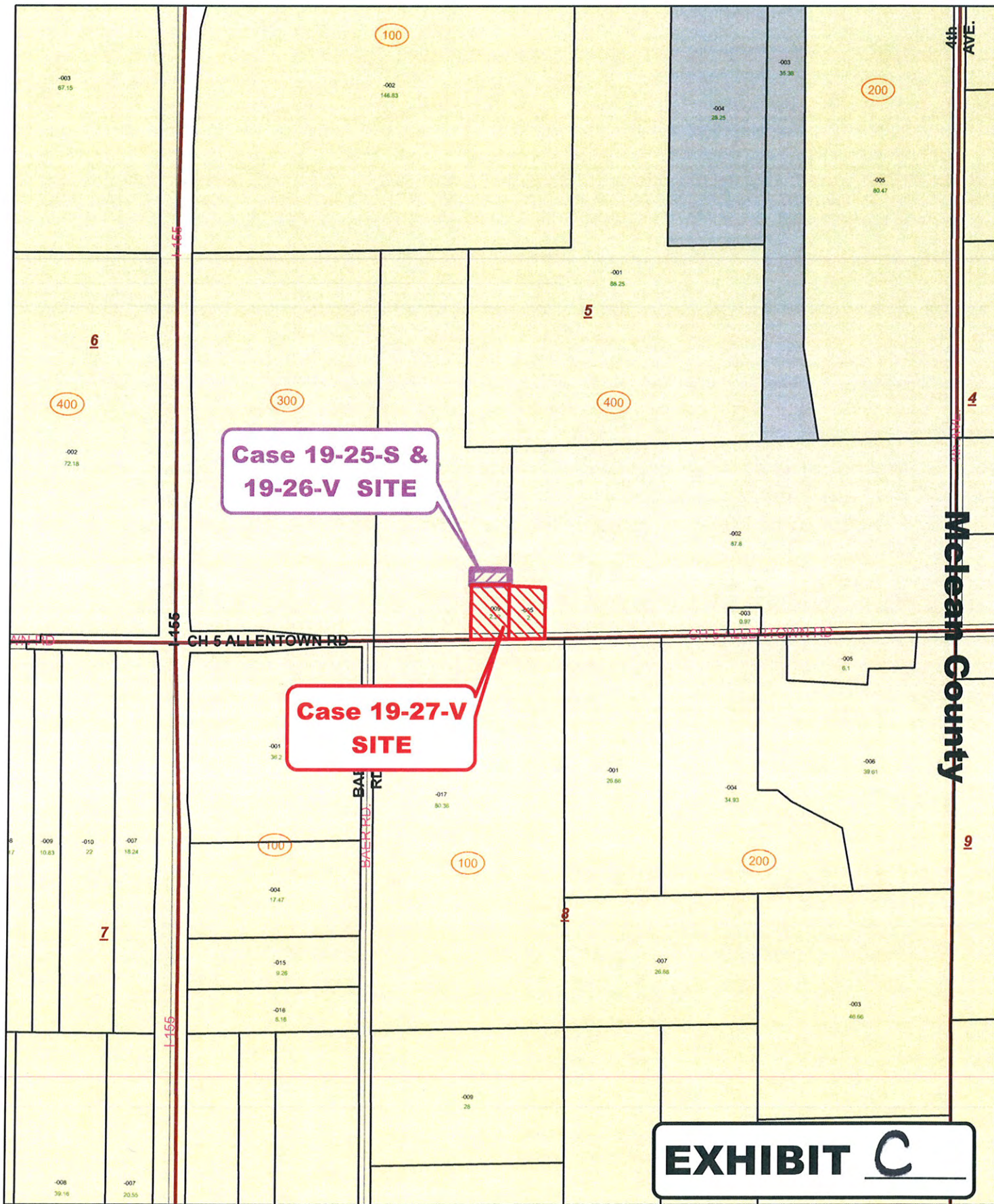
GH 5 ALLENTOWN RD

**McLean County**

**EXHIBIT B**



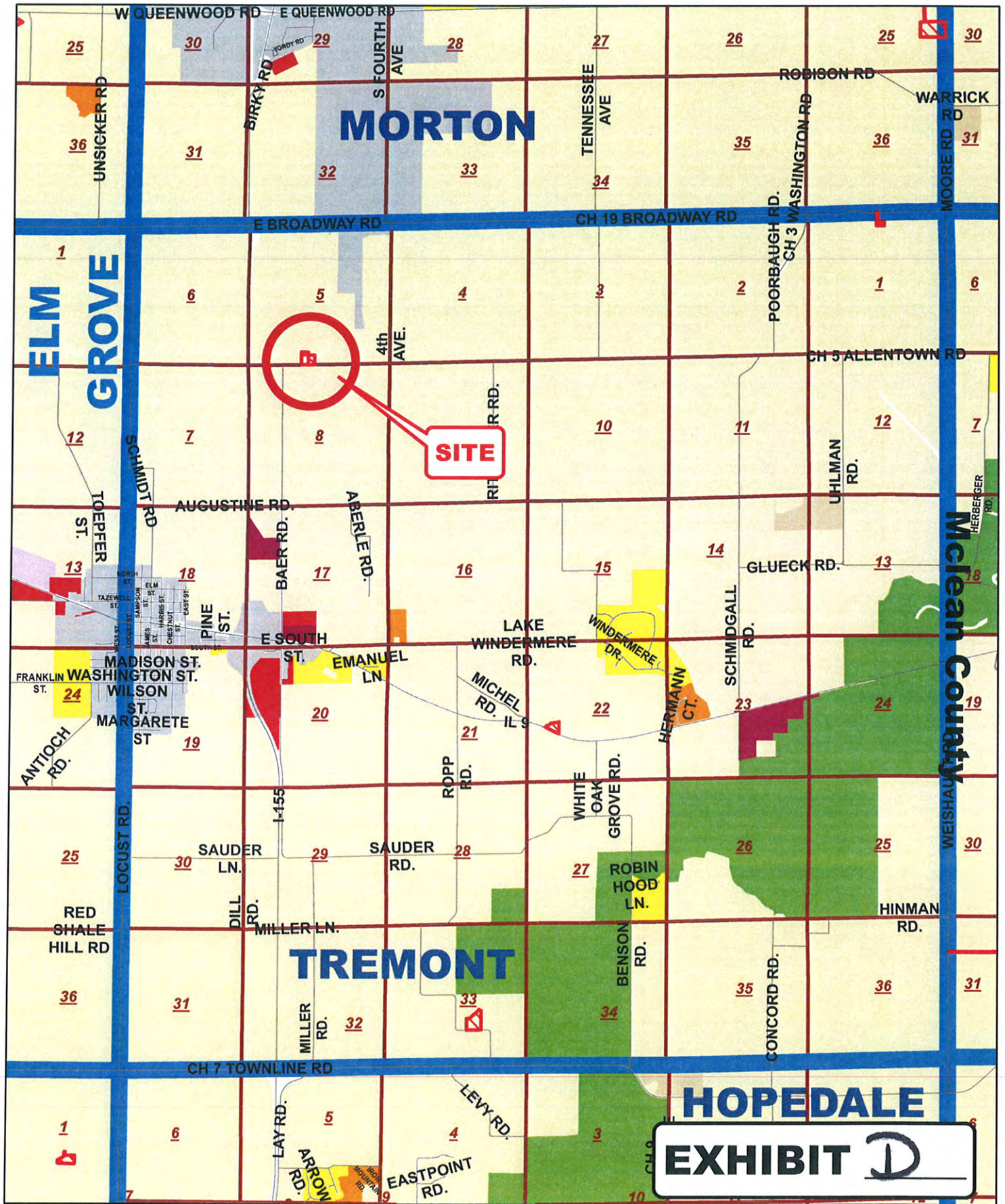
0 50 100 200 300 400 Feet



0 237.5 475 950 1,425 1,900 Feet

### Zoning District

A-1	C-1	CITY	I-1	R-1	R-R
AG Area	A-2	C-2	CONS	I-2	R-2



0 1,300,2,600 5,200 7,800 10,400 Feet

### Zoning District

- |  |         |  |     |  |      |  |      |  |     |  |     |
|--|---------|--|-----|--|------|--|------|--|-----|--|-----|
|  | A-1     |  | C-1 |  | CITY |  | I-1  |  | R-1 |  | R-R |
|  | AG Area |  | A-2 |  | C-2  |  | CONS |  | I-2 |  | R-2 |

**CASE INFORMATION**

CASE NO.: 19-27-V PETITIONER: Sun Ag Inc.

AGENT OR REPRESENTATIVE: Mark Baer, David Neister

ADDRESS: 24480 Allentown Rd., Tremont, IL 61568 PHONE: 309-266-6622

REQUEST FOR: Variance to waive the requirements of 157.271(A)(3) to allow construction of new liquid bulk storage tank to be 40' in height which is 6' taller than allowed in an A-1 Agriculture Preservation Zoning District

P.I.N.# 12-12-05-300-009 & 005 PARCEL SIZE 4.22 PRESENT ZONING: A-1

SURROUNDING ZONING: N A-1 S A-1 E A-1 W A-1

PETITION RECEIVED: 4/30/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY: [Signature]

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER: \_\_\_\_\_

HEALTH DEPT.: \_\_\_\_\_

TCSWCD: \_\_\_\_\_

TCFB: \_\_\_\_\_

COUNTY HIGHWAY: \_\_\_\_\_

MUNICIPALITY: \_\_\_\_\_

TOWNSHIP: \_\_\_\_\_

IDOT: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

SURROUNDING PROPERTY OWNERS: \_\_\_\_\_

PUBLICATION DATE: \_\_\_\_\_ WHERE: \_\_\_\_\_

**ACTION TAKEN:**

ZONING BOARD OF APPEALS: \_\_\_\_\_ DECISION: \_\_\_\_\_

LAND USE COMMITTEE: \_\_\_\_\_ DECISION: \_\_\_\_\_

COUNTY BOARD: \_\_\_\_\_ DECISION: \_\_\_\_\_

**FILED**

MAY 15 2019

*John L. Adkins*  
COUNTY CLERK  
TAZEWELL COUNTY, ILLINOIS

TAZEWELL COUNTY COMMUNITY  
DEVELOPMENT  
APPLICATION FOR ZONING HEARING  
PETITION FOR: VARIANCE

Staff Use Only:

Date Filed: 4-30-19 CASE NO. 19-27-V

Filing Fee: 300<sup>00</sup> Publication Fee: \_\_\_\_\_

ZBA Hearing Date: June 4, 2019

Decision Date: \_\_\_\_\_

APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

1. Applicant and Owner Information:

Applicant:

Name: Sun Ag Inc (Mark Bayer)

Address: 24480 Allentown Rd

City, State: Tremont IL 61568

Phone: 309-266-6622  
(daytime contact)

Email: mark.bayer@sunag.net

Owner:

Name: (David Neister) Sun Ag Inc

Address: Rt. 251 South P.O. Box 227

City, State: El Paso, IL 61738

Phone: 309-527-6500  
(daytime contact)

Email: dave.neister@sunag.net

The property interest of the applicant, if not the owner: 100%

2. Site and Surrounding Property Information:

a. 911 Address or property location of subject property: 24480 Allentown Rd Tremont IL 61568

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)

Current Zoning: A-1 Property ID Number: 12-12-05-300-009+005

Proposed Parcel Size/Acreage: - Soil Productivity Rate of site: -

Legal Description: -

c. Describe all existing structures, physical attributes and current land use of the property: office plus multiple buildings, 16 permanent storage tanks Fertilizer regement.

d. Previous Special Use/Variance requested for this property? ☐ No ☒ Yes-Case No. Below  
67-63-5/87-38-5/05-21-5/05-22-V

3. Specify what the Variance request is for: Sun Ag would like to rebuild a bulk liquid fertilizer tank that will be 40 feet tall instead of 32 feet tall as it currently is.

4. Explain in detail the hardship or circumstances which prevents you from meeting the requirements of the Zoning Code: Current zoning code is max height of 36' Sun Ag desires to rebuild tank to store more products. No room for larger diameter so a taller tank is our only option.

5. When evaluating Variance requests the following Standards are considered by The Zoning Board of Appeals. Please provide how your application conforms to the following: (attached an additional sheet if necessary)

- a. Explain how the particular surroundings, shape or topographical conditions of the property creates a particular hardship rather than inconvenience, if the Zoning Code regulations were to be carried out. Current zoning only allows for 36' height
- b. Explain how the conditions upon which the variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property. Height of tank is unique thus needing a variance to build
- c. Explain how granting the variance will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood or otherwise be inconsistent with any officially adopted County Plan or these regulations. No person or property will be affected adversely by an additional 8ft in height over our existing tank
- d. Explain how 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. No effect to adjacent property. Same amount of product will come into business.
- e. Explain how the purpose of the variance is not based exclusively upon a desire to increase the monetary gain of the property. Goal is to reduce inbound product at peak application times
- f. Explain how circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of reasonable use of his or her property. Mere loss in value shall not justify a Variance. Sun Ag would be limited without the variance on storage space but not deprived of use of our property.
- g. Explain how granting the Variance is the minimum adjustment necessary that will make possible the reasonable use of the land or structure. Sun Ag's only restriction in building this tank is height limitation.
- h. Explain how the request is due to unique circumstances. Goal is larger storage tank. Footprint of property doesn't allow larger circumference so height is only option.

6. **Signature:** I (we) certify that the proposed Variance will conform to the standards for Variances in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Applicant Signature: Sun Ag Inc (Mark Bow) Owner Signature: Sun Ag Inc David Neulen

Date: 4-29-19

Date: 4-29-19

OWNER'S CONSENT FORM

I (print property owner's name) David Neister for Sun Ag Inc  
understand that (print applicant's name) Sun Ag Inc  
is petitioning for a(n) (explain request) Variance to rebuild an existing liquid storage tank  
to the height of 40 feet.

at (give address) 24450 Allentown Rd  
City Tremont State IL Zip 61568  
Parcel I.D. # 12-12-05-300-004+005 with the Tazewell County  
Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

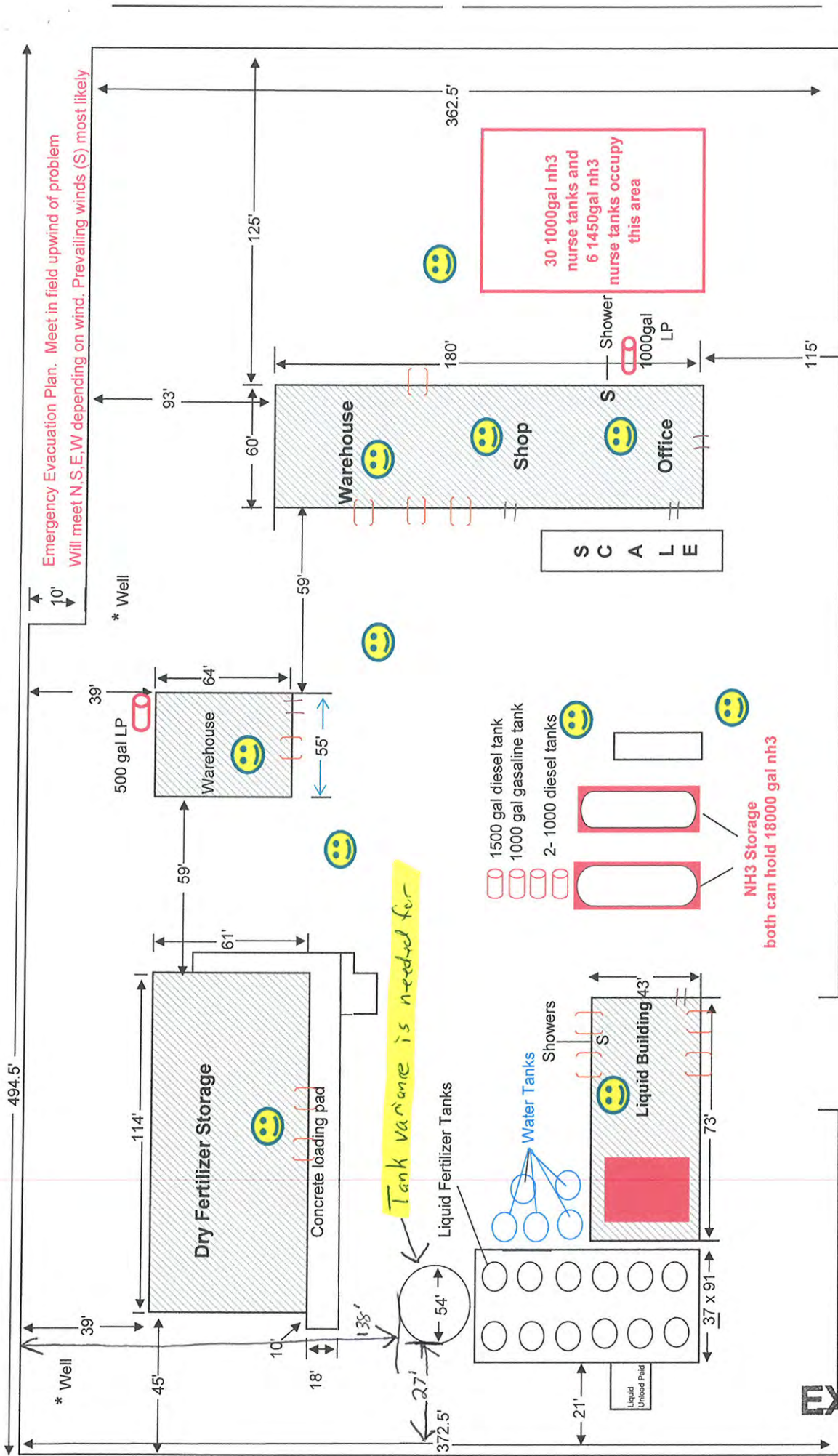
David Neister  
Owner's Signature

4-29-19  
Date

Subscribed and <sup>affirmed</sup> ~~sworn to~~ before me this 29<sup>th</sup> day of April, 2019.



Rose A. Knobloch  
Notary Public



MAP NOT TO SCALE

- Red = Tier II Locations
- ( ) = Overhead Doors
- || = Entry/Exit Doors

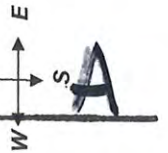
Water Source - 1 Mile north of plant on corner of Broadway and 4th street

**Sun Ag Supply Co**  
 24480 Allentown Road  
 Tremont, IL 61568

ID #001499  
 Lat/Long 40.55451/-89.4672

April 1, 2019

**EXHIBIT**



**Case 19-25-S &  
19-26-V SITE**

**Case 19-27-V  
SITE**

-009

2.22

-005

2.22

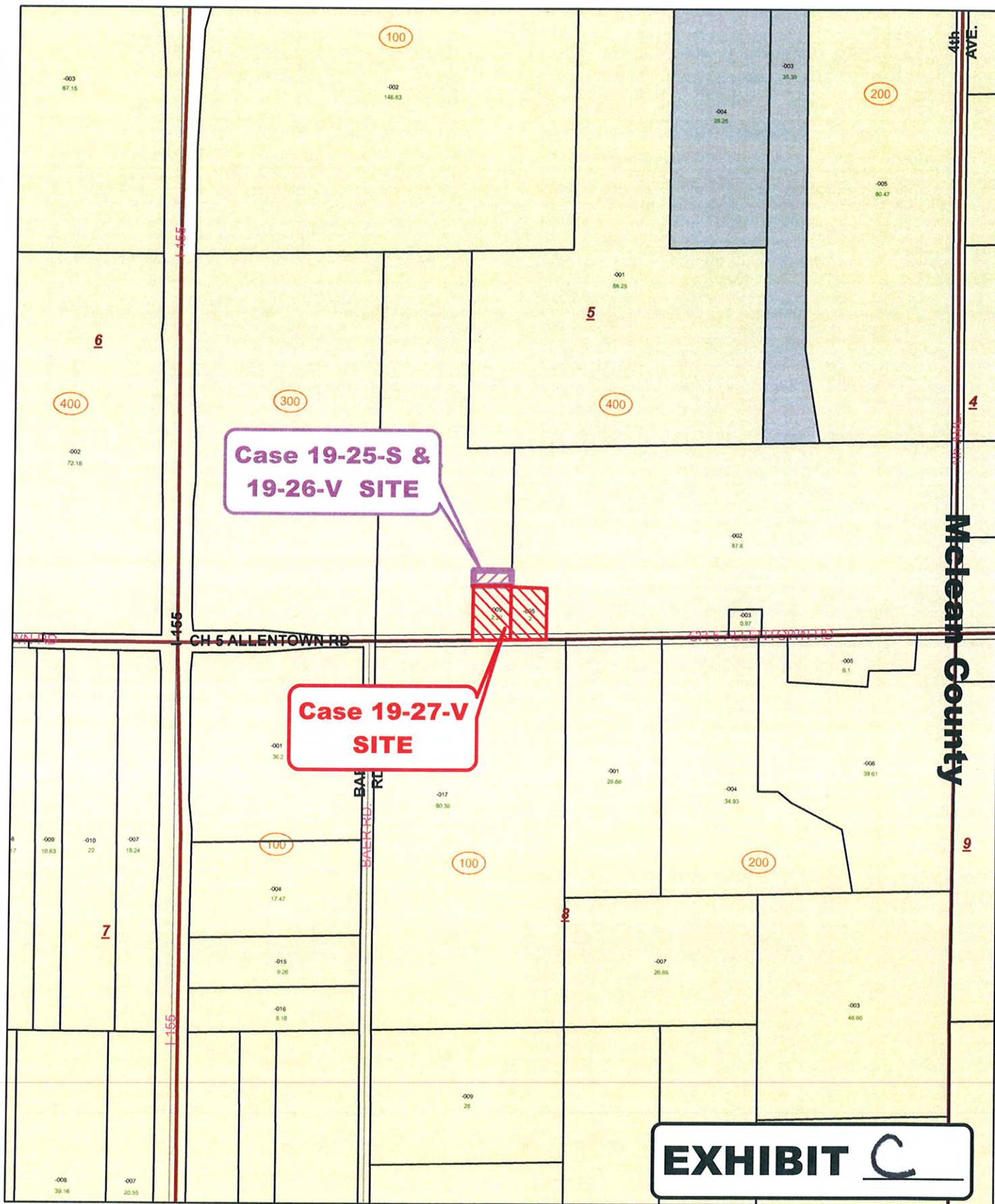
OH 5 ALLENTOWN RD

**McLean County**

**EXHIBIT B**



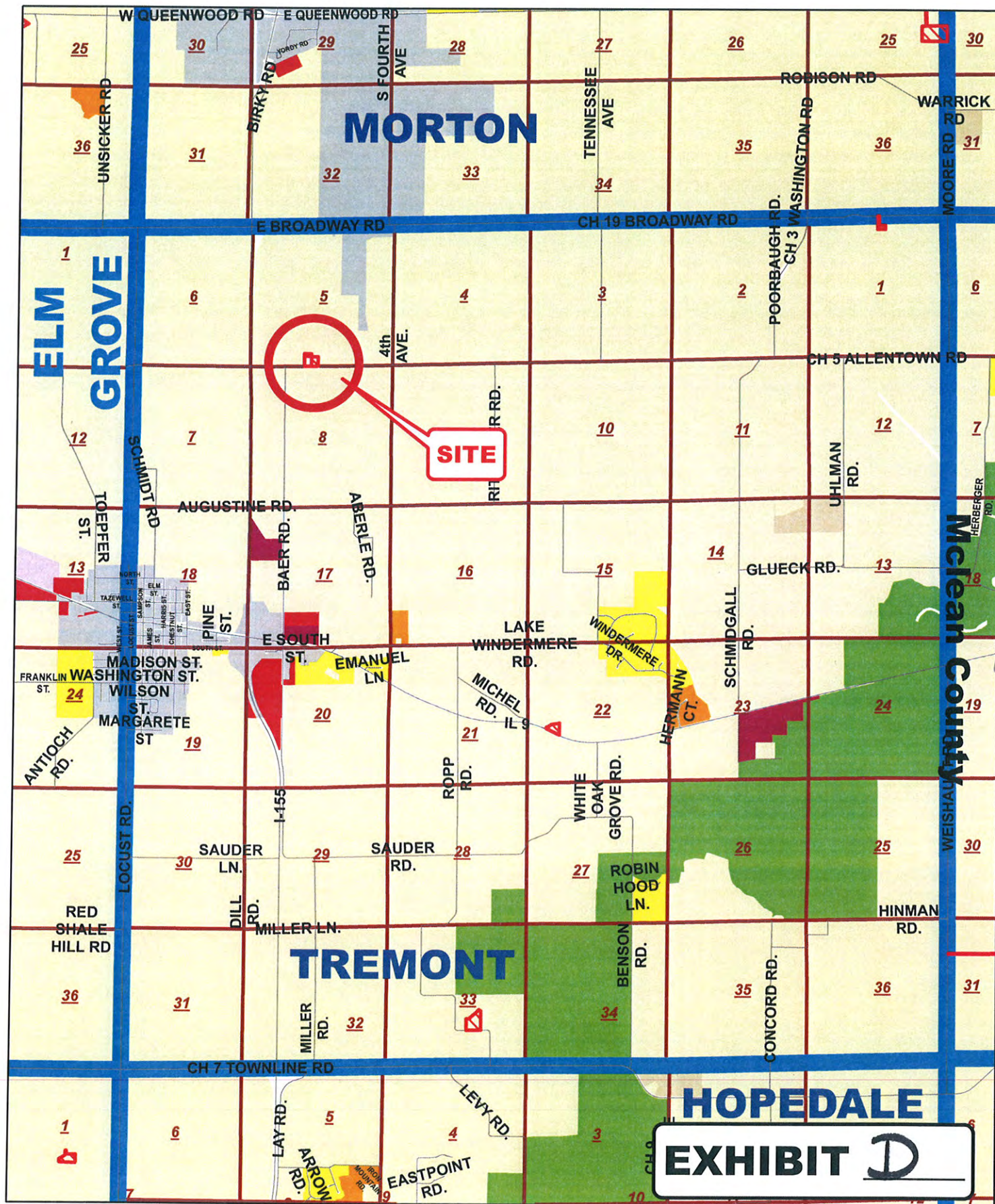
0 50 100 200 300 400 Feet



0 237.5 475 950 1,425 1,900 Feet

### Zoning District

- |  |         |  |     |  |      |  |      |  |     |  |     |
|--|---------|--|-----|--|------|--|------|--|-----|--|-----|
|  | A-1     |  | C-1 |  | CITY |  | I-1  |  | R-1 |  | R-R |
|  | AG Area |  | A-2 |  | C-2  |  | CONS |  | I-2 |  | R-2 |



0 1,300 2,600 5,200 7,800 10,400 Feet

### Zoning District

- |  |         |  |     |  |      |  |      |  |     |  |     |
|--|---------|--|-----|--|------|--|------|--|-----|--|-----|
|  | A-1     |  | C-1 |  | CITY |  | I-1  |  | R-1 |  | R-R |
|  | AG Area |  | A-2 |  | C-2  |  | CONS |  | I-2 |  | R-2 |

**CASE INFORMATION**

CASE NO.: 19-28-S PETITIONER: Merle Clemens d/b/a Groveland Chapels

AGENT OR REPRESENTATIVE: \_\_\_\_\_

ADDRESS: 18886 Springfield Rd., Groveland, IL 61535 PHONE: 309-202-0545

REQUEST FOR: Special Use for a Community Center to expand a non-conforming use (Wedding Venues) by utilizing an existing 1240' building on the property for Weddings only in an R-1 Low Density Residential Zoning District

P.I.N.# 05-05-27-201-031 PARCEL SIZE 4.22 PRESENT ZONING: R-1

SURROUNDING ZONING: N R-1 S R-1 E R-1/A-1 W R-1/C-2

PETITION RECEIVED: 4/15/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY: \_\_\_\_\_

**AGENCIES NOTIFIED AND COMMENTS MADE:**

PLANNER: \_\_\_\_\_

HEALTH DEPT.: \_\_\_\_\_

TCSWCD: \_\_\_\_\_

TCFB: \_\_\_\_\_

COUNTY HIGHWAY: \_\_\_\_\_

MUNICIPALITY: \_\_\_\_\_

TOWNSHIP: \_\_\_\_\_

IDOT: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

SURROUNDING PROPERTY OWNERS: \_\_\_\_\_

PUBLICATION DATE: \_\_\_\_\_ WHERE: \_\_\_\_\_

**ACTION TAKEN:**

ZONING BOARD OF APPEALS: \_\_\_\_\_ DECISION: \_\_\_\_\_

LAND USE COMMITTEE: \_\_\_\_\_ DECISION: \_\_\_\_\_

COUNTY BOARD: \_\_\_\_\_ DECISION: \_\_\_\_\_

**FILED**

MAY 15 2019

*Chris C. Adams*  
COUNTY CLERK  
TAZEWELL COUNTY, ILLINOIS

**TAZEWELL COUNTY COMMUNITY**

**DEVELOPMENT**

**APPLICATION FOR ZONING HEARING**

**PETITION FOR:**

☐ Special Use (New Dwelling Site)

☒ Special Use (Other)

**Staff Use Only:**

Date Filed: 4-15-19 CASE NO. 19-28-S

Filing Fee: 350.00 Publication Fee: \_\_\_\_\_

ZBA Hearing Date: June 4, 2019

Decision Date: \_\_\_\_\_

☐ APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

**1. Applicant and Owner Information:**

**Applicant:** d/b/a Groveland Chxpls

**Owner:**

Name: Merle Clemens

Name: Merle Clemens

Address: 18886 Springfield Rd.

Address: 18886 Springfield Rd.

City, State: Groveland, IL 61535

City, State: Groveland, IL 61535

Phone: 309-202-0545

Phone: 309-202-0545

(daytime contact)

(daytime contact)

Email: mdclem36@yahoo.com

Email: mdclem36@yahoo.com

The property interest of the applicant, if not the owner: \_\_\_\_\_

**2. Site and Surrounding Property Information:**

18872 + 18876 Springfield Rd.

a. 911 Address or property location of subject property: Groveland, IL 61535

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)

Current Zoning: R-1 Property ID Number: 05-05-27-201-031

Proposed Parcel Size/Acreage: 1.63 Soil Productivity Rate of site: N/A

Legal Description: SEC 27 T25N R4W TRACT 1 OF LOT

9 E 1/2 NE 1/4 1.63 AC

c. Describe all existing structures, physical attributes and current land use of the property: 1987 built

chapel for weddings - one existing structure rented for

d. Previous Special Use/Variance requests for this property? ☐ No ☐ Yes-Case No. living purposes

**3. State the Reason For and Nature of the Special Use:** To expand wedding venue

use & also utilize an existing structure along with the

chapel for weddings only - S.U. Rec Facility Class 1 in R-1

a. Hours of operation: 10 a.m. to 9 p.m. Number of employees: 4 family members

b. Number of parking spaces: 29 Handicapped: 3 Parking Lot Surface: Black-top

c. Signs (size and number of): Existing Sign on premise now - compliant

d. Number of new buildings to be constructed and proposed use of each building: 2 structures

to be used - an existing chapel & 1240' for weddings

e. Future expansion and time schedule: \_\_\_\_\_

There will be NO receptions

4. **New Dwelling Sites Only:** A livestock feeding operation is defined by the Tazewell County Zoning Code as: Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency. \*(Contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance if you are uncertain regarding location of active livestock feeding operations.)

a. Is the property located: (Check appropriate item)

1. Less than one-half (1/2) mile of a **livestock feeding operation**: ☐ Yes ☒ No

\*If less than 1/2 mile is a Variance necessary? ☐ Yes ☐ No

2. More than one-half (1/2) mile of a **livestock feeding operation**: ☒ Yes ☐ No

b. Type of livestock operation none Number of animal units: none

5. **The Zoning Board of Appeals makes a Finding of Fact for all Special Use. Please provide how your application conforms to the following: (attached an additional sheet if necessary)**

a. The site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties. The existing chapels are set back from Springfield Road.

b. The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity. correct

c. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. correct

d. The Special Use will not substantially diminish and impair property value within the neighborhood. correct

e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. correct

f. 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. correct

g. Granting the special 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 that would hinder the operation or expansion of such operation or granting the special use, which is located *more than one half mile* from a livestock feeding operation will not hinder the operation or expansion of such operation. correct

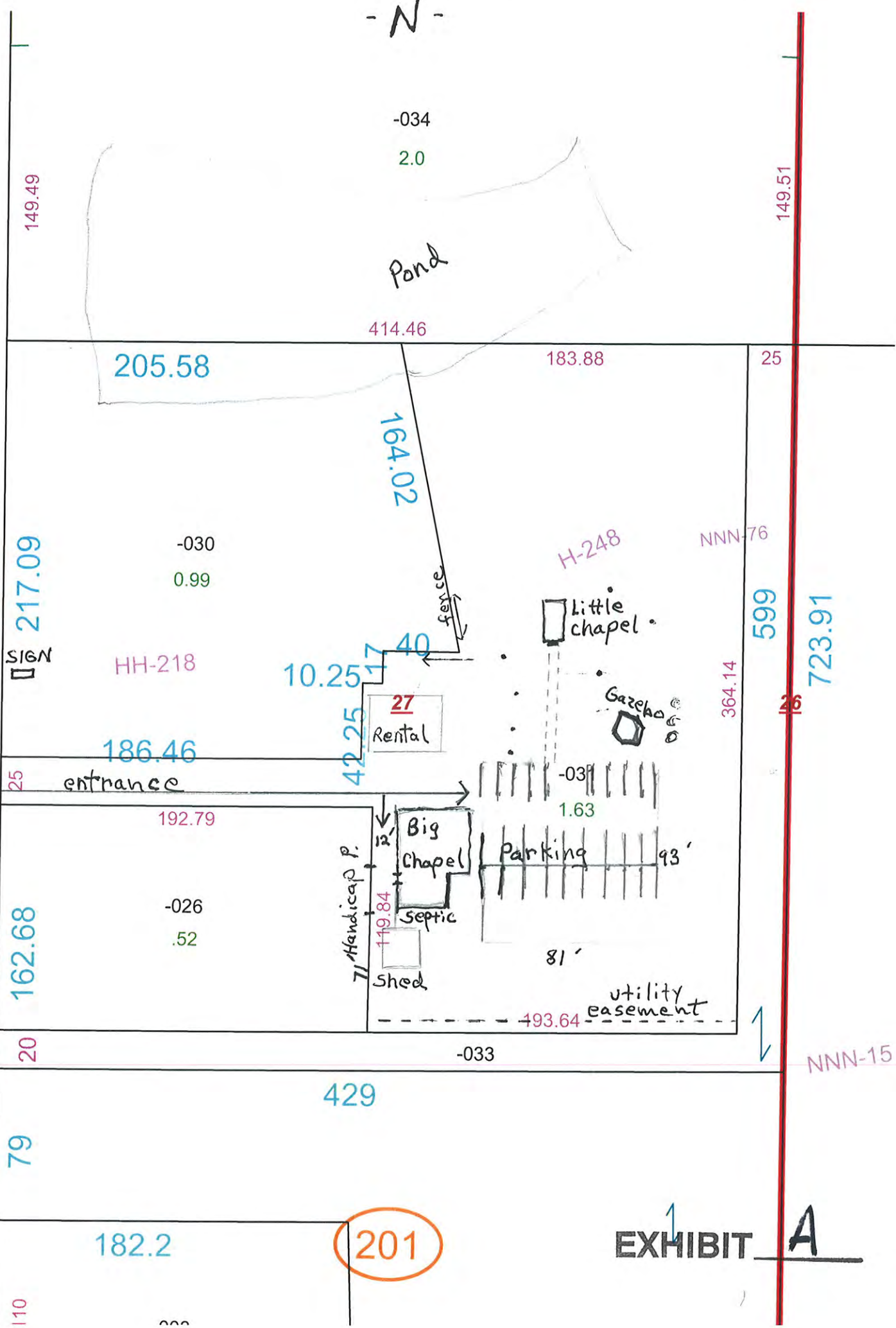
h. The Special Use is consistent with the existing uses of property within the general area of the property in question. correct

i. The property is suitable for the Special Use as proposed. correct

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Applicant Signature: Mark Clement Owner Signature: Mark Clement

Date: 4-16-19 Date: 4-16-19

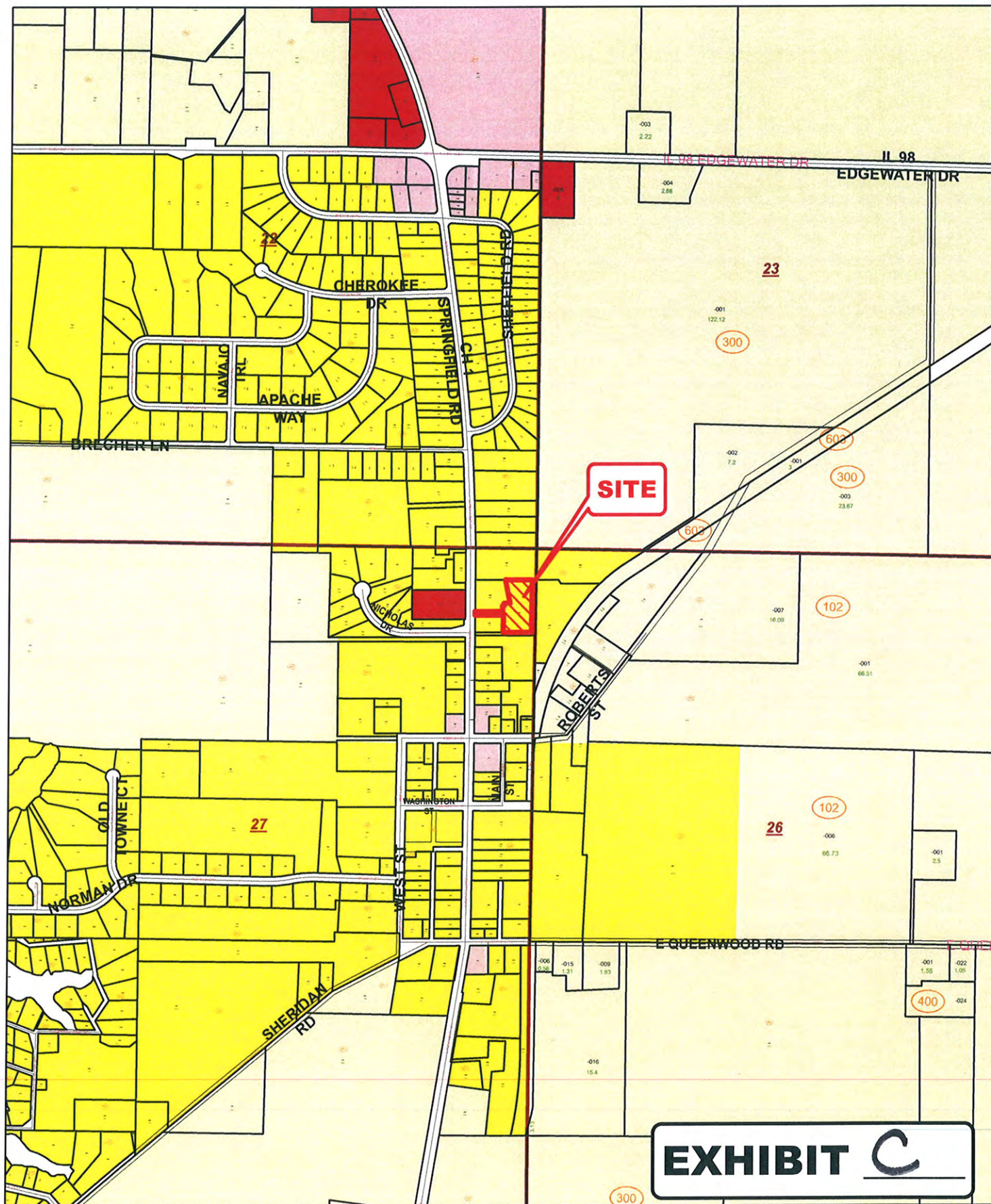




**EXHIBIT B**



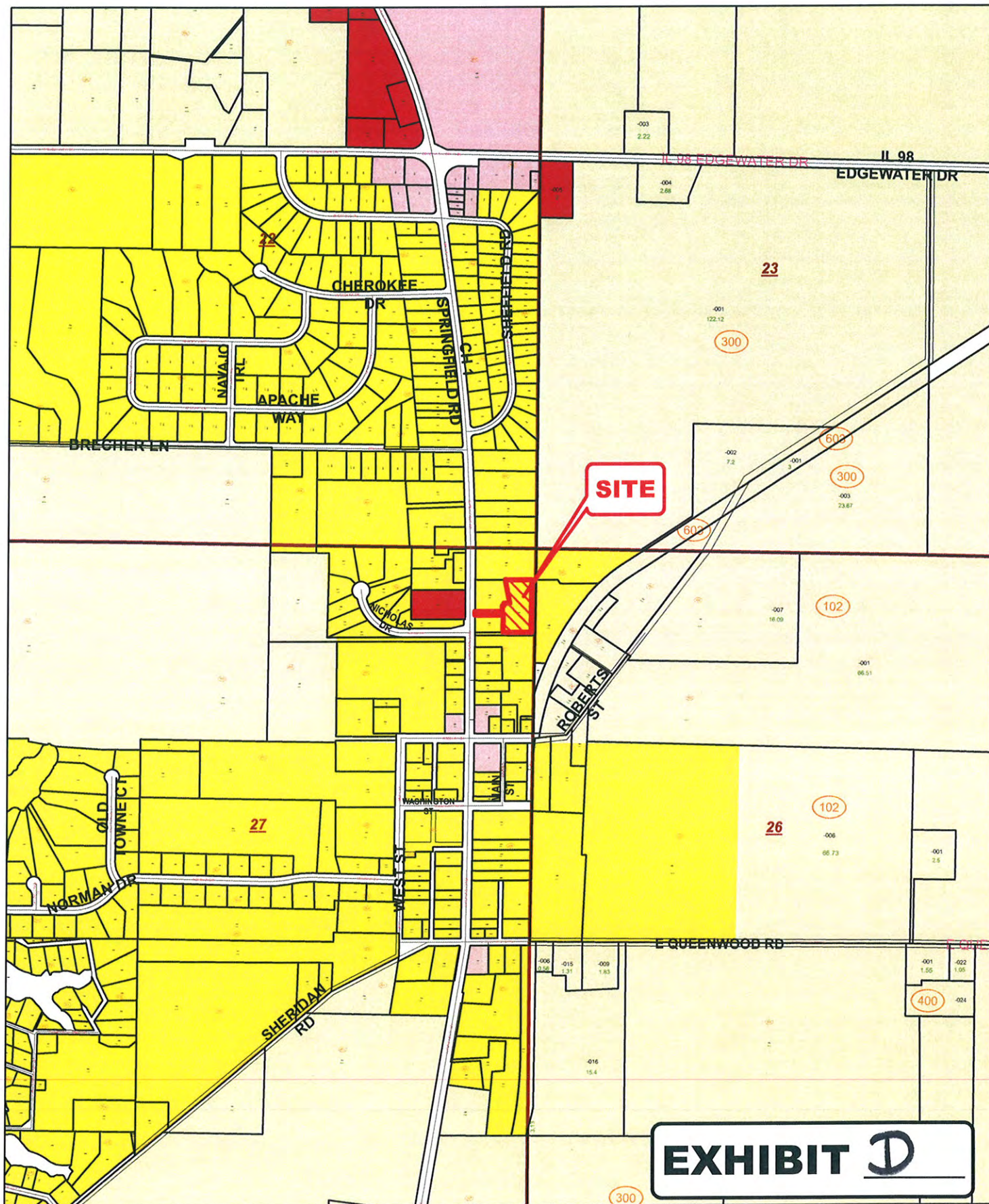
0 20 40 80 120 160 Feet



0 237.5 475 950 1,425 1,900 Feet

### Zoning District

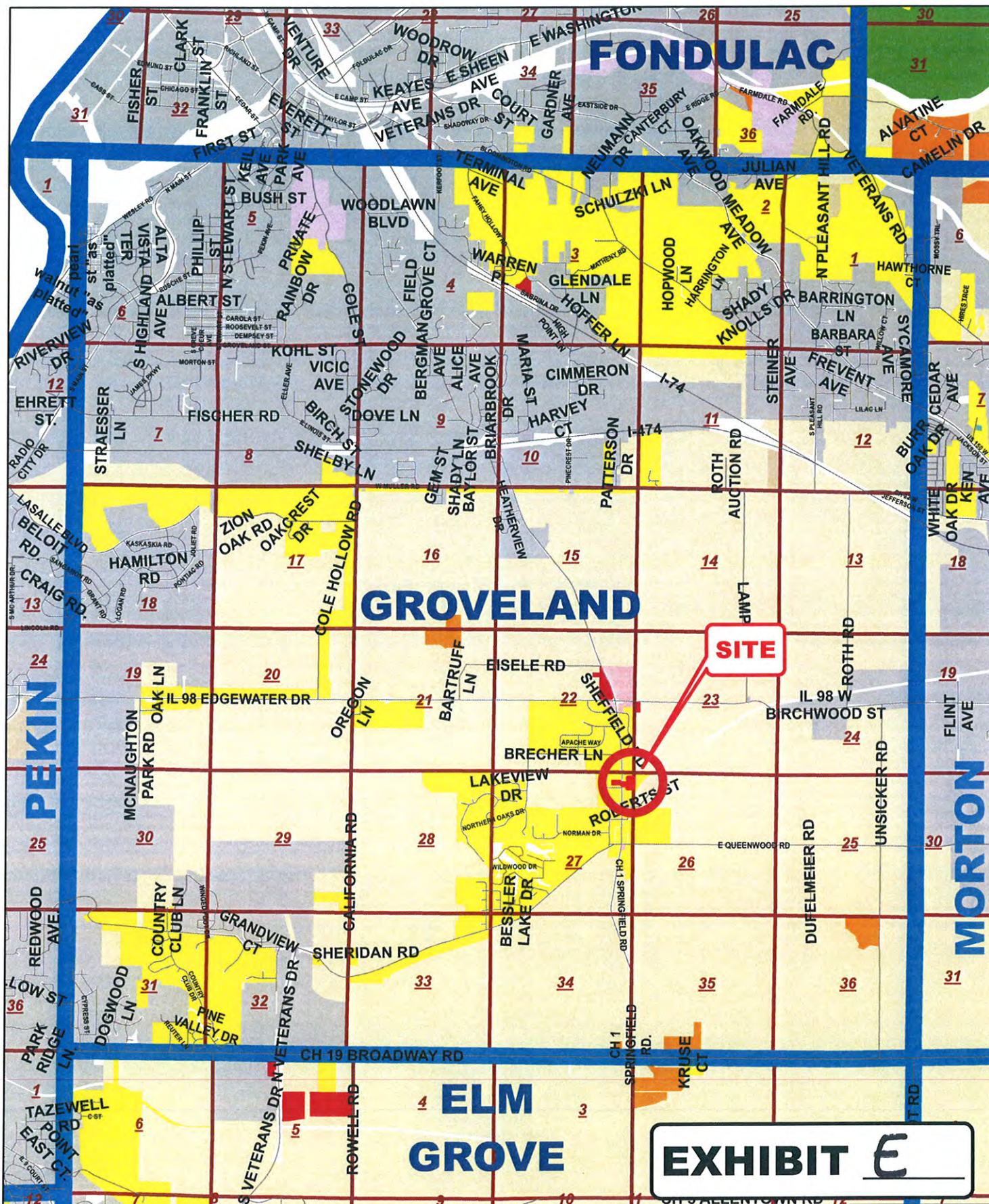
A-1 C-1 CITY I-1 R-1 R-R  
 AG Area A-2 C-2 CONS I-2 R-2



0 237.5 475 950 1,425 1,900 Feet

### Zoning District

- |         |     |      |      |     |     |
|---------|-----|------|------|-----|-----|
| A-1     | C-1 | CITY | I-1  | R-1 | R-R |
| AG Area | A-2 | C-2  | CONS | I-2 | R-2 |



**EXHIBIT E**

Zoning District		A-1	C-1	CITY	I-1	R-1	R-R
	AG Area	A-2	C-2	CONS	I-2	R-2	

**CASE INFORMATION**

CASE NO.: 19-29-S PETITIONER: Charles & Karen Simmons

AGENT OR REPRESENTATIVE:

ADDRESS: 22052 Oaklane, Morton, IL 61550 PHONE: 309-397-7951

REQUEST FOR: Special Use for the purpose of raising chickens in a R-1 Low Density Residential Zoning District

P.I.N.# 06-06-03-401-019 PARCEL SIZE less than 1 acre PRESENT ZONING: R-1

SURROUNDING ZONING: N R-1 S R-1/A-1 E R-1 W R-1

PETITION RECEIVED: 4/26/19 CASE ORIGIN: By Petitioner

REMARKS: ASSISTANT STATES ATTORNEY:

AGENCIES NOTIFIED AND COMMENTS MADE:

PLANNER:

HEALTH DEPT.:

TCSWCD:

TCFB:

COUNTY HIGHWAY:

MUNICIPALITY:

TOWNSHIP:

IDOT:

SCHOOL DISTRICT:

SURROUNDING PROPERTY OWNERS:

PUBLICATION DATE: WHERE:

**ACTION TAKEN:**

ZONING BOARD OF APPEALS: DECISION:

LAND USE COMMITTEE: DECISION:

COUNTY BOARD: DECISION:

**FILED**

MAY 15 2019

*John C. Adkins*  
COUNTY CLERK  
TAZEWELL COUNTY, ILLINOIS

TAZEWELL COUNTY COMMUNITY  
DEVELOPMENT

APPLICATION FOR ZONING HEARING

PETITION FOR:

- ☐ Special Use (New Dwelling Site)  
☒ Special Use (Other)

Staff Use Only:

Date Filed: 4-26-19 CASE NO. 19-29-S

Filing Fee: 300.00 Publication Fee: \_\_\_\_\_

ZBA Hearing Date: June 4, 2019

Decision Date: \_\_\_\_\_

☐ APPROVED ☐ DENIED ☐ OTHER \_\_\_\_\_

1. Applicant and Owner Information:

Applicant:

Name: Charles + Karen Simmons  
Address: 22052 Oaklane  
City, State: Morton, IL  
Phone: 309-397-7957  
(daytime contact)

Email: Simmons1mom@yahoo.com

Owner:

Name: Charles + Karen Simmons  
Address: 22052 Oaklane  
City, State: Morton, IL  
Phone: 309-397-7951  
(daytime contact)

Email: Simmons1mom@yahoo.com

The property interest of the applicant, if not the owner: \_\_\_\_\_

2. Site and Surrounding Property Information:

- a. 911 Address or property location of subject property: 22052 Oaklane, Morton, IL
- b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office - 1<sup>st</sup> floor, McKenzie Building)  
Current Zoning: Residential Property ID Number: 06-06-03-401-019  
Proposed Parcel Size/Acreage: 17,100 sq ft Soil Productivity Rate of site: \_\_\_\_\_  
Legal Description: Sec 03 T25N R3W  
Sec 02 Lot 17 SE 1/4
- c. Describe all existing structures, physical attributes and current land use of the property: Residential single story home with deck
- d. Previous Special Use/Variance requests for this property? ☒ No ☐ Yes-Case No. \_\_\_\_\_

3. State the Reason For and Nature of the Special Use: Would like special use to have chickens on property. Planning to have 4 chickens (no roosters)

- a. Hours of operation: NA Number of employees: \_\_\_\_\_
- b. Number of parking spaces: NA Handicapped: \_\_\_\_\_ Parking Lot Surface: \_\_\_\_\_
- c. Signs (size and number of): NA
- d. Number of new buildings to be constructed and proposed use of each building: Chicken coop to house chickens already in place
- e. Future expansion and time schedule: NA

4. **New Dwelling Sites Only:** A livestock feeding operation is defined by the Tazewell County Zoning Code as: Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency. \*(Contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance if you are uncertain regarding location of active livestock feeding operations.)

a. Is the property located: (Check appropriate item)

1. Less than one-half (1/2) mile of a livestock feeding operation: ☐ Yes ☒ No

\*If less than 1/2 mile is a Variance necessary?

☐ Yes ☐ No

2. More than one-half (1/2) mile of a livestock feeding operation: ☐ Yes ☐ No

b. Type of livestock operation \_\_\_\_\_ Number of animal units: \_\_\_\_\_

5. **The Zoning Board of Appeals makes a Finding of Fact for all Special Use. Please provide how your application conforms to the following: (attached an additional sheet if necessary)**

a. The site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties. \_\_\_\_\_

Chicken coop partially hidden by tree, bushes & fence

b. The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity. \_\_\_\_\_

NO ROOSTERS  
Will keep coop clean and waste disposed of properly

c. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. \_\_\_\_\_

- Coop is more than 30' from any other structures

d. The Special Use will not substantially diminish and impair property value within the neighborhood. \_\_\_\_\_

- Chicken coop and run 10' away from neighbors fence

e. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes

4' x 4.5' coop and 12' x 4.5' run for 4 chickens

f. 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. \_\_\_\_\_

NA

g. Granting the special 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 that would hinder the operation or expansion of such operation or granting the special use, which is located more than one half mile from a livestock feeding operation will not hinder the operation or expansion of such operation. \_\_\_\_\_

Not within 1 mile of livestock operation

h. The Special Use is consistent with the existing uses of property within the general area of the property in question. \_\_\_\_\_

Large yard provides adequate space for chicken coop

i. The property is suitable for the Special Use as proposed. Coop has 4 sq ft for each chicken and 10 sq ft of run per chicken

6. **Signature:** I (we) certify that the proposed Special Use will conform to the standards for Special Uses in the Tazewell County Zoning Ordinance and hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my (our) knowledge.

Applicant Signature: \_\_\_\_\_

Karen Summers

Owner Signature: \_\_\_\_\_

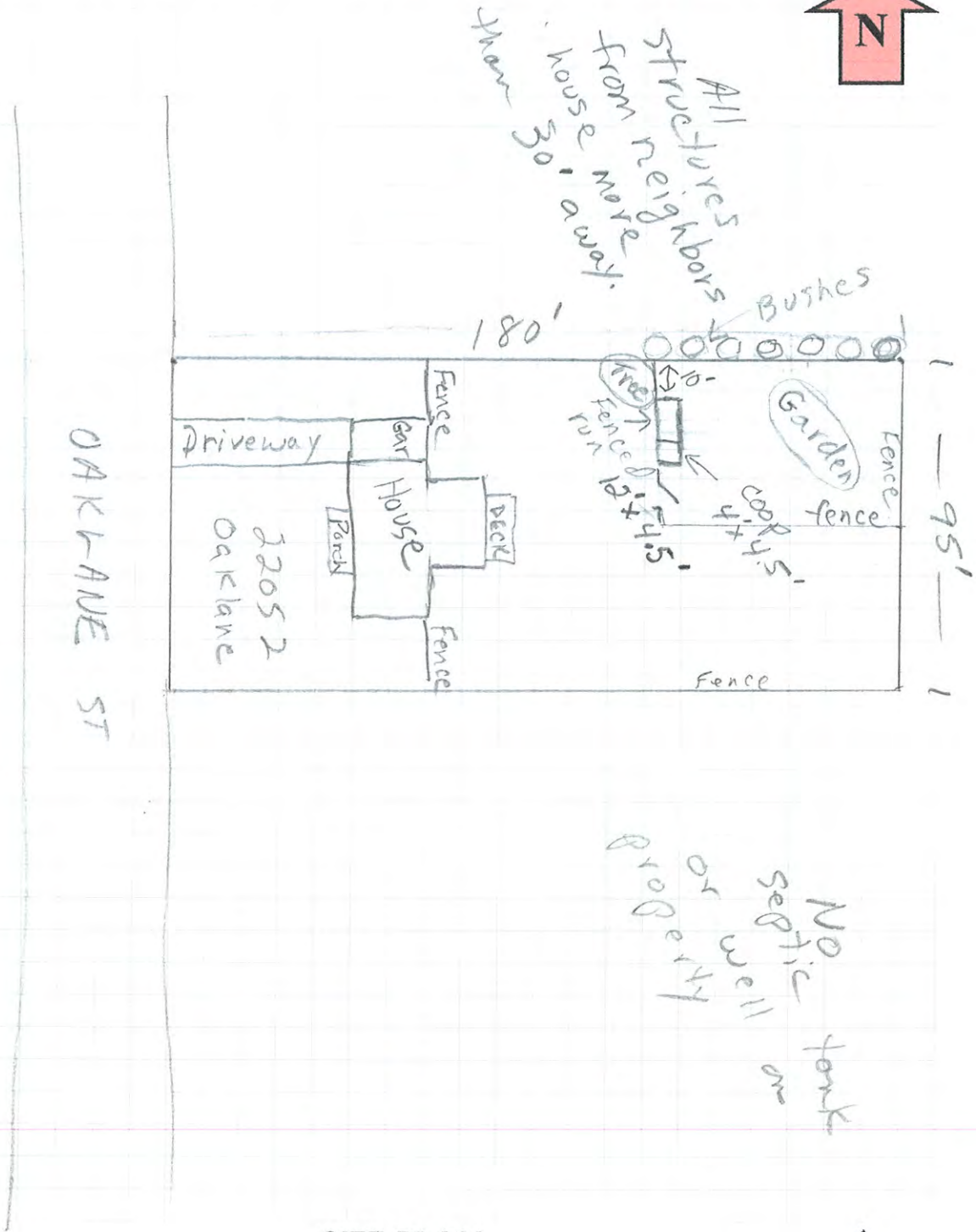
Karen Summers

Date: April 19, 2019

Date: April 19, 2019

BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES, LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS "REFER TO CHECKLIST"

**NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN YOUR DRAWING!**



**SITE PLAN**

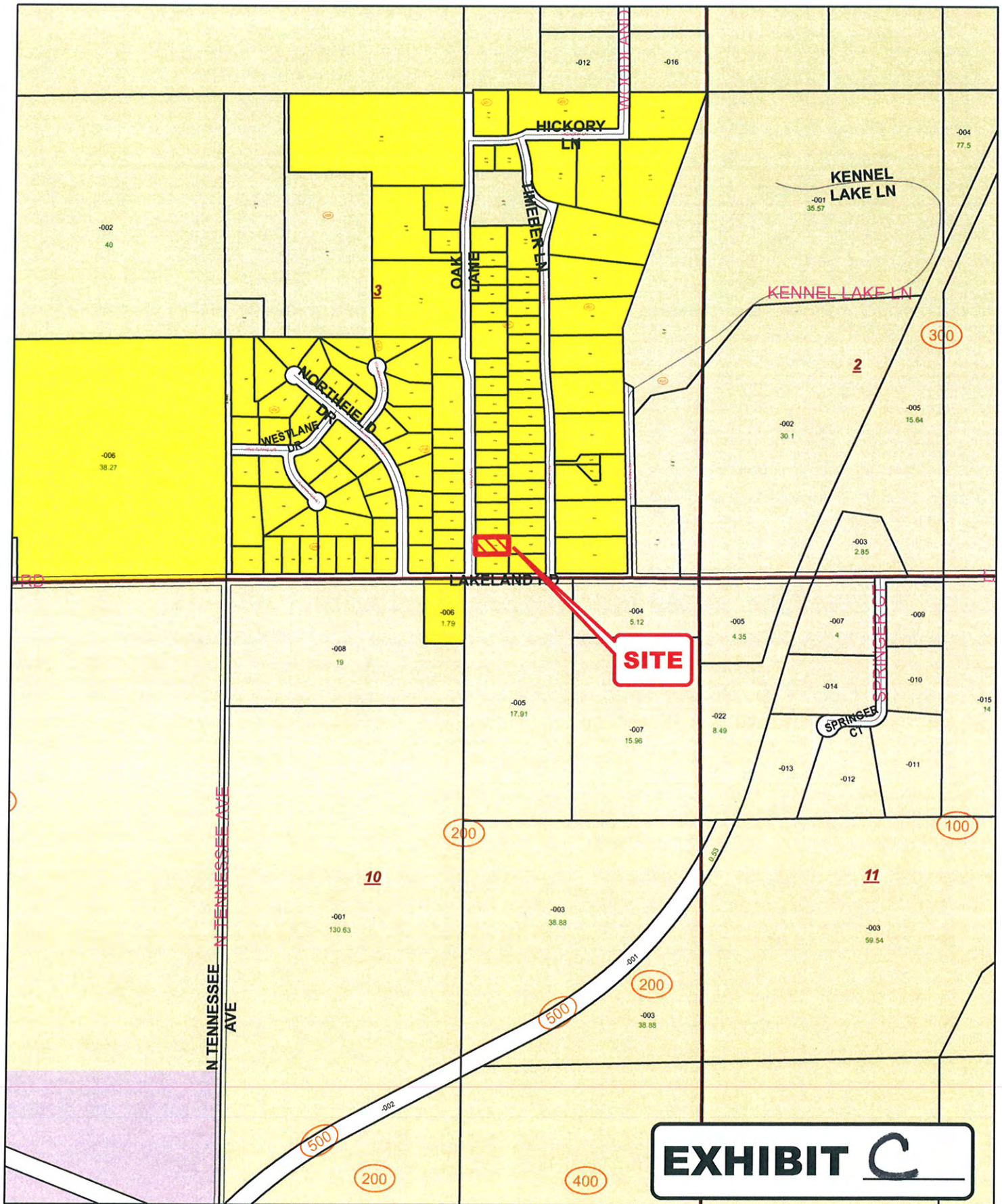
**EXHIBIT A**

Special Use Application



0 12.5 25 50 75 100 Feet

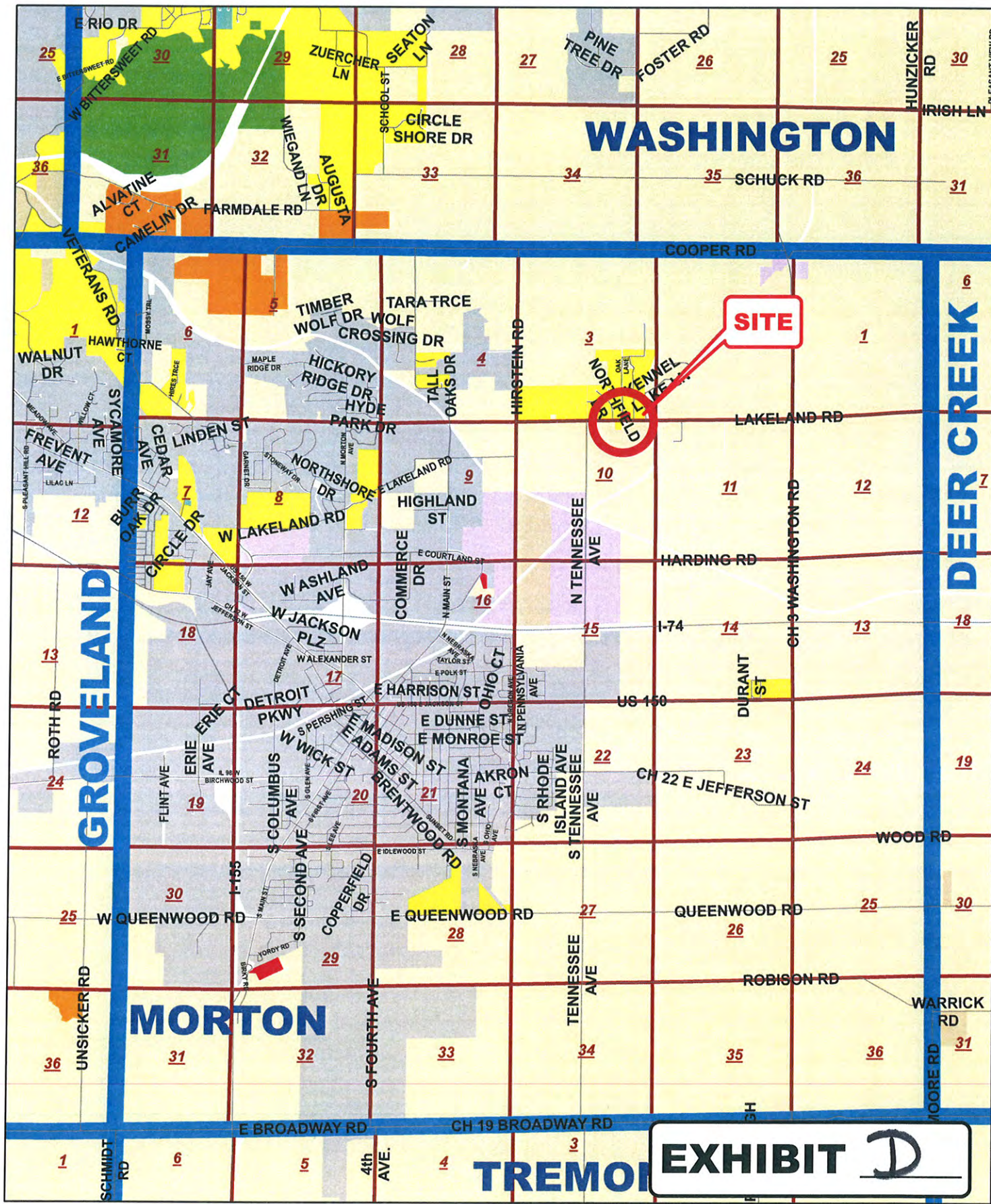
**EXHIBIT B**



0 190 380 760 1,140 1,520 Feet

**Zoning District**

- |         |     |      |      |     |     |
|---------|-----|------|------|-----|-----|
| A-1     | C-1 | CITY | I-1  | R-1 | R-R |
| AG Area | A-2 | C-2  | CONS | I-2 | R-2 |



0 1,300 2,600 5,200 7,800 10,400 Feet

Zoning District		A-1	C-1	CITY	I-1	R-1	R-R
AG Area	A-2	C-2	CONS	I-2	R-2		