

Piatt County
Zoning Board of Appeals

April 3, 2025

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, April 3, 2025 in Room 104 of the Piatt County Courthouse. Chairperson Loyd Wax called the meeting to order. The roll was read. Kyle Lovin, Jim Harrington, Dan Larson and Keri Nusbaum attended. County Board members in attendance: Todd Hendricks, Jerry Edwards, Gail Jones, Michael Beem.

The ZBA reviewed the minutes for March 27, 2025 and January 23, 2025 were reviewed.

MOTION: Larson made motion, seconded by Harrington, to approve the minutes from January 23 and March 27, 2025 as written. On voice vote, all in favor and the minutes were approved.

Public Comments: None

New Business

The second draft of the BESS ordinance was reviewed. Most of the requests for changes have been included.

The changes were reviewed and discussed, along with other suggestions and concerns.

The following changes and additions will be added:

- 1) Page 7 H. remove the words 'if available'.
- 2) Page 5 APPLICABILITY Paragraph 4. To read –
Tier 2 BESS. Tier 2 BESS are only permitted in agricultural or industrial zoned districts. Tier 2 BESS must apply for and be issued a special use permit, a building permit prior to construction, and an operating permit prior to commercial operation A Tier 2 BESS may not be constructed, in whole or part, over any land above the Mahomet Aquifer. A Tier 2 BESS may not exceed 20 acres of total acreage. Tier 2 BESS are subject to all requirements of this ordinance except as specifically stated herein.
- 3) Page 9 DESIGN AND INSTALLATION
 - A. Setbacks shall be:
 1. 500 feet from the parcel line
 2. 500 feet from any public right-of-way; and
 3. 1250 feet from any non-participating residential structure or occupied community building.
- 4) Add to OPERATION
 - F. Adjacent landowners shall be made whole in the event of an evacuation, or contamination of their water or land as a result of the installation. To include payments for alternative housing, water delivery or any other expenses related to an incident at a facility.

The ZBA members considered the zoning factors for Text amendments.

ZONING FACTORS FOR TEXT AMENDMENTS –4-3-25
BESS Ordinance

1. Does the proposed text amendment promote the health, safety, morals, or general welfare of the public
Yes. The ZBA members voted unanimously (4-0) that the proposed text amendment does promote the health, safety, morals, or general welfare of the public.
2. Will the proposed text amendment be injurious to the use and enjoyment of other property within the immediate vicinity
No. The ZBA members voted unanimously (4-0) that the proposed text amendment would not be injurious to the use and enjoyment of other property within the immediate vicinity.
3. Will the proposed text amendment diminish property values of other property within the immediate vicinity
No. The ZBA members voted unanimously (4-0) that the proposed text amendment would not diminish property values of other property within the immediate vicinity.
4. Does the proposed text amendment take into consideration whether there is adequate infrastructure (i.e., roads, utilities, drainage)
Yes. The ZBA members voted unanimously (4-0) that the proposed text amendment does take adequate infrastructure into consideration.
5. Is the proposed text amendment in harmony with the overall comprehensive plan of the county
Yes. The ZBA members voted unanimously (4-0) that the proposed text amendment is in harmony with the overall comprehensive plan of the county.
6. Would the proposed text amendment compete with or impede the existing zoned uses of other property within the zone
No. The ZBA members voted unanimously (4-0) that the proposed text amendment could not compete or impede the zoned uses of other property.
7. Would the proposed text amendment create a hardship on landowners within the Zone?
No. The ZBA members voted unanimously (4-0) that the proposed text amendment would not create a hardship on landowners within the zone.
8. Would the proposed text amendment have a harmful impact upon the soil?
No. The ZBA members voted unanimously (4-0) that the proposed text amendment would not have a harmful impact on the soil.

MOTION: Harrington made motion to recommend the text amendment with the additions and changes to the County board as the ZBA finds that the proposed amendments to the text of the Piatt County ordinance are consistent with the public interest and are in the best interests of the citizens of Piatt County, Illinois. Lovin seconds the motion. Roll was called, all in favor and the motion carried.

MOTION: Lovin made motion, seconded by Harrington to adjourn. On voice vote, all in favor and the meeting adjourned at 1:53 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer