

MINUTES  
LIVINGSTON COUNTY ZONING BOARD OF APPEALS  
Livingston County Historic Courthouse  
112 W. Madison St., Pontiac, Illinois

Regular Meeting  
7:00 p.m.

January 18, 2024

The regular meeting came to order at 7:06 pm

Members Present: Joe Stock, Joan Huisman, William Flott, Dave Randolph and Richard Runyon

Members Absent: Neil Turner, Richard Kiefer

Board Members Present: Gerald Earing, Bob Weller, Mike Haag, James Carley, Steve Lovell

Others Present: Regional Planning/Zoning Director Brittney Miller, County Board Executive Director Alina Hartley, Michelle Harms, Troy Harms, Andrew Keyt

**Approval of the Agenda:**

Chair Huisman called for any additions or corrections to the agenda. With a correction being made to the date, a motion was made by Flott, second by Randolph to approve the revised agenda.

**Motion carried on roll call vote with all ayes.** Absent: Turner, Kiefer

**Approval of Minutes:**

Chair Huisman called for approval of the amended minutes from the December 7, 2023 meeting. Motion by Randolph, second by Stock to approve the amended minutes. **Motion carried on roll call vote with all ayes.** Ayes: Stock, Flott, Randolph, Huisman, and Runyon Nays: None Absent: Turner, Kiefer

Chair Huisman called for approval of the minutes from the November 29, 2023 meeting. Motion by Flott, second by Stock to approve minutes as presented. **Motion carried on roll call vote with all ayes and 1 abstain.** Ayes: Stock, Flott, Randolph, and Runyon Nays: None Abstain: Huisman Absent: Turner, Kiefer

**Business to be reviewed:**

**Case SU-21-23 – Harms Country Farms, LLC**

This zoning case pertains to the review of a proposed special use to operate a wedding/event venue on property located in an AG, Agricultural District in unincorporated Chenoa.

Miller gave an overview of the case to ZBA members.

Motion by Flott, second by Randolph that zoning case SU-21-23 – Harms Country Farms be approved. **Motion carried on roll call vote with all ayes.** Ayes: Stock, Flott, Randolph, Huisman, and Runyon Nays: None Absent: Turner, Kiefer

### **Case ZT-6-23 – Livingston County Board**

This zoning case pertains to the review of a proposed zoning text amendment to revise Chapter 56, Article VIII-B of the Livingston County Code of Ordinances regarding an addition of Battery Energy Storage Systems to solar farms.

Keyt presented the amendments made to the solar farm ordinance, thoroughly discussing each amendment. Keyt stated that the BESS regulations needed to be obtainable and has to allow for the solar farm to be developed.

A question was raised concerning setbacks, to which led to a discussion regarding the state statute setback requirements, minimally adjusting setbacks per case, and location of the BESS.

Discussion took place regarding the height of the BESS building, noting that the amendment needs to have a height restriction.

Keyt reported that a second decommissioning plan for the BESS will be required. Discussion took place regarding a possibility of abandonment, hazardous waste facilities, and higher financial assurance.

Questions were raised regarding road use agreements, clarifications on several sections to the amendment, standalone facilities, and making BESS an ordinance rather than adding to the solar ordinance. Keyt stated that incorporating BESS into the solar ordinance will be easier to make sure that the developer is compliant.

Motion by Flott, second by Randolph that this zoning case be approved with changes to the amendment. **Motion carried on roll call vote with all ayes.** Ayes: Stock, Flott, Randolph, Huisman, and Runyon Nays: None Absent: Turner, Kiefer

### **Case ZT-1-23 – Livingston County Board**

This zoning case pertains to the review of a proposed zoning text amendment to revise Chapter 56, Article VIII of the Livingston County Code of Ordinances regarding an addition of Battery Energy Storage Systems to wind farms.

Motion to add solar text amendment to the wind text amendment by Flott, second by Randolph that this zoning case be approved. **Motion carried on roll call vote with all ayes.** Ayes: Stock, Flott, Randolph, Huisman, and Runyon Nays: None Absent: Turner, Kiefer

**Other Business:** N/A

**Findings of Fact and Decision:**

Motion by Randolph, second by Stock to approve the findings of fact. **Motion carried on roll call vote. Ayes:** Stock, Flott, Huisman, Runyon, and Randolph **Nays:** None **Abstain:** Kiefer, Turner

**Public Comment:** N/A

**Report of Officers:** N/A

**General Discussion:** Discussion regarding 2024 meeting dates.

**Adjournment:**

Motion by Flott, second by Randolph that the meeting be adjourned. **Motion carried on roll call vote with all ayes.**

This meeting was adjourned at 9:23 p.m.

Material regarding these proceedings is on file in the Livingston County Regional Planning Commission Office, in the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,

Brittney Miller, Zoning Administrator  
Livingston County Regional  
Planning Commission