

Shelby County Zoning  
315 1/2 East Main St.  
Shelbyville, IL 62565  
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## Minutes for Shelby County Zoning Board of Appeals

**WHEN:** August 29th, 2024 @6pm

**WHERE:** Office of the Zoning Administrator at 315 ½ East Main Street Shelbyville, Illinois.

### Call to Order

Betsy Stilabower calls the meeting to order at 6:12pm.

### Roll Call

Betsy Stilabower	Present ( <input checked="" type="checkbox"/> )	Absent ( <input type="checkbox"/> )
Sandra Earp	Present ( <input checked="" type="checkbox"/> )	Absent ( <input type="checkbox"/> )
Jim Hampton	Present ( <input checked="" type="checkbox"/> )	Absent ( <input type="checkbox"/> )
Vacant	Present ( <input type="checkbox"/> )	Absent ( <input type="checkbox"/> )
Vacant	Present ( <input type="checkbox"/> )	Absent ( <input type="checkbox"/> )

### Reading of the Minutes

Minutes read from July 11th Meeting.

Betsy Stilabower made a motion to accept the minutes as read.

Sandra Earp seconded the motion.

### Agenda

1. Discussion and vote to approve the request for Zoning Map Amendment by Mark Yates to rezone his property on parcel 1614-28-00-400-004 from Agricultural to General Business for a welding shop.

Betsy Stilabower made a motion to recommend granting the Map Amendment to the full County Board.

Sandra Earp seconded the motion.

Ayes (3)

Nays (0)

Motion is unanimously approved (X)

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2. Discussion and vote to approve "Sunset" Amendments for Wind and Solar Energy Facilities.

- a. Under Article II, subsection 16 G Procedures of the Shelby County Zoning Ordinance, there shall be an 11<sup>th</sup> paragraph that states –

"If Illinois Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G are deemed invalid by any Illinois Appellate Court, an automatic moratorium for Wind Energy Facilities shall be enacted for Shelby County until:

- a) An appeal to the Illinois Supreme Court regarding Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G has been successful.
- b) The Shelby County Board removes the moratorium by a majority vote.

If Illinois Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G are deemed invalid by the Illinois Supreme Court or removed, the County Board of Shelby County shall have the authority to reject applications for Wind Energy Facilities."

- b. Under Article II, subsection 16.5 Solar Energy Conversion Systems Standards, Section G Procedures of the Shelby County Zoning Ordinance, there shall be an 11<sup>th</sup> paragraph that states –

"If Illinois Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G are deemed invalid by any Illinois Appellate Court, an automatic moratorium for Solar Energy Facilities shall be enacted for Shelby County until:

- c) An appeal to the Illinois Supreme Court regarding Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G has been successful.
- d) The Shelby County Board removes the moratorium by a majority vote.

If Illinois Public Act 102-1123 or the Illinois State Statutes 55ILCS 5/5 12020 paragraph G are deemed invalid by the Illinois Supreme Court or removed, the County Board of Shelby County shall have the authority to reject applications for Solar Energy Facilities."

Sandra Earp makes a motion to accept the Amendments and recommend them to the County Board.

Jim Hampton seconds the motion.

Ayes (3)      Nays (0)      Motion is unanimously approved (X)

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3. Discussion and vote to approve an Amendment to text that would authorize the Shelby County Zoning Board of Appeals to have final authority over processing variances pursuant to the Illinois Compiled Statutes Article 5 Division 5-12 Zoning.

Under Article I, subsection 4 – Board of Appeals, Section D, Paragraph 9 Shall be replaced with:

“The determination made by the Zoning Board of Appeals with respect to any such variation or matter shall constitute a final administrative decision.”

Betsy Stilabower Makes a motion to approve the Amendment

Jim Hampton seconds the motion.

Ayes (3)      Nays (0)      Motion is unanimously approved (X)

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4. Discussion and vote to approve Amending the text of the Shelby County Zoning Ordinance that would delegate all responsibilities of the Shelby County Planning Commission, including but not limited to Amendments and Preliminary Plat approvals, to the Shelby County Board of Appeals pursuant to 55 ILCS 5/5-1041 and 55 ILCS 5 Division 5-12 Zoning.

Sandra Earp makes a motion to approve Amending the text.

Jim Hampton seconds the motion

Ayes (3)      Nays (0)      Motion is unanimously approved (X)

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5. Presentation and discussion of Easement right by the Road and Bridge Committee.

No members of the Road and Bridge showed, nor did the County Highway Engineer.

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6. Discussion and appeal to the expansion of the RV Park located at 1208-28-00-400-014.

Matt Frederick, the owner of Coon Creek Campground, applied for a building permit for the expansion of the RV park onto the property already owned by Mr. Frederick. The permit was granted by the Zoning Administrator and Appealed by Brian and Janette Cole. Both parties were present to discuss the issues.

Betsy Stilabower makes a motion to deny the expansion but allow for the addition of a Boat Storage Shed on the East side of the property.

Sandra Earp seconds the motion.

Ayes (3)      Nays (0)      Motion is unanimously approved (X)

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**Public Body Comment**

None.

**Adjournment**

Betsy Stilabower made a motion to adjourn.

Sandra Earp seconded the motion.

Adjournment at 7:23pm

Minutes recorded by Secretary Scott McKee.



Shelby County Zoning Administrator