

**MINUTES OF REGULAR MEETING**

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**Champaign County Environment  
& Land Use Committee  
Champaign County Brookens  
Administrative Center  
Urbana, IL 61802**

**DATE: August 08, 2005  
TIME: 7:00 p.m.  
PLACE: Meeting Room 1  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802**

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**MEMBERS PRESENT:** Ralph Langenheim (Chairperson), Patty Busboom, Steve Moser, Jon Schroeder, Brendan McGinty, Chris Doenitz

**MEMBERS ABSENT:** Jan Anderson, Tony Fabri, Nancy Greenwalt (VC)

**STAFF PRESENT:** Frank DiNovo, John Hall, Susan Monte, Lori Busboom, Deb Busey (Co-Administrator), Joel Fletcher (Legal Counsel)

**OTHERS PRESENT:** Barbara Wysocki (County Board Chair), Hal Barnhart, Sherry Schildt, Thomas Berns, Paul Gulliford, Rich Schugel, Sharon White, William Campo, Don White, Helen Weckel

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**1. Call to Order, Roll Call**

Chairperson Langenheim called the meeting to order at 7:05 p.m. The roll was taken by oral record and a quorum was declared present.

**2. Approval of Agenda**

Mr. Moser made the motion, which was seconded by Mr. McGinty, to approve the agenda as presented. Upon vote, the motion carried unanimously.

**3. Minutes of Previous Meeting (May 09, 2005)**

The Minutes of the Regular meeting of May 9, 2005 were presented for approval.

**Mr. Schroeder moved and Mr. Moser seconded to approve the minutes as distributed. Upon vote, the motion carried unanimously.**

**4. Public Participation**

Mr. Berns was representing Mr. Pusey concerning the documents he submitted for review, Item VIII of the Agenda. He stated that the recommendations are good and positive relating to the subdivision. He brought to the committee's attention utilization of the outlot and explained that an outlot is a characterization of a lot that is not available for independent use. He stated that the buyer would be required to purchase lot 1a as

well as lot 1. Mr. Berns stated that this specific recommendation is to suggest that in particular areas that are flood-prone, i.e. Saline Branch Drainage District, it is suggested that this not be used for a home. He requested that this be designated as unavailable for any other use except in conjunction with the other lot. He further explained that as a result, when a home is built on lot 1, no other flood insurance program is necessary because it is above the flood insurance area and lot 1a would also not be subject to flood insurance. Mr. Berns stated that this type of predetermination of these lots would save time and money from all aspects and for all agencies and individuals concerned.

Mr. Moser asked if the outlot could be sold separately and Mr. Berns stated that the lot on which Mr. Pusey's house is located would be sold together with the outlot adjacent to the parcel and that the provision calls for ownership of both parcels.

Mr. Hall commented that this is a unique approach that makes sense. He stated that there has been a lot more thought and planning put into this subdivision than what normally comes before this committee. He pointed out that this approach would make permitting easier in the future. Mr. Hall added that the zoning ordinance prohibits zoning use permits to be written on outlots. He stated that even if the outlot came to be under separate ownership by some fluke in the future, a permit could not be written for it.

Mr. Berns stated that he is familiar with the communities along the Sangamon River and this type of procedure has been done frequently.

Mr. Hall reminded the committee that there are two map amendments on the agenda and if testimony were to be taken on one side of an issue, the opposing side should probably also be heard.

Ms. Weckel addressed Agenda Item #9, Case 453-AM-04. She stated that this particular parcel was zoned incorrectly and explained that the building was originally used for cold storage of beer for distribution and was zoned non-conforming. Ms. Weckel gave a short history of the use of the building. She explained that Hal's Meat Market bought the building in 1976 and they also used it for cold storage, no retail. From Hal's Meat Market it went to Illini Institutional Foods in 1977 and was used for cold storage of meat again but no retail. In 1983, the building was leased to Kraft Foods for cold storage of food ingredients. About 1986, the building was rented to a sand-blasting business and ammonia tanks and other farm equipment were sand-blasted. The building was sold in 1990 to Mr. Lee who ran a lawn maintenance business. Mr. Lee quit that business and rented the building to Jim Goodman, who did business as G&G Specialties, a small-scale metal fabricating shop and they were granted a special use in the AG2, Agricultural District on Feb. 15, 2001. Ms. Weckel stated that there is no need for any B-1 or commercial business in this area as everything is either agricultural or homes.

Mr. Hall explained that on the adoption of zoning, the use in that building was a non-conforming use for cold storage and, provided that subsequent uses were the same type of use and occupied it within 180 days of the previous use, that non-conforming use could continue as long as it met those standards. He expressed his appreciation for the history of the building. Mr. Hall explained that the first legal use in that building since it was first used as cold storage was when the special use permit was granted in 2001. He pointed out that stand-alone, non-agricultural uses are very limited in AG2, District and that a text amendment in 2001 was necessary in order for Mr. Goodman to use it as a sheet metal fabricating business. He added that the current use is also illegal.

## 5. Correspondence

None

## 6 County Board Chair's Report

Ms. Wysocki announced that there was an item found in the Liquor Advisory Committee that did not make the agenda regarding the fingerprinting issue. She requested that this item be included in the September meeting agenda.

### 7. Establishment of Noxious Weed Control Program

Mr. Joel Fletcher stated that a few months ago, Mr. Moser asked about a noxious weed situation and he looked into this. He explained that strict enforcement of the noxious weed law in this county has been lax for several years because there has been no superintendent. He requested direction from the Committee on how the County would like to proceed with this issue.

Ms. Busboom stated that the Zoning Department has enough to do and recommended that this issue be referred to Highway or some other organization that might have more time. Mr. Moser pointed out that Canadian thistle is being allowed to grow and CRP strips are not being taken care of especially along Staley Road, where Shatter Cane growing for half mile. He stated that this should be taken care of as soon as possible and if these weeds are allowed to go to seed, the weeds would spread wildly.

Mr. Fletcher stated that he would be happy to send out a letter to the owner but he cannot until a superintendent is determined to backup the enforcement. He reiterated that we need someone who is trained in the identification of noxious weeds and the methods of elimination of the weeds. Mr. Langenheim suggested contacting an owner of a nursery who could serve as the administrator.

Mr. McGinty suggested that Planning and Zoning identify the expert and that department would be taking this on as one of their responsibilities with a volunteer expert.

Mr. Fletcher asked if this would then go to Policy for appointment of the superintendent with recommendations from Planning and Zoning. Mr. Moser suggested a retired agronomy professor, of which he knows four persons who would qualify.

Ms. Busey pointed out that Mr. Fletcher's memo has defined the scale and responsibilities and she recommends making it a County Board Chair appointment. An appointment search should be done for the position and all this committee would need to do is recommend that procedure take place. The only other item to be identified is some sort of compensation for this person and if so how much so that the applicant would be fully informed of the position. She also recommended requiring an annual report from this individual that would come directly to this committee therefore removing the burden from Planning and Zoning.

**Mr. McGinty made the motion to adopt the recommendations of Ms. Busey as stated above, with the exception of the position being a non-paid position to work on a voluntary basis with all reasonable expenses to be paid by the County, i.e. mileage, etc. Mr. Schroeder seconded the motion.**

Mr. Moser suggested that all complaints be forwarded to the Planning and Zoning Department and explained that there would be other costs related to eradicating any noxious weeds.

Mr. Langenheim suggested action be deferred until a proper motion could be brought before the committee for review and consideration at the next scheduled meeting.

Mr. McGinty pointed out that we shouldn't defer because it is reasonable to have the County Board Chairperson have Planning and Zoning to identify opportunities to appoint such an individual. Mr. Langenheim stated that the committee would need to know exactly the duties of this position. Mr. McGinty stated that the duties could be defined by an individual that would be identified by the County Board Chair with assistance from Planning and Zoning therefore this committee should move on it now. He was willing to restate his motion for clarification purposes.

**Mr. McGinty then restated his motion that we direct the County Board Chair to work with Planning and Zoning to identify qualified individuals from which to select to serve in the role as Noxious Weed Superintendent. Ms. Busboom seconded the motion.**

Mr. Moser stated that he would like zoning office to call the Highway Department regarding the Shatter Cane along Staley Road between Kirby Avenue and Route 10.

Ms. Wysocki stated that she has had a complaint which she referred to the Highway Department. She said that according to Jeff Blue, County Highway Director, the City of Champaign will enforce the issue because Staley Road is pretty much all located within the city.

**The motion carried.**

8. Subdivision Case: 183-05: Pusey First Subdivision. Combined Area General Plan and Final Plat Approval for a Two-lot Minor Subdivision of an Existing 9.4 Acre Residential lot Located in the CR Zoning district in Section 12 of Urbana Township.

**Mr. Moser moved to recommend approval of this subdivision. Mr. Schroeder seconded. There being no further discussion and upon vote, the motion carried unanimously.**

9. Case 453-AM-04: Petitioner: William and Peggy Campo Request: Amend the zoning Map to Change the Zoning District Designation from AG2, Agriculture to B-1, Rural Trade Center (as amended on April 18, 2005). Location: A .62 Acre Tract of Land located in the N1/2 of the NW 1/4 of the NE 1/4 of the SW 1/4 of Section 34 of Somer Township and located approximately one-half mile east of Illinois Route 45 on the south side of Oaks Road (CR 1850N) and known as the business located at 2305 East Oaks Road, Urbana.

**Mr. Schroeder moved to recommend denial of this request. Mr. Moser seconded the motion.**

Mr. Hall updated the committee concerning this matter and explained that the Urbana Plan Commission recommended a protest at their meeting last week and the Urbana City Council will consider this matter at

their next meeting on August 15, 2005. Mr. Schroeder stated that this would be considered spot zoning in that area and the business density moves north/south across High Cross Road and we should not put east/west business along that residential area. Ms. Busboom stated that everyone in her district has commented negatively concerning this proposal and requested that the committee deny this map amendment.

**There being no further discussion and upon vote, the motion carried unanimously.**

10. Case 504-AM-05: Petitioner: Central Illinois Trucks, Inc. and Richard Schugel, Agent.  
Request: Amend the Zoning Map to Change the Zoning District from B-3, Highway Business Zoning District to B-4, General Business Zoning District.  
Location: An approximately 15 acre tract in the East ½ of the Northeast 1/4<sup>ll</sup> of the Northeast 1/4 of Section 24 of Hensley Township and located between Leverett Road and Interstate 57 and that is commonly known as the Field on the West Side of Leverett Road at the Interstate 57 Interchange on Leverett Road.

**Ms. Busboom moved to recommend approval. Mr. Moser seconded the motion. There being no further discussion, and upon vote, the motion carried unanimously.**

11. Approval of Recommendation regarding Planning and Zoning Department

Ms. Busboom moved for approval of this recommendation. Mr. McGinty seconded the motion. There being no further discussion, and upon vote, the motion carried: 5-Aye, 1-Nay.

12. Comprehensive Zoning Review

Ms. Monte reported that a special subcommittee of ELUC has met 3 times to discuss modifications to selected portions of the Champaign County Land Use Regulatory Policies. She stated that those proposed modifications would be brought before this committee at its meeting in September. Ms. Monte added that staff is awaiting for communication from the Attorney General on several matters forwarded in January.

13. Planning and Zoning Report

Mr. Hall reported that Mr. Roseman had major surgery and is home recuperating and there is no monthly report. He explained that there is no interim director and the monthly report is one of the duties of the director. He said that staff could put together a monthly report if the committee considers that is a critical thing. Mr. Langenheim asked if we should appoint an interim director. Mr. Hall reported that at the last ZBA meeting, there was a determination that could only be made by the Zoning Administrator and Mr. Roseman should not be bothered while he is recuperating. Some of these things, if we want to continue meetings, you can continue decisions otherwise, we need someone to make decisions. Mr. Fletcher stated that it is not on the agenda and if you wanted to do that at a special meeting of the full board, you could do that. But you can't take action on it tonight. Ms. Wysocki pointed out that this is a function of the CEO of the Regional Planning Commission and Planning and Zoning is still part of Regional Planning.

14. Other Business

None

15. Determination of Items to be placed on the County Board Consent Agenda

Mr. Langenheim reported that since the Planning and Zoning item was not unanimous, it would be placed before the full Board. All other items were unanimous. Mr. Fletcher stated that it would take a motion to amend the ordinances with a recommendation of denial from the ELUC committee. Items 8 and 10 would be placed on the consent agenda and items 9 and 11 would go before the full ZBA board.

16. Adjournment

The meeting adjourned at 7:42 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

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