

AS APPROVED MAY 29, 2014

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

**1776 E. Washington Street
Urbana, IL 61801**

DATE: April 17, 2014

PLACE: Lyle Shield's Meeting Room
1776 East Washington Street
Urbana, IL 61802

TIME: 7:00 p.m.

MEMBERS PRESENT: Catherine Capel, Debra Griest, Marilyn Lee, Jim Randol, Eric Thorsland

MEMBERS ABSENT : Brad Passalacqua, Roger Miller

STAFF PRESENT : Connie Berry, John Hall

OTHERS PRESENT : Randy Hopkins, Sue Hopkins

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Roll Call and Declaration of Quorum

The roll was called and a quorum declared present with two members absent.

Mr. Thorsland read an e-mail that Mr. Passalacqua sent staff indicating that he would be absent from the meeting tonight.

3. Correspondence

None

4. Approval of Minutes (March 13, 2014)

Mr. Thorsland entertained a motion to approve the March 13, 2014, minutes as submitted.

Ms. Griest moved, seconded by Mr. Randol to approved the March 13, 2014, minutes as submitted.

Ms. Lee noted that she had previously sent staff a minor correction on page 14, Line 32. She said that she asked Mr. Reifsteck if he paid for the eight inch tile and Mr. Reifsteck indicated that the tile was only a six inch tile.

Ms. Lee said that the site plan for the subject property indicated an eight inch tile therefore this is a

4/17/14

1 significant correction because there is a big difference between a six inch tile and an eight inch tile.

2
3 Mr. Thorsland read the corrected version as follows: Ms. Lee asked Mr. Reifsteck if he paid for the eight
4 inch tile that was installed. Mr. Reifsteck stated that the tile is only a six inch tile and yes he paid for the tile.

5
6 Ms. Lee agreed with the corrected version.

7
8 **The motion carried by voice vote.**

9
10 **5. Continued Public Hearing**

11
12 None

13
14 **6. New Public Hearings**

15
16 **Case 771-AM-13 Petitioner: Randy and Sue Hopkins, d.b.a. Atlantic Services, Inc. Request to amend**
17 **the Zoning Map to change the zoning district designation from the B-3 Highway Business Zoning**
18 **District to the B-4 General Business Zoning District in order to authorize the proposed Special Use in**
19 **Related zoning Case 772-S-13. Location: A five acre tract of land in the North Half of the Northwest**
20 **Quarter of the Northeast Quarter of Section 24 of Hensley Township and commonly known as the**
21 **plant nursery and self-storage warehouse located at 31 East Hensley Road, Champaign.**

22
23 **Case 772-S-13 Petitioner: Randy and Sue Hopkins, d.b.a. Atlantic Services, Inc. Request the following**
24 **as a Special Use in the B-4 General Business Zoning District: Part A. Authorize multiple principal**
25 **buildings on the same lot consisting of the following: (1) Self-Storage Warehouses providing heat and**
26 **utilities to individual units, as a special use that was previously authorized in Case 101-S-97; and (2) a**
27 **Landscaping and Maintenance Contractor’s Facility with outdoor storage as proposed in Part B.**
28 **Part B. Authorize the construction and use of a Landscaping and Maintenance Contractor Facility.**
29 **Location: A five acre tract of land in the North Half of the Northwest Quarter of the Northeast**
30 **Quarter of Section 24 of Hensley Township and commonly known as the plant nursery and self-**
31 **storage warehouse located at 31 East Hensley Road, Champaign.**

32
33 Mr. Thorsland informed the audience that Case 772-S-13 is an Administrative Case and as such the County
34 allows anyone the opportunity to cross examine any witness. He said that at the proper time he will ask for a
35 show of hands for those who would like to cross examine and each person will be called upon. He requested
36 that anyone called to cross examine go to the cross examination microphone to ask any questions. He said
37 that those who desire to cross examine are not required to sign the witness register but are requested to
38 clearly state their name before asking any questions. He noted that no new testimony is to be given during

4/17/14

1 the cross examination. He said that attorneys who have complied with Article 7.6 of the ZBA By-Laws are
2 exempt from cross examination.

3
4 Mr. Thorsland informed the audience that anyone wishing to testify for any public hearing tonight must sign
5 the witness register for that public hearing. He reminded the audience that when they sign the witness
6 register they are signing an oath.

7
8 Mr. Thorsland asked the petitioners if they desired to make a statement outlining the nature of their request.
9

10 Mr. Randy Hopkins, who resides at 101 West South Street, Mansfield, stated that he and his wife own
11 Atlantic Services, Inc. He said that he and his wife purchased a five acre parcel in 2013 from Tom Courson
12 which included storage buildings. Mr. Hopkins stated that they would like to construct a 100' x 150' metal
13 building with a small 30' x 40' office building attached to it. He said that they would like to sell landscape
14 supplies which will include mulch, rock, pavers, etc.

15
16 Mr. Thorsland asked the Board if there were any questions for Mr. Hopkins.

17
18 Ms. Lee stated that material that was included in the mailing indicated that drainage flowed to the South and
19 traveled under I-57. She asked Mr. Hopkins if he has addressed any of the issues regarding the drainage
20 flowing onto farmland that is South of I-57.

21
22 Mr. Hopkins stated no. He said that currently the plan is in the preliminary stages. He said that MSA
23 Professional Services printed the plan indicating a retention pond in case one was required.

24
25 Ms. Lee stated that the LRMP states that uses should not negatively impact the operation of agricultural
26 drainage systems. She said that there is agricultural land to the south therefore this is an issue which must be
27 addressed.

28
29 Mr. Thorsland asked the Board if there were additional questions for Mr. Hopkins.

30
31 Ms. Griest stated that Mr. Hopkins indicated in his testimony that he would like to sell a few items on site.
32 She asked Mr. Hopkins if the site will be a retail sale facility.

33
34 Mr. Hopkins stated that he can perceive customers coming in with a truck to purchase river rock or mulch
35 although he does not believe that there would be a high volume of sales because most of their landscaping
36 work is done on site.

37
38 Mr. Thorsland asked Mr. Hopkins if the pile of dirt will remain on the property.

4/17/14

1
2 Mr. Hopkins stated that the dirt was present when they purchased the property. He said that Mr. Courson,
3 the previous owner, had a screen which sifted out the rocks and other debris therefore making the dirt nice
4 and fluffy and then sold for top soil. He said that he does plan to relocate the pile of dirt.
5
6 Mr. Thorsland stated that the site plan should indicate the new location for the pile of dirt. He asked Mr.
7 Hopkins if the new location for the dirt pile is intended to be between the detention basin and the building.
8
9 Mr. Hopkins stated yes.
10
11 Mr. Thorsland stated that the new location could affect drainage on the property. He said that it may also be
12 helpful if Mr. Hopkins would estimate the percentage of the overall operation that will be retail sales.
13
14 Mr. Hopkins stated that the percentage will be very minimal and he only anticipates 5 to 10 customers per
15 week. He said that during the winter months he does not anticipate any customers.
16
17 Mr. Thorsland asked Mr. Hopkins if the office will be located inside the building or will it be an addition to
18 the building.
19
20 Mr. Hopkins stated that the office will be an addition to the building and centered on the north side.
21
22 Mr. Thorsland stated that there was discussion during the previous case for the subject property regarding the
23 5 ton load limit on the road. He asked Mr. Hopkins if he had spoken with the Hensley Township Highway
24 Commissioner regarding the proposed use.
25
26 Mr. Hopkins stated that he has not spoken with the Hensley Township Highway Commissioner.
27
28 Mr. Thorsland asked the Board if there were any additional questions for Mr. Hopkins.
29
30 Mr. Randol asked Mr. Hopkins if he will be conducting a business which is similar to the landscape business
31 located at the interchange of US 150 and Prairieview Road. He said that most of the supplies on the subject
32 property are used for the landscape business but people can come in and buy mulch, etc.
33
34 Mr. Hopkins stated that his business will be similar. He said that he expects to have a few different styles of
35 mulch and river rock. He said that he would like to keep all of his equipment inside the building.
36
37 Mr. Randol stated that he assumes that the existing detention basin will be filled with the dirt from the new
38 detention basin.

4/17/14

1
2 Mr. Hopkins stated that he does intend to swap out the dirt.
3
4 Ms. Lee asked Mr. Hopkins to indicate the depth of the new detention basin.
5
6 Mr. Hopkins stated that he does not know the depth of the new detention basin and he assumes that MSA
7 Engineering will determine the appropriate depth.
8
9 Mr. Thorsland asked the Board if there were any additional questions for Mr. Hopkins and there were none.
10
11 Mr. Thorsland asked if staff had any questions for Mr. Hopkins.
12
13 Mr. John Hall, Zoning Administrator, asked Mr. Hopkins if he has spoken with Hensley Township.
14
15 Mr. Hopkins stated that he has not spoken with Hensley Township. He said that two weeks ago he sent a
16 letter to Hensley Township but has not received any response to date.
17
18 Mr. Hall stated that the Draft Finding of Fact for Case 772-S-13 includes comments that were received from
19 Hensley Township during previous Case 576-S-07. He said that the concerns voiced by Hensley Township
20 were mainly related to heavy traffic on the road. He said that Case 772-S-13 is for Mr. Hopkins'
21 contractor's facility, and depending upon the weight of the delivery vehicles for the supplies, he does not
22 anticipate a lot of heavy traffic in and out of the property. He said that Mr. Hopkins is requesting that the
23 property be rezoned to B-4 and one of the uses that could happen by-right is a truck terminal therefore it may
24 be that Hensley Township no longer has the same concerns and there has been a change in leadership for the
25 township. He said that he is eager to see what comments Hensley Township may have regarding the
26 proposed rezoning and special use. He noted that he also did not receive any phone calls or comments from
27 the township after the notices were mailed.
28
29 Mr. Hall asked Mr. Hopkins if he intends to keep the self-storage activities.
30
31 Mr. Hopkins stated that if he can keep all of his equipment in the one shed then it would be a possibility that
32 he will continue the self-storage activities.
33
34 Mr. Hall stated that one reason why we are having this special use hearing is because two principal use
35 buildings on one property do require a special use permit. He said that as long as there is intent to do self-
36 storage in one of the buildings that exists separate from the building where Mr. Hopkins is proposing to do
37 the new contractor's facility, a special use permit is required. He said that the reason why staff advertised
38 the special use permit in the B-4 district is because a contractor's facility where all of the outdoor storage is

4/17/14

1 located in the rear yard, which is to say behind the building, is actually by-right in B-4 but if there is going to
2 be outdoor storage anywhere else, other than the rear yard, then that is a special use permit. He said that to
3 be clear, two principal buildings on one lot require a special use permit and outdoor storage other than the
4 rear yard requires a special use permit. He said that the site plan does not really talk about outdoor storage
5 other than the pile of dirt therefore he would hope that the Board will receive more detail as to where Mr.
6 Hopkins is imagining he will have his bins for mulch, rock, etc. He said that if all of the bins are south of
7 the building they will be located in the rear yard which would mean that the contractor's facility component
8 is by-right and would not be part of the special use permit. He said that the contractor's facility located on
9 the same property as the self-storage building will still require a special use permit so it would have been
10 good if staff would have discussed all of this with Mr. Hopkins before tonight but it sounds like Mr. Hopkins
11 is working through some of these issues anyway.

12
13 Mr. Hall stated that Ms. Lee asked Mr. Hopkins how the drainage from the subject property will affect
14 downstream property owners. He said that one of the difficulties about the property is that it is unknown
15 how the drainage from this property will get to the outlet on the other side of the interchange which is
16 maintained by the Beaver Lake Drainage District. He said that he believes that the Board should request Mr.
17 Hopkins' engineer to identify where the water goes once it leaves the basin and does any special care need to
18 be taken at that point. He said that as far as he knows there is no surface drainage under the interstate and he
19 does not know if there is an existing large tile that can be tapped in to but the ditch on the other side is
20 maintained by the drainage district. He said that if there was going to be an outlet going into a ditch
21 maintained by the drainage district then we would want to make sure that it is reviewed by the drainage
22 district but at this point he does not know how the drainage from the subject property is going to get to the
23 other side of the interchange.

24
25 Mr. Hopkins stated that there is a detention pond by the campground and the ditch follows it.

26
27 Mr. Hall stated that the detention pond by the campground is located on the other side of the road and he
28 does not how the drainage from Mr. Hopkins' property gets to that drainage.

29
30 Ms. Lee stated that information in the mailing material indicates that it drains to the south and goes
31 underneath I-57.

32
33 Mr. Hall stated that we know that it drains to the southeast in general but the specifics of how it does and
34 does it create any need for any special condition is not clear. He said that the previous use had proposed a
35 detention basin but the amount of impervious area was such that it was not required. He said that with the
36 newly proposed use a new basin is proposed with a much larger storage requirement and even though it will
37 not release a huge amount of water it is unknown where it will go.

38

4/17/14

1 Mr. Hopkins stated that he will have the engineer review the drainage and submit their findings.

2
3 Mr. Hall stated that it would be good to know the percentage of retail sales for the facility. He said that Mr.
4 Hopkins indicated that he predicts that the retail sales will be a small percentage although there is nothing
5 that will prevent that percentage from getting bigger and bigger if it is successful. He said that at a certain
6 point the Board will need to know what the major activity is so that the Board knows what they are
7 approving. He said that the Board will be asked to approve a certain level of traffic, not just from big trucks
8 but also from customer's vehicles going in and out of the property. He said that he cannot believe that the
9 customer's vehicles going in and out of the property will be a significant issue but the Hensley Township
10 Highway Commissioner must be aware of what is being proposed so that he can state clearly to the Board
11 whether or not he has any concerns. He said that whether the Hensley Township Plan Commission has the
12 same view as the Hensley Township Highway Commissioner is for Mr. Hopkins to find out. Mr. Hall stated
13 that it is easy to talk to Bob Sherman, Hensley Township Highway Commissioner, but talking to the plan
14 commission is a situation where Mr. Hopkins must know when they plan to discuss the case at their meeting
15 so that Mr. Hopkins can be present to provide information or to at least identify what their concerns are
16 regarding the proposed use. He said that sometimes it is hard to coordinate with township plan commissions
17 and it isn't like they are not trying to include the petitioner but they do have a system set up that they
18 normally follow and he does not believe that they are not required to send out notices of their meetings. He
19 said that coordination with the township plan commission is important so that Mr. Hopkins could answer
20 any questions that they may have could prevent a protest.

21
22 Mr. Thorsland stated that page 14, Item #8.E(9) indicates that during the previous case the Hensley
23 Township Plan Commission was concerned that the dual swing gate appeared to be only 20 feet from the
24 pavement of CR 2100N. They indicated that the distance was less than that required to allow a vehicle
25 pulling a trailer to pull completely off the pavement of CR 2100N. Mr. Thorsland stated that he drove by the
26 property today and noticed that the gates were open and that one of the gates was less straight than it used to
27 be.

28
29 Mr. Hopkins stated that he intends to leave the gate opened or closed. He said that the gate can be moved
30 further back off the road if required.

31
32 Mr. Thorsland stated that if no self-storage is proposed then the gate may be removed.

33
34 Mr. Hopkins stated that at this point and time he would indicate that they will have some self-storage.

35
36 Mr. Thorsland stated that the Board needs to know definitively whether or not self-storage will be a use on
37 the property. He said that the Board is going to have a lot of questions therefore a good site plan which
38 indicates everything that the petitioner wants to do now or in the future should be indicated. He said that if

4/17/14

1 any changes are made and are not proposed during the initial public hearing then the petitioner will have to
2 come back before the Board. He said that the Board needs to know what the percentage of retail sales is
3 proposed to be and where the retail sales will occur. He said that he would like to see more information
4 regarding the drainage and a depth indicated for the detention pond.

5
6 Mr. Thorsland asked the Board if there were any other items which the Board or staff required.

7
8 Mr. Hall stated that staff included a special condition regarding the State of Illinois newly adopted building
9 codes. He said that once the petitioner is ready to occupy the building a signed statement from a qualified
10 inspector is required and the way the building codes function is that there will not be a signed statement from
11 someone if they do not have a chance to inspect the building while it is being constructed. He said that he is
12 sorry to say that there has been one building built without any inspection in regards to the building code and
13 this was when the applicant was made painfully aware that the person must inspect the building during
14 construction and under state law he is not supposed to allow occupancy until he receives that statement. He
15 said that when Mr. Hopkins receives a Zoning Use Permit there will be notes about what has to be done but
16 when he builds the building it must be inspected by someone so that they can provide a certification at the
17 end of the project. He said that the building has to be built to the codes that the State of Illinois has adopted
18 and someone has to inspect it during construction to verify that it is meeting those codes and they have to
19 provide a written certification at the end. He asked Mr. Hopkins if he understood the requirement.

20
21 Mr. Hopkins stated that he understood the requirement.

22
23 Mr. Hall stated that it may appear that he is going overboard but he was amazed recently when he found out
24 that staff had this problem with a building when the requirements were discussed at the public hearing for
25 the ZBA and still no one inspected it.

26
27 Ms. Griest asked Mr. Hall who typically does the inspection. She asked if the builder has the licensing and
28 certification or is there a special office within the County or State that performs those inspections.

29
30 Mr. Hall stated that it is the building owner's responsibility and every building like that has to have plans
31 drawn by an Illinois Licensed Architect but that Illinois Licensed Architect might be working out of
32 Missouri, Minnesota or Washington. He said that they are licensed in the State of Illinois but you can't pay
33 them enough to come and inspect the building therefore the owner could hire a building inspector qualified
34 in commercial buildings or the owner could hire a local architect to do it. He said that frankly in his mind
35 nothing beats hiring a local architect to design it and hiring the same architect to inspect it during
36 construction on behalf of the owner but that is an old fashioned way of doing things and it hardly ever
37 happens. He said that it is not only architects who can perform the inspection but they must be scheduled
38 early so you know what they need and staff does not have a list of qualified inspectors and the Capital

4/17/14

1 Development Board is the state agency to refer questions and he is sure that they do not have a list of
2 qualified inspectors either.

3
4 Ms. Griest asked Mr. Hall if the sign-off that staff is looking for comes from the architect or what does he
5 accept.

6
7 Mr. Hall stated that he will accept any statement by a licensed architect or certified building inspector.

8
9 Mr. Thorsland stated that a lot of information is being thrown at the petitioner tonight but any questions can
10 be answered by calling staff at the office.

11
12 Mr. Hall stated that a lot of the information is included in the Finding of Fact and no permit will be issued
13 without this detail.

14
15 Mr. Randol asked Mr. Hall if the petitioner decides to keep the existing self-storage does he have to have it
16 inspected as well.

17
18 Mr. Hall stated that our records indicate approval of the construction of the building although it was built as
19 a different use before it was authorized for self-storage and staff has no record of it being converted to self-
20 storage. He said that it is fine that it was converted because it was approved by the ZBA as a special use
21 permit. He said that if Mr. Hopkins wants to keep the self-storage warehouse then he may want to change
22 the security rules that Mr. Courson, previous owner, had approved and change the understanding about the
23 gate. He said that Mr. Hopkins can call staff at any time to work through any questions that he may have so
24 that it is no more demanding than it needs to be and Mr. Hopkins ends up with what he really wants rather
25 than something that he didn't want and it just got real complicated.

26
27 Mr. Thorsland stated that the Board will not finish this case tonight.

28
29 Mr. Hopkins stated that his main goal is to build a building that he can use to store his equipment. He said
30 that if it is deal breaker with the storage units then that is fine and he can just use the building himself.

31
32 Mr. Thorsland stated that using the building for his own storage would change the case because there are
33 elements which would require to be changed or waived. He said that because the case currently indicates
34 self-storage there are conditions which would not apply if there is no self-storage.

35
36 Mr. Hall stated that his biggest concern for this case is exactly what he discussed with Mr. Hopkins on the
37 telephone about three weeks ago. He said that we have a record of Hensley Township being concerned about
38 just the simple things that the previous owner was doing and now we have a proposed rezoning to B-4 which

4/17/14

1 is really only for Atlantic Services but it raises this realm of other activities that could happen in the event
2 that Atlantic Services ever closes or decided to relocate. He said that the subject property will remain B-4
3 and someone could agree to pay a lot of money for the property therefore he can understand why a business
4 man would rather have B-4 zoning because it has more options even though Mr. Hopkins is only wanting to
5 do a contractor's facility right now. He said that he spent today trying to revise the Finding of Fact for the
6 rezoning case to make it clear that B-1 is a zoning district which would allow a self-storage warehouse and a
7 contractor's facility and wouldn't raise the concerns that B-4 raises. He said that as the County Planner his
8 only real concern about B-4 is how the township might respond to it. He said that in his view the property is
9 700 feet away from a County Highway and the property is already zoned B-3 and B-4 should not be that big
10 of a problem. He said that he has learned upon many occasions that he thinks much differently than the folks
11 in Hensley Township and he does not know what opinion the Board may have about being so close to a
12 County Highway and the property already being zoned B-3. He said that B-3 does not allow a contractor's
13 facility so the petitioner could down zone to B-1 or up zone to B-4 and when you up zone to B-4 there are all
14 of these other things that could happen. He said that the property is only 700 feet away from the County
15 Highway therefore, is it really that big of a problem but the Board is going to have its own opinion about that
16 and so is Hensley Township.

17
18 Mr. Thorsland suggested that Mr. Hopkins drive past Hensley Township's Town Hall and read the bulletin
19 board to determine when their next meeting will be held or to obtain a contact number to find out if they
20 received his letter and the County's letter. He said that Mr. Hopkins will want to attend the township's next
21 meeting to address all of their concerns and questions and hopefully this process will prevent a protest. He
22 said that it would be wonderful if the township would like to send a letter to staff indicating their concern or
23 lack of concern regarding the petitioner's request or they could attend the next meeting to address the Board.

24
25 Mr. Randol asked Mr. Hopkins why he is requesting to rezone to B-4 when B-1 would accommodate his
26 intended use.

27
28 Mr. Hopkins stated that when he went to the Department of Planning and Zoning to inquire about building
29 the proposed building he was told that B-4 zoning would allow his intended use as a contractor's facility and
30 was not informed about B-1 zoning.

31
32 Mr. Hall stated that there was a recent change to the Zoning Ordinance but it is never too late to change the
33 request to B-1 zoning. He said that he discussed the difference between B-1 and B-4 zoning with Mr.
34 Hopkins on the telephone and Mr. Hopkins indicated that he still wanted to pursue B-4 zoning.

35
36 Mr. Hopkins stated that he might as well shoot for B-4 and see what happens.

37
38 Mr. Thorsland stated that thus far the following items need to be determined or completed prior to the next

4/17/14

1 meeting: 1. Do the petitioners want to continue with self-storage on the subject property; and 2. a complete
2 drainage plan is required; and 3. a complete and detailed site plan indicating current and future use; and 4. a
3 percentage of retail sales proposed for the property; and 5. indicate the number of employees and how many
4 daily trips are anticipated in and out of the property; and 6. how many daily/weekly deliveries are anticipated
5 to the property; and 7. is additional land available for purchase and if so the land needs to be included in the
6 rezoning case as well; and 8. information regarding signage, lighting (full-cutoff), and hours of operation.

7
8 Mr. Thorsland stated that there were nine items which concerned Hensley Township during the previous
9 case for the subject property and eight of those nine items were regarding the road and traffic. He said that
10 Mr. Hall indicated that an entirely different membership is on the Hensley Township Board at this time but it
11 would be necessary to determine if any of the previous issues are still a concern with the new owner. He
12 said that staff is always available to answer questions that the petitioners may have and he encouraged the
13 petitioners to clarify any concerns or questions that they may have prior to the next hearing.

14
15 Ms. Griest asked Mr. Hall if the retail sales will be a component to this use, should handicap parking be
16 indicated on the complete site plan.

17
18 Mr. Thorsland stated that four handicap parking spots are indicated on the current site plan.

19
20 Mr. Hall stated that there is an accessible space on the north side indicated by the crossbar.

21
22 Ms. Griest asked where the retail sales will be located and shouldn't the handicap parking and the paved area
23 be located near the retail sales area.

24
25 Mr. Hall stated that the parking for the retail sales, employee parking (current and future), etc, should be
26 indicated on the complete site plan. He noted that the property has sufficient area for parking but it should
27 be indicated on the site plan so that we know that everything has been considered.

28
29 Mr. Thorsland stated that he does not believe that the Board has any issue with the reuse of a lot that is
30 already in use. He said that screening is another possible requirement that should be considered therefore if
31 services will be available that require screening the screening and type of screening should be indicated on
32 the site plan. He said that staff should be consulted regarding these requests prior to the next meeting so that
33 everything has been covered prior to the next meeting.

34
35 Mr. Thorsland requested a continuance date.

36
37 Mr. Hall stated that he does not believe that one month is adequate time to get many of the issues resolved
38 therefore June 12th would be the soonest opening on the docket for a continued case such as this.

4/17/14

1
2 Mr. Hopkins stated that he will be out of the country on June 9th through July 14th. He said that perhaps a
3 representative could attend the meeting.
4
5 Mr. Hall stated the Board could continue the cases as late as July 17th with no problem and they could even
6 go beyond that if required.
7
8 Mr. Thorsland stated that nothing would preclude Mr. Hopkins from getting the required material to staff
9 prior to the meeting for review. He said that the Board prefers not receiving documentation for review on
10 the night of the public hearing.
11
12 Mr. Hopkins stated that he will start working on this tomorrow. He asked if it would be possible to continue
13 the cases to a meeting in May.
14
15 Mr. Thorsland stated that there is an issue with the May 15th meeting and there is a concern that Mr. Hopkins
16 will not be able to submit the required information in time for the mailing for the meeting.
17
18 Mr. Thorsland entertained a motion to continue Cases 771-AM-13 and 772-AM-13.
19
20 Ms. Griest asked Mr. Hopkins if the July 31st meeting would be better for him since he will just be getting
21 back home on July 14th.
22
23 Mr. Hopkins indicated that July 31st would be more desirable.
24
25 Mr. Thorsland asked the audience if anyone desired to cross examine Mr. Hopkins and there was no one.
26
27 Mr. Thorsland asked the audience if anyone desired to present testimony regarding either case and there was
28 no one.
29
30 Mr. Thorsland entertained a motion to suspend the 100 day rule for continuance of Cases 771-AM-13 and
31 772-S-13 to the July 31st meeting.
32
33 **Mr. Randol moved, seconded by Ms. Griest to suspend the 100-day rule for continuance of Cases 771-**
34 **AM-13 and 772-S-13 to the July 31st meeting. The motion carried by voice vote.**
35
36 Mr. Hall noted that all materials should be submitted to staff no later than two weeks prior to the meeting.
37 He said that if Mr. Hopkins has any questions he should contact staff.
38

4/17/14

1 Mr. Hopkins stated that he will get the information to staff as soon as possible.

2
3 Ms. Lee asked Mr. Hall if he could indicate where the drainage district is located on the other side of I-57.

4
5 Mr. Hall stated that by using the land use map attached to the Preliminary Memorandum he would indicate
6 that the drainage ditch is located on the south side of the Central Illinois Trucks' property.

7
8 Ms. Lee asked Mr. Hall if farmland is south of the Central Illinois Trucks' property.

9
10 Mr. Hall stated yes, and there is no road access.

11
12 **7. Staff Report**

13
14 Mr. Hall informed the Board that on May 19th the Department of Planning and Zoning will have an intern
15 although the intern's hours will be limited for a while.

16
17 Ms. Griest requested the intern's name.

18
19 Mr. Hall stated that the intern's name is Jessica Gal.

20
21 Ms. Lee asked Mr. Hall if he could provide the comments provided by the Champaign County Engineer
22 regarding Case 769-AT-13 prior to the May 29th meeting so that the Board can fully review them rather than
23 receiving the comments one week prior to the meeting.

24
25 Mr. Hall stated that if the Board wants the comments then they can be provided but frankly staff has been
26 trying to recover from the startling statement by Don Wauthier and the implications of that statement. Mr.
27 Hall said that if it is the EPA's position that every house on one acre of land is a land disturbance that needs
28 an ILR10 permit then there are changes which are required to the amendment to eliminate that. He said that
29 staff has been focusing on other things but if the comments are the Board's immediate pressing concern and
30 the Board wants to review those comments then staff can get those comments to the Board.

31
32 Ms. Lee asked Mr. Hall if she could come to the office to review the comments.

33
34 Mr. Hall stated that he is uncomfortable with Ms. Lee coming to the office to review documentation that the
35 other ZBA members have not had a chance to review.

36
37 Ms. Lee stated that she is primarily interested in viewing the recommendations that Mr. Wauthier gave staff.

38

4/17/14

1 Mr. Hall stated that staff can mail the ZBA copies of what Mr. Wauthier gave staff. He said that as soon as
2 staff gets that documentation together we will send it to the ZBA for review.

3
4 Ms. Griest asked Mr. Hall if it is likely that on May 29th the Board will not be ready to move forward
5 therefore continuing Case 769-AT-13 to a later date because staff will not have had enough time to respond
6 to all of the information that staff receives and have it in a format that will be ready for public discussion.

7
8 Mr. Hall stated that he can't say that it won't happen on May 29th because staff is still trying to get it done
9 within that time and he knows that if staff does not push itself 150% these things will not get done. He said
10 that the problem with pushing yourself 150% is that sometimes things just don't work out but at least you are
11 closer than you would have been otherwise.

12
13 **8. Other Business**

14 **A. Review of Docket**

15
16 Mr. Thorsland stated that the Lyle Shields Meeting Room is not available for use by the Zoning Board of
17 Appeals in May 15th due to a rescheduled County Board Committee of the Whole Meeting. He said that
18 Case 776-S-14, Windsor Road Christian Church, is scheduled for the May 15th meeting and a large audience
19 is anticipated therefore the John Dimit Room would not be sufficient to accommodate that audience. He
20 said that the ZBA does not want to give the audience the impression that they are attempting to shut people
21 out of the meeting by not having adequate room for accommodation. He said that he wants to assure the
22 public that the ZBA will make sure that there is public room for them to be heard.

23
24 Mr. Hall stated that there is a little bit of doubt as to whether the Lyle Shields Meeting Room will be large
25 enough but perhaps the public turnout will not be that great for Case 776-S-14 but there is a huge chance that
26 the John Dimit Room could not accommodate a very large public attendance.

27
28 Mr. Thorsland stated that the acoustics in the John Dimit Room are also very limited for meetings.

29
30 Ms. Griest asked Mr. Hall if he is proposing to move Case 776-S-14 to the May 29th meeting even though
31 there are already three cases on the docket for that meeting night. She said that she is concerned about
32 accommodations for all of the cases.

33
34 Mr. Hall stated that the Windsor Road Christian Church felt that staff was being very unreasonable when
35 they were docketed for the May 15th meeting. He said that he would rather not get enough done on Case
36 769-AT-13 so that Case 776-S-14 could move forward as soon as possible. He said that if the Board prefers
37 he could inform the Windsor Road Christian Church that the ZBA cannot hear their case until June 12th.

4/17/14

1 Ms. Griest stated that she isn't proposing that Case 776-S-14 be moved to the June 12th meeting but perhaps
2 making other alterations to the docket or scheduling a special meeting on a different night when the Lyle
3 Shields Meeting Room is available.

4
5 Ms. Capel suggested that Cases 776-AM-13 and 767-S-13, Eric Sebens, be moved to the June 12th meeting
6 so that Cases 769-AT-13 and 776-S-14 can be heard on May 29th.

7
8 Mr. Hall stated that the Board could revise the docket to indicate those changes.

9
10 Ms. Griest stated that, as a courtesy, perhaps staff should notify Mr. Sebens that his case has been
11 rescheduled to the June 12th meeting.

12
13 Mr. Thorsland entertained a motion to reschedule the docket and move Cases 766-AM-13 and 767-S-13 to
14 the June 12th meeting.

15
16 **Ms. Capel moved, seconded by Mr. Randol reschedule the docket and move Cases 766-AM-13 and**
17 **767-S-13 to the June 12th meeting. The motion carried by voice vote.**

18
19 Mr. Thorsland entertained a motion to cancel the May 15th meeting and reschedule the docket and move
20 Case 776-S-14 to the May 29th meeting.

21
22 **Ms. Griest moved, seconded by Mr. Randol to cancel the May 15th meeting and reschedule the docket**
23 **and move Case 776-S-14 to the May 29th meeting. The motion carried by voice vote.**

24
25 Ms. Capel asked if Case 685-AT-11 should be docketed for the May 29th meeting as well since it was
26 indicated on the May 15th meeting on the docket.

27
28 Mr. Hall stated that as far as he is concerned Case 685-AT-11 can be moved to the May 29th meeting so that
29 it may be continued to a later date.

30
31 Mr. Thorsland entertained a motion to reschedule the docket and move Case 685-AT-11 to the May 29th
32 meeting.

33
34 **Ms. Griest moved, seconded by Ms. Capel to reschedule the docket and move Case 685-AT-11 to the**
35 **May 29th meeting. The motion carried by voice vote.**

36
37 Ms. Capel asked Mr. Hall if any complaints or comments have been made by the public for Case 778-S-14.

38

4/17/14

1 Mr. Hall stated that he is happy to report that no complaints have been filed during the five years that River
2 Bend Wild Game & Sausage has been in operation.

3
4 Mr. Hall reported that Case 732-AT-12 was approved by the County Board at their March 20th meeting.

5
6 **B. February 2014 Monthly Report**

7
8 Mr. Hall stated that the Board has been provided copies of the February 2014 Monthly Report which can be
9 reviewed at the Board's leisure.

10
11 **9. Audience Participation with respect to matters other than cases pending before the Board.**

12
13 None

14
15 **10. Adjournment**

16
17 Mr. Thorsland entertained a motion to adjourn the meeting.

18
19 **Ms. Griest moved, seconded by Ms. Capel to adjourn the meeting. The motion carried.**

20
21 The meeting adjourned at 8:10 p.m.

22
23
24
25
26 Respectfully submitted

27
28
29
30
31 Secretary of Zoning Board of Appeals
32
33
34
35
36
37
38

DRAFT SUBJECT TO APPROVAL DRAFT ZBA //

1