

2 MINUTES OF REGULAR MEETING

3 CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

4 1776 E. Washington Street

5 Urbana, IL 61801

6 DATE: August 13, 2020

PLACE: ZOOM MEETING

Lyle Shields Meeting Room

1776 East Washington Street

Urbana, IL 61802

10 TIME: 6:30 p.m.

11 MEMBERS PRESENT: *Using Zoom in Lyle Shields:* Ryan Elwell, Jim Randol, Larry Wood
12 *Remotely via Zoom:* Tom Anderson, Marilyn Lee, Lee Roberts

15 MEMBERS ABSENT: None

17 STAFF PRESENT: *Using Zoom in Lyle Shields:* Lori Busboom, Susan Burgstrom, John Hall

19 OTHERS PRESENT: *Remotely via Zoom:* Adam Kimball, Jodi Kimball, Gerry Burdette, Michael
20 Douglass, Allen Mohr

23 1. Call to Order

25 The meeting was called to order at 6:38 p.m.

27 2. Roll Call and Declaration of Quorum

29 The roll was called, and a quorum declared present.

31 Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign
32 the witness register for that public hearing. He reminded the audience that when they sign the witness
33 register, they are signing an oath.

35 3. Correspondence - None

37 4. Approval of Minutes - None

39 Mr. Elwell entertained a motion to rearrange the agenda and hear Case 978-V-20 first and then resume
40 back to the order of the agenda.

42 **Mr. Wood moved, seconded by Ms. Lee, to rearrange the agenda and hear Case 978-V-20 first and**
43 **then resume back to the order of the agenda.**

45 The vote was called as follows:

46 **Anderson – yes**

Elwell - yes

Randol – yes

47 **Roberts – yes**

Wood - yes

Lee - yes

49 The motion carried.

51 5. Continued Public Hearings - None

1 6. New Public Hearings
2

3 **Case 978-V-20: Petitioners: Michael & Sarah Douglass Request: Authorize a variance in the AG-1**
4 **Agriculture Zoning District for an existing lot that does not abut and have access to a public street**
5 **or a private accessway meeting Champaign County street standards, per Section 4.2.1 H., and that**
6 **does not have access to a street located entirely within the lot lines, per Section 4.2.1 I. of the**
7 **Champaign County Zoning Ordinance. Location: Lot 2 of Silver Subdivision, except the North 252.8**
8 **feet thereof, located in the Northeast Quarter of the Northwest Quarter of Section 11, Township 18**
9 **North, Range 9 East of the Third Principal Meridian in Philo Township, and commonly known as**
10 **the residence with an address of 1633A CR 1100N, Urbana.**

11
12 Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign
13 the witness register for that public hearing. He reminded the audience that when they sign the witness
14 register, they are signing an oath. He asked the audience if anyone desired to sign the witness register and
15 there was no one.

16
17 Mr. Elwell informed the audience that this Case is an Administrative Case and as such, the County allows
18 anyone the opportunity to cross-examine any witness. He said that at the proper time, he will ask for a
19 show of hands or a verbal indication from those who would like to cross-examine, and each person will
20 be called upon. He said that those who desire to cross-examine asked to clearly state their name before
21 asking any questions. He noted that no new testimony is to be given during the cross-examination. He said
22 that attorneys who have complied with Article 7.6 of the ZBA By-Laws are exempt from cross-
23 examination.

24
25 Mr. Elwell asked Petitioner Michael Douglass to outline the nature of his request.

26
27 Mr. Michael Douglass, 1633A CR 1100N, Urbana, stated that the property was originally structured to
28 where they had access to a public road. He said that the portion that had the access was sold off. When
29 the subdivision was created, an easement was added to provide access to the property. He said that they
30 no longer have the required amount of land that abuts the public road, and they now need a variance. He
31 said that he has spoken to everyone who has land that would provide the needed access, but neither of
32 them is interested in selling. He said that they have done everything possible, and that they were not made
33 aware of this issue when they bought the property. He said that this is the second time the property has
34 sold since the violation occurred. He said that the solar array or any building permit cannot be issued
35 without a variance.

36
37 Mr. Tom Anderson asked how large the solar array is.

38
39 Mr. Douglass stated that it is a ground mounted 10kw system and will have 26 panels.

40
41 Mr. Anderson asked if the solar array would be enough to furnish the house with electricity.

42
43 Mr. Douglass replied yes; a solar company had come out and did an evaluation, and looked at the previous
44 year's worth of electric consumption, and they base the unit off of that amount to be able to meet 100%
45 of the capacity off of that unit.

46
47 Mr. Anderson asked which company was installing the array.
48

1 Mr. Douglass stated that Novel Energy Solutions out of Minnesota would install it.

2

3 Mr. Anderson asked if Mr. Douglass is okay with the easement agreement.

4

5 Mr. Douglass stated yes, he is comfortable because the agreement is a legally binding document and the
6 easement allows for the legal right, and they are in good relations with the neighbors they have the
7 easement with.

8

9 Mr. Anderson asked if they were to sell the land, would the easement go with it.

10

11 Mr. Douglass replied yes, the easement follows the property and goes with the deed.

12

13 Mr. Wood said that the way Mr. Douglass stated that, the easement was created before the 252 feet were
14 transferred to the owner to the north. He asked staff if the sale of the 252 feet to the north was illegal since
15 it was part of the subdivision that was already created, and then the access to part of that subdivision was
16 cut off.

17

18 Mr. Hall stated that he did not know about the legality of the transaction itself, but the lot was made illegal
19 with the transaction. He said that it could be that Mr. Douglass might have legal recourse against the
20 people who made that sale, but more than anything else, he needs to get the lot approved with the variance.

21

22 Mr. Elwell asked if there were any other questions from the Board.

23

24 Mr. Douglass stated that the reason the easement was made before the sale of the 252 feet is that the 252
25 feet to the north is wooded, and the only access to the property was not part of the property that was sold
26 off. He said that the lane has been the same the whole time, and that 252 feet at no point had an access
27 driveway.

28

29 Ms. Burgstrom noted that Allan Mohr, neighbor to the north of the property, was in attendance, and asked
30 if he would be interested in speaking when Mr. Elwell decides to open the Witness Register.

31

32 Mr. Elwell asked if there were any other questions from staff. Seeing none, he asked if there was anyone
33 from the public who would like to cross-examine Mr. Douglass, and there was no one. Seeing no one, he
34 called Mr. Mohr to testify.

35

36 Mr. Allan Mohr stated that it is his father-in-law's land, and his father-in-law gave him the land north of
37 the subject property. He said his father-in-law also owned the land to the east, so he always had access to
38 get out. Mr. Mohr said it was when his own son purchased the land that he didn't have access, and when
39 Mr. Douglass bought it, he did not have access. He said that they have always used the lane, for 20 years.
40 He said he thinks it is kind of bad, because they can use the lane, and the P&Z Department should have
41 noticed this before anything happened. He said that he didn't know what the P&Z Department wanted
42 them to do, but Mr. Mohr thinks Mr. Douglass should have access.

43

44 Mr. Elwell asked Mr. Mohr if he owns the property that includes the lane.

45

46 Mr. Mohr replied no, he does not. He said that when the property was sold, what happened is that, and
47 that his sister-in-law and father-in-law built the Douglass's house. He said that the old farmhouse behind
48 the Douglass house that used to be Mr. Mohr's father-in-law's had the lane, and Mr. Mohr's sister-in-law

1 bought that house. He said that when his sister-in-law sold the house, the realtor said they needed the lane
2 and 3 or 4 acres. He said that instead of splitting the lane in half, his father-in-law just gave them \$10 to
3 use the lane.

4
5 Mr. Elwell asked if there were any other questions from the Board. Seeing none, he asked if anyone would
6 like to cross-examine Mr. Mohr. Seeing no one, he asked how the Board would like to proceed. With no
7 other comments, Mr. Elwell asked if there were any other witnesses who would like to testify in this case.
8 Seeing none, he closed the Witness Register.
9

10 **Mr. Randol moved, seconded by Mr. Roberts, to proceed to the Findings of Fact.**

11
12 The vote was called as follows:

13 Anderson – yes	14 Elwell - yes	15 Randol – yes
Roberts – yes	Wood - yes	Lee - yes

16 **The motion carried.**

17
18 **FINDINGS OF FACT FOR CASE 978-V-20:**

19
20 From the documents of record and the testimony and exhibits received at the public hearing for
21 zoning case 978-V-20 held on August 13, 2020, the Zoning Board of Appeals of Champaign County
22 finds that:

23
24 1. **Special conditions and circumstances DO exist which are peculiar to the land or structure
25 involved, which are not applicable to other similarly situated land and structures elsewhere
26 in the same district.**

27
28 Mr. Randol stated that Special conditions and circumstances DO exist which are peculiar to the land or
29 structure involved, which are not applicable to other similarly situated land and structures elsewhere in
30 the same district because: the property was platted and sold by previous owners.

31
32 2. **Practical difficulties or hardships created by carrying out the strict letter of the regulations
33 sought to be varied WILL prevent reasonable or otherwise permitted use of the land or
34 structure or construction.**

35
36 Mr. Wood stated that practical difficulties or hardships created by carrying out the strict letter of the
37 regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or
38 structure or construction because: it will prevent any construction due to the lack of access.

39
40 3. **The special conditions, circumstances, hardships, or practical difficulties DO NOT result
41 from actions of the applicant.**

42
43 Ms. Lee stated that the special conditions, circumstances, hardships, or practical difficulties DO NOT
44 result from actions of the applicant because: they all happened before they acquired the property in
45 2017.

46
47 4. **The requested variance IS in harmony with the general purpose and intent of the Ordinance.**

1 Mr. Randol stated that the requested variance IS in harmony with the general purpose and intent of the
2 Ordinance this is the only manner where they can follow the intent of the ordinance as best they can.
3

4 **5. The requested variance WILL NOT be injurious to the neighborhood or otherwise
5 detrimental to the public health, safety, or welfare.**

7 Mr. Randol stated that the requested variance WILL NOT be injurious to the neighborhood or otherwise
8 detrimental to the public health, safety, or welfare because there is an existing road that has been granted
9 by property deed and there have been no objections made by the fire district or township.
10

11 **6. The requested variance IS the minimum variation that will make possible the reasonable use
12 of the land/structure.**

14 Mr. Wood stated that the requested variance IS the minimum variation that will make possible the
15 reasonable use of the land/structure because: it will allow access by construction equipment and
16 emergency vehicles when necessary.
17

18 Mr. Randol stated that there is no other land available to be purchased.
19

20 Mr. Elwell asked if there was a motion to adopt the Summary of Evidence, Documents of Record, and
21 Findings of Fact as amended for Case 978-V-20.
22

23 **Mr. Roberts moved, seconded by Mr. Wood, to adopt the Summary of Evidence, Documents of
24 Record, and Findings of Fact as amended for Case 978-V-20.**

26 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

30 **The motion carried.**

32 **Mr. Randol moved, seconded by Ms. Lee, to move on to the Final Determination for Case 978-V-20.**

34 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

38 **The motion carried.**

40 **FINAL DETERMINATION FOR CASE 978-V-20:**

42 **Mr. Randol moved, seconded by Ms. Lee, that the Champaign County Zoning Board of Appeals
43 finds that, based upon the application, testimony, and other evidence received in this case, the
44 requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority
45 granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, determines that:**

47 **The Variance requested in Case 978-V-20 is hereby GRANTED to the petitioners, Michael
48 & Sarah Douglass, to authorize the following in the AG-1 Agriculture Zoning District:**

1 **Authorize a variance for an existing lot that does not abut and have access to a public**
2 **street or a private accessway meeting Champaign County street standards, per**
3 **Section 4.2.1 H., and that does not have access to a street located entirely within the**
4 **lot lines, per Section 4.2.1 I. of the Champaign County Zoning Ordinance.**

5
6 The vote was called as follows:

7 **Anderson – yes**

8 **Elwell - yes**

9 **Randol – yes**

10 **Roberts – yes**

11 **Wood - yes**

12 **Lee - yes**

13 **The motion carried.**

14 Mr. Elwell told Mr. Douglass that case 978-V-20 was approved.

15 **Cases 977-S-20 and 979-V-20 Petitioners: Adam & Jodi Kimball**

16 Request: Case 977-S-20: Authorize the construction and use up to 290 Self-Storage Warehouse Units
17 with heat and utilities to individual units as a Special Use on land in the B-3 Highway Business
18 Zoning District. Case 979-V-20: Authorize the following variance on the Special Use Permit
19 requested in related Zoning Case 977-S-20: Part A: Authorize a variance for 60 parking spaces in
20 lieu of the minimum required 97 parking spaces. Part B: Authorize a variance for no loading berths
21 in lieu of the minimum 3 loading berths required for commercial facilities with 40,000 to 99,999
22 square feet in floor area, per Section 7.4.2 C.5. of the Zoning Ordinance. Part C: Authorize a
23 variance for a front yard of 25 feet along a State highway in lieu of the minimum required 35 feet,
24 per Section 4.3.2 of the Zoning Ordinance. Part D: Authorize a variance from the Champaign
25 County Stormwater Management and Erosion Control Ordinance, which requires a Stormwater
26 Drainage Plan and review for a land disturbance greater than one acre in area.

27 Location: A 3.36-acre tract in the South Half of the Northeast Quarter of Section 9, Township 19
28 North, Range 7 East of the Third Principal Meridian in Scott Township, and commonly known as
29 the tract just east of the residence with an address of 285 CR 1675N, Seymour.

30 Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign
31 the witness register for that public hearing. He reminded the audience that when they sign the witness
32 register, they are signing an oath.

33 Mr. Elwell informed the audience that this Case is an Administrative Case and as such, the County allows
34 anyone the opportunity to cross-examine any witness. He said that at the proper time, he will ask for a
35 show of hands or a verbal indication from those who would like to cross-examine, and each person will
36 be called upon. He said that those who desire to cross-examine asked to clearly state their name before
37 asking any questions. He noted that no new testimony is to be given during the cross-examination. He said
38 that attorneys who have complied with Article 7.6 of the ZBA By-Laws are exempt from cross-
39 examination.

40
41 Mr. Elwell asked Petitioner Adam Kimball to outline the nature of his request.

42
43
44 Mr. Adam Kimball, 1103 Farm Lake Dr, Mahomet, stated that they have an agreement to purchase 3.36
45 acres at the northwest corner of IL-47 and I-72. He said that they have researched the market for many
46 years, they are involved in real estate, and his wife is a civil engineer. He said that they hired a consultant
47 to study the area, and their research has shown a need for self-storage in the Mahomet-Seymour area. He
48 said they have not engaged a professional architect or engineer yet, so their plans are estimations and

1 conceptual. He said that they are committed to make sure that the final design meets all codes. He said
2 they met with the neighbors to the west, and have a great open dialogue with the Burdettes to work
3 together. He said that the property is on a high-visibility corner, with a 5,000 average daily traffic count
4 in 2017. He said this would be an attractive development in terms of buildings, colors, and layout.
5

6 Mr. Elwell asked if there were any questions from the Board.
7

8 Mr. Randol noted that the site plan shows a caretaker's residence.
9

10 Mr. Kimball stated that a caretaker's residence would be part of a future phase, and there would not be a
11 house on the site.
12

13 Mr. Randol asked if the Kimballs would be the caretakers.
14

15 Mr. Kimball replied no, they live in Mahomet.
16

17 Mr. Wood noted that in Part C, the front yard is facing Route 47, but the entrance and structures are all
18 facing CR 1675N.
19

20 Mr. Kimball said that there is a setback requirement for a State highway of 85 feet, and that setback will
21 be exceeded. He said that the building will only be 25 feet away from the road right-of-way on that side
22 in lieu of 35 feet.
23

24 Ms. Burgstrom stated that the property is a corner lot, and thus has two front yards; we have to look at the
25 more restrictive front yard measurements rather than calling it a side yard for both of those streets.
26

27 Mr. Randol noted that the west side shows an office, but there is no water well indicated.
28

29 Mr. Kimball said they haven't yet looked into the best spot to drill a well, and it would be shown on the
30 construction plans.
31

32 Mr. Randol asked if Mr. Kimball plans on having water at any of the storage units.
33

34 Mr. Kimball said not in Phase 1, but it would possibly be part of Phase 2.
35

36 Mr. Wood asked if there would be potable water, and asked about the depth of the French drain.
37

38 Mr. Kimball stated that it would be water for clean up, not necessarily potable, and they are leaving the
39 French drain depth up to the civil engineers.
40

41 Mr. Wood asked if there would be concrete between the buildings.
42

43 Mr. Kimball stated there would be compacted rock of an appropriate grade.
44

45 Mr. Wood asked about grading, and whether there would be tiles leading to the French drain.
46

47 Mr. Kimball said that storm water would flow to the French drain via surface gravity.
48

1 Mr. Wood asked Mr. Kimball if he had any idea how deep the gravel bed will be leading to the French
2 drain.

3
4 Mr. Kimball said he is not sure.

5
6 Mr. Wood stated that the amount of surface area covered in non-porous structure would be just over an
7 acre if you calculate the six buildings; it would be just under 60,000 square feet.

8
9 Mr. Kimball said yes, Mr. Wood is correct.

10
11 Mr. Hall stated that gravel is considered impervious for storm water calculations, so almost the entire
12 property will be impervious. He said that it is our view that you cannot meet the terms of the Storm Water
13 Management ordinance with only a French drain. He said they would have to have a large area to store
14 that water.

15
16 Mr. Randol concurred with Mr. Hall, and said he was concerned about runoff and the French drain
17 overflowing into the adjacent field whenever it rains.

18
19 Mr. Hall stated that the low point of the property is the southeast corner, and with the buildings as close
20 to the south lot line as they are detailed, they will have to add fill to what is currently a low water area. He
21 said that you are not only increase the rate of runoff because of the paving, but you are also adding fill in
22 a natural storage area.

23
24 Mr. Elwell asked where the 60 parking spaces are going to be.

25
26 Mr. Hall said that Ms. Burgstrom's annotated drawing shows white rectangles representing parking
27 spaces. He said that if the Board considers that to be appropriate parking, then there are plenty of parking
28 spaces. He said that he does not believe we have heard comments from the Fire Protection District about
29 whether the 25 feet in between buildings is enough clearance to get emergency vehicles in there.

30
31 Mr. Randol stated that the Fire Protection District just got notice of this case this week, and they have not
32 had a chance to review it.

33
34 Mr. Elwell asked Mr. Randol about fire apparatus.

35
36 Mr. Randol said that it would be a tight fit if you have vehicles parked at the ends of the buildings.

37
38 Mr. Kimball stated that there is no parking on site. He said that there might be later with the office space.
39 He said that people load and unload items and leave.

40
41 Mr. Randol said that you have to consider worst case scenario; there is always a possibility that you would
42 have cars parked side-by-side at each building.

43
44 Ms. Burgstrom stated that the areas between appear to be typical spacing at other similar facilities, where
45 you have about 24-25 feet between the buildings with no spaces marked except for accessible parking.

46
47 Mr. Randol asked if the units would have overhead doors, pedestrian walk-in doors, and if they will be
48 able to park vehicles in the buildings.

1 Mr. Kimball said that there would be standard overhead doors, but the size of the units has not yet been
2 determined. He said they would get feedback from customers in the first phase, and adjust sizes and mix
3 in future phases. He said that a common size of unit would typically be 10 by 10 feet or 10 by 20 feet.

4
5 Mr. Randol said that he is the assistant fire chief in Seymour, and he would like Mr. Kimball to consider
6 putting a fire wall in the buildings due to the 220 feet length of the buildings. He said that only two fire
7 vehicles could get into the site if there was a fire.

8
9 Mr. Elwell asked Mr. Hall if that would be covered in the permit approval phase, or if that would be
10 something that needs to be addressed here.

11
12 Mr. Hall responded that if the Board has that concern, the only way to make it a requirement is to make it
13 a condition. He said that these buildings will have to meet the State-mandated commercial building code.
14 He said that he has not had the chance to see if that code would require a fire wall.

15
16 Mr. Randol said that he is not sure of that either at this point. He asked if the Board had to figure that out
17 tonight.

18
19 Mr. Hall said that if the Board wants to make sure there is a fire wall, the only way to do it is to make it a
20 condition of this case.

21
22 Mr. Elwell asked if the Board was to require a fire wall, what would the cost impact be. He asked if this
23 was a clear span type building.

24
25 Mr. Kimball stated that he does not know the rating, but can look into a firewall. He said that he has every
26 intention of being responsible and having professional architects look at this, and if that is what needs to
27 happen, we are not against it. He said that they want it to be safe, and will work with whatever builder
28 they end up choosing to get recommendations.

29
30 Mr. Elwell stated that if we continue with the case today, we need to make that decision about a fire wall
31 here, and that he does not have enough information from Mr. Kimball to know if what the Board is asking
32 for is already being taken care of from the builder, or if there is something that is cost-prohibitive. He said
33 that he wants to make sure that everyone is safe, but also wants to make sure that it is feasible.

34
35 Mr. Kimball said that they would like to handle that in the construction permitting phase if possible, but
36 if the Board does not feel comfortable with that, then they can discuss it.

37
38 Mr. Elwell said that if the Board is going to talk about a firewall partition, then that is going to be done
39 and voted on tonight.

40
41 Ms. Burgstrom stated that just like with any case, she thinks it is important to acknowledge that if the
42 Board wants more information about fire walls and things in order to make a condition, it doesn't have to
43 make a determination tonight; they can go ahead and continue this to another meeting.

44
45 Mr. Wood stated that another issue that he is concerned about is the French drain and its ability to handle
46 rainfall, and whether that would be an issue for the farmer to the south, and we do not have any numbers
47 to support that. He said that he knows it is a short distance over to the drainage tile that follows the
48 interstate and flows into Camp Creek.

1 Mr. Elwell asked the Board if he understands correctly that they need more information about storm water
2 detention and fire walls to make a determination.
3

4 Mr. Randol said that they need more information about water retention, whether it is a French drain or
5 another solution, and also on the possibility of a firewall in each building. He thought that staff might
6 know what was done about firewalls in other warehouses that had come before the Board.
7

8 Mr. Hall said that he does not recall it being an issue before, but it is a basic safety issue, so we could
9 certainly get more information.
10

11 Ms. Burgstrom said that as part of the permitting review for new commercial buildings, you do have to
12 have the signed and sealed set of plans, and a licensed architect or engineer has to say that the design fits
13 with the building code, plumbing code, etc., and that architect or engineer is not going to put themselves
14 on the line and certify something that is not up to code.
15

16 Ms. Lee stated she is also concerned about the French drain and runoff onto the adjacent property.
17

18 Mr. Kimball said that he thinks we are all concerned about that, and it is his understanding is that you
19 design the system on a 100-year rain and you do the calculations to determine what the runoff in that case
20 would be, and then your retention, detention, and release rates accordingly. He said it was his
21 understanding that as we go through this process, is the use of this property ok for development and then
22 before the next step, we would do the engineering, where we would prove that the detention, retention and
23 release rate meets that code. He said that it would be a professional engineer that would do that, so if that
24 French drain needed to be bigger, deeper, wider, sloping a certain way, that would be determined and
25 proven. He said that he did not think he needed to be prepared at this phase with that information. He said
26 that it also costs a significant amount of money doing the engineering, so if this is a good use for this
27 property, it probably would be wise for him to invest in the engineering.
28

29 Mr. Elwell asked Mr. Kimball if he is under contract with a contingency, would continuing the case to
30 another date be a burden on financing, contract, or other aspect of the project.
31

32 Mr. Kimball stated yes, that would be a significant negative impact, and he requests that we don't postpone
33 a decision unless we truly have to.
34

35 Ms. Burgstrom stated that when Mr. Kimball told staff he intended to use a French drain, staff put in
36 variance Part D in Case 979-V-20, which is basically allowing the Board to decide whether they want to
37 go ahead and say they think the French drain will be okay, or the Board can deny variance Part D and
38 require the petitioner to go ahead and do a Storm Water Drainage Plan with review. She said that if the
39 Board wants more information, we usually do not require the Storm Water Drainage Plan to be ready in
40 time for a Special Use Permit determination; rather it is usually part of the construction permitting process.
41

42 Mr. Hall stated however, that we do require proof of feasibility, and the problem with Phase 1 is that those
43 buildings go down into the best part of the property for storm water detention area. He said he guarantees
44 that a French drain is not going to meet the standards of the Storm Water Management ordinance. He said
45 that a detention basin is not needed for Phase 1 because you do not have enough impervious area. He said
46 when you go to Phase 2, and you need a storm water detention area, you've already built in that area. He said
47 that we are not suggesting there needs to be a design of a storm water detention area, but as the Board
48 has seen in some other recent cases, there needs to be some feasibility. He said that he believes that you

1 need an engineer to evaluate feasibility, not to design the system, but to at least give you the benefit of
2 some engineering expertise.

3
4 Mr. Randol stated that he is not comfortable making a decision when we don't know what is going to
5 happen to the storm water detention at this point.

6
7 Mr. Kimball asked if it would be sufficient to move Phase 1 to the north to leave the southeastern area for
8 detention.

9
10 Mr. Elwell asked Mr. Kimball if there is a reason that Phase 1 is all the way to the east. He said that if our
11 concern is leaving the southeast corner for drainage, then if we move Phase 1 over to the west or even in
12 the middle, would that be detrimental to the project.

13
14 Mr. Kimball said that one of the big things you want for this type of facility is visibility, so being there on
15 IL-47 would be very beneficial. He suggested showing some renderings that show the buildings as perhaps
16 200 feet long instead of 230 feet long to provide an additional 200 feet by 30 feet for detention and
17 retention.

18
19 Ms. Burgstrom said that one way to deal with this in a shorter amount of time would be to take off variance
20 Part D at the petitioner's request, or the Board could deny it, and have the petitioner do a revised site plan
21 that would show a more than sufficient area for Phase 2 detention. Then the Storm Water Drainage Plan
22 could be left to the permitting approval phase. She pulled up two different maps showing potential
23 drainage basins on the screen. She explained that the first option is a dry detention basin, which would
24 take up a very large area of the 3.36-acre property. She said that staff looked at some previous zoning
25 cases to try to see the relative size to the property based on contours and the amount of impervious area
26 for other self-storage warehouse units. She said that based on this data, they got a pretty good idea that a
27 dry basin would be around 37,000 square feet at a depth of around 2 feet maximum. Under this option,
28 total building area would reduce to 40,800 square feet instead of the initial petitioner's plan that was
29 57,500 square feet. She said that the second option is a wet detention basin, which gets a lot closer to the
30 petitioner's initial building area. She said that this option would allow 56,000 square feet of building area,
31 versus the petitioner's initial 57,500 square feet. She said that the wet basin would have to be deeper and
32 would be more expensive.

33
34 Mr. Kimball said that is what he was kind of getting at when he mentioned using the civil engineering to
35 determine the size and dry vs. wet, so they are in agreement to that.

36
37 Mr. Wood asked Mr. Kimball if he could buy additional land to the south.

38
39 Mr. Kimball said that is planned, but not possible right now.

40
41 Mr. Hall said he is glad to hear the Mr. Kimball is open to the idea that there may need to be a storm water
42 detention basin. He said the sort of challenge that it poses for the Board is what site plan the Board would
43 actually be approving. He said that with a site plan that will provide a storm water detention area, the risk
44 for Mr. Kimball is once you put in those Phase 1 buildings as shown on the plan that we are looking at,
45 then you have already determined pretty much how big your detention basin can be, even though you
46 haven't designed it. He said he would just caution Mr. Kimball about that.

47
48 Mr. Wood asked if you go through with the Storm Water Drainage Plan, are you going to be able to

1 eliminate a detention pond.

2
3 Mr. Hall said no, that is not the purpose of a Storm Water Drainage Plan; but the benefit is that you know
4 when you build those Phase 1 buildings that you have placed them where they should go without
5 interfering with the detention basin. He said that maybe the Board would rather see Phase 1 someplace
6 other than where it has been talked about so far.

7
8 Mr. Elwell said that it might be something that the Board needs a little bit more to chew on. He said that
9 he agrees with Mr. Hall in that the buildings in Phase 1 are limiting where that detention basin is going to
10 be. He said that there is an opportunity cost of the location for advertising compared to moving it a bit
11 further west, and you are basically buying time for the detention basin. He said he understands what Mr.
12 Kimball is saying about being close to IL 47 being more advantageous for the business, but if we can't
13 get over this hurdle, then we are not going to have the business.

14
15 Mr. Kimball proposed that as long as Phase 1 is adequately considered such as what the options are
16 showing instead of using the French drain, that the detention basin area could be extended west, all the
17 way across if needed, and later go through the engineering process. He said that he thinks it is crucial for
18 Phase 1 to have the buildings along Route 47 to have the best chance of being successful.

19
20 Mr. Anderson said that another thing to consider is that none of the Phase 2 drawings show loading berths.

21
22 Mr. Elwell said that Variance Part B covers the loading berths.

23
24 Ms. Burgstrom said that the petitioner believes that individuals are generally pulling up to units and then
25 leaving fairly quickly, so that three 12 feet by 40 feet loading berths are not needed for this kind of facility.

26
27 Mr. Anderson asked if it is too much to ask to have one loading berth.

28
29 Mr. Elwell asked where Mr. Anderson would propose locating the loading berth.

30
31 Mr. Anderson said that it seems like there is some space up in the northwest area of the property.

32
33 Mr. Randol stated that he does not think a loading berth is needed because there isn't a reason for having
34 that kind of trucks coming into individual warehouses to where there would be a need for something like
35 that. He said that if he is doing something that needs semi-trailers, then he is doing something that is not
36 a warehouse use.

37
38 Mr. Elwell asked if there were any other questions from the Board. Seeing none, he asked if anyone would
39 like to cross-examine Mr. Kimball. Seeing no one, he opened the Witness Register and called Gerry
40 Burdette to testify.

41
42 Ms. Gerry Burdette, 285 CR 1675N, Seymour, said she has concerns about the road usage and
43 deterioration on CR 1675N, and said it would need to be well kept. She asked who is responsible for that.

44
45 Mr. Randol stated that he spoke with the Township Road Commissioner, who had no concerns of increased
46 traffic there, but did have concerns about construction equipment and trucks. Mr. Randol said that the
47 Road Commissioner said he does not want any workers or anything parking on the road right-of-way.

48 Mrs. Burdette asked for the name of the Township Road Commissioner.

1 Mr. Randol stated that his name is Jeff Sebens.

2
3 Mr. Elwell said that there should be no big trucks because there is no loading berth proposed.

4
5 Mrs. Burdette said she is concerned about the visual change from farm to commercial. She said that Mr.
6 Kimball indicated he could possibly add some screening, and she would like that give the loss of the open
7 farm they would have.

8
9 Ms. Burgstrom said that with this type of use, the only requirement related to the Special Use Permit is to
10 screen parking. She said it only needs to be a four foot high fence or vegetative screening for any parking
11 on the west side.

12
13 Mrs. Burdette said she would like to request more screening than just the four feet parking screen.

14
15 Mr. Randol stated that he thinks it is reasonable to have a screen on the west side.

16
17 Mr. Elwell asked if the screening line would be along the west property line.

18
19 Mr. Kimball stated that he spoke with Mrs. Burdette, and he is not opposed to continuance of the existing
20 screen on the west side. He said he was going to speak with Mrs. Burdette about the placement of that
21 screening, if the screening could actually be placed on the Burdette's property rather than the subject
22 property, and he would pay for it. He said it would just kind of follow the natural landscape the Burdette's
23 already have.

24
25 Mrs. Burdette said that she is not against having Mr. Kimball place screening on her property.

26
27 Mr. Elwell closed the Witness Register.

28
29 Mr. Randol asked if the Board should just consider Case 977-S-20 tonight.

30
31 Ms. Burgstrom said that the Board needs to have a Site Plan to approve, and at this time, we do not have
32 one that is concrete enough to do that.

33
34 Mr. Elwell told Mr. Kimball that he really wants to be able to tell him yes, but said that he needs more
35 information, and there is not enough room for detention on the site plan that is in front of us, so the site
36 plan needs to be revised. He said that the options drawn up by Ms. Burgstrom showing the wet or dry
37 basins would be something he would be more comfortable with going forward, but this is going to have
38 to make economic sense for Mr. Kimball's business too. He said that if Mr. Kimball is able to tell us today
39 that, for example, the detention basin will take up X amount of area and narrowing down the building
40 square footage to certain amounts, he would need to see that.

41
42 Mr. Kimball said that the French drain area could be a placeholder for a detention basin, with exact
43 engineering specifications provided as part of construction permit approval. He said that what Ms.
44 Burgstrom and Mr. Hall have put together is that – a conceptual placeholder for detention. He said that
45 maybe staff has already had a civil engineer calculate this, and maybe it's 99% there, but what he would
46 like to move forward with is leaving the French basin area as the placeholder for a detention basin. He
47 said that when they do the calculation, that will determine if the area is five feet bigger, five feet deeper,
48 ten feet longer, but he thinks that a placeholder in that area can be adopted tonight if the Board agrees.

1 Mr. Elwell said that his problem is that we don't know what site plan we are being asked to approve.

2
3 Mr. Kimball asked if Ms. Burgstrom's options for potential drainage basins might be bigger than what is
4 actually shown.

5
6 Ms. Burgstrom stated that the options were just based on average estimates from previous zoning cases,
7 but the calculations were not done by a professional engineer, which is who you would have do a Storm
8 Water Drainage Plan.

9
10 Mr. Wood stated that we have to have a site plan to move forward, and the current plan is trying to cram
11 too much into this space. He said that you either access more land, or you cut back on the number of
12 storage units that you have there to have proper drainage so you don't spill over into the farmer's drain to
13 the south.

14
15 Mr. Kimball told Mr. Wood that he is good with that, and that he thinks they are on the same page.

16
17 Mr. Wood said again that we have to have a plan to go forward with.

18
19 Mr. Kimball asked if the options we are looking at are not different calculations, just different types of
20 systems.

21
22 Mr. Wood said that you can take these two options, either the wet or the dry, to utilize that as what you
23 go forward with, but the thing is, when you get to the point of where you have to make the final calculations
24 and the decision, and this doesn't work out for you, then all of a sudden you're looking at a much bigger
25 cost, which could be a problem for you. He said that when you go into a project like this, you do the
26 complete business plan ahead of time, and you do all the work that is needed, so you know exactly what
27 you have; that way you don't run the risk of having to dump a whole bunch more money into something
28 and having it blow up on you. He said he has been through too many projects like that and watched them
29 blow up. He said that the other side of it is that he does not want to put the farmer to south at risk. He
30 asked Mr. Kimball if he could buy more ground to the south; if he buys more ground, he would have the
31 room to actually fit this project into it. He said that would be his one solution for this, but he does not
32 know what Mr. Kimball's economics are, and if he runs a pro forma on something like this, how that turns
33 out.

34
35 Mr. Hall asked Mr. Kimball if he knows of any drainage tile on the property to the south that he could
36 purchase to outlet from either the French drain or a basin.

37
38 Mr. Kimball replied no, he doesn't think so, because every time he visits the site when it has rained, he
39 has studied it. He said that there is a really nice drainage ditch on IL47 that he thinks flows to a ground
40 system that he thinks is pretty deep right there at the intersection with I-72.

41
42 Mr. Hall asked Mr. Kimball to clarify if he was planning to outlet to a surface ditch.

43
44 Mr. Kimball said yes, and that if you study the water, that is where it flows right now.

45
46 Mr. Hall said that therefore, when an engineer designs the detention basin, they are going to design it to
47 flow to the ditch, then in fact, at a location like this, they are going to have to meet IDOT standard for
48 release rate. He said that he does not know how that compares to our County standard. He said he knows

1 it can be done and has been done in other locations. He said that as far as the concerns of the Board, if Mr.
2 Kimball is willing to agree to a wet detention basin along the south edge of the property, that would be as
3 long as needed, you can have some high degree of confidence that that is going to work. He said that we
4 don't have that on a site plan submitted by the petitioner. He said if we were in the old days when we were
5 all meeting in the Shields Room, Mr. Kimball could go up and draw on the site plan and it would be
6 amended right there in the meeting. He said that this is the first time with a remote meeting where we have
7 to amend the site plan, and if the Kimballs withdraw variance Part D, we know they have to meet the
8 Storm Water Management ordinance. He said the Board could add a condition about adding detention
9 basin along the south property line, that would lock it in, but it has to be there. He said that he believes
10 the Kimballs are sincere about wanting to do that in the beginning so they can be careful about Phase 1.
11 He said that his main concern is writing a condition for the landscaping that is going to be on the
12 neighboring property, presumably designed to some standard that they both agree to. He said he really
13 doesn't like coming up with a condition like that in a public hearing, and would like to give that a little
14 more thought.

15
16 Mr. Randol said that if we let a French drain or drainage basin be constructed in that southeast area to
17 flow to the drainage ditch along the highway, what kind of permit, if any, would they have to get from
18 IDOT to dump that water into their drainage system.

19
20 Mr. Hall stated that they would have to prove to IDOT that they are meeting their requirements. He said
21 that it would be a double review, they have to meet the County ordinance and IDOT's; it has been done
22 before, a number of times. He said that would probably add some extra costs to the engineering design.
23 He said he is sympathetic with Mr. Kimball wanting to move ahead tonight with a decision, he likes the
24 changes they have come up with here tonight; we just need a couple of conditions.

25
26 Mr. Randol said that he does not think it is a good idea to move forward tonight.

27
28 Ms. Lee agreed with Mr. Randol.

29
30 Mr. Elwell asked Mr. Kimball if he could give the Board any insight on potential damages if they were to
31 wait for another meeting.

32
33 Mr. Randol asked what would be the soonest we could meet with this case.

34
35 Mr. Hall said he supposed it could be added to the August 27th agenda; presumably this will not take long
36 once we have those conditions.

37
38 Mr. Kimball asked Mr. Hall that if they are just going to meet in a week or whenever it is, and he is just
39 going to resubmit this drawing, then why can't we just adopt this drawing in our time tonight.

40
41 Mr. Hall said that he is not so concerned about modifying for the detention basin, but he has a bigger
42 concern about writing a special condition capturing the agreement between Mr. Kimball and the Burdettes
43 regarding the screening along the west.

44
45 Mr. Kimball asked if he could talk with the Burdettes to see if they want the screening to be part of this
46 process, or if they just want this to be between the Kimballs and the Burdettes.

47
48 Mr. Hall said that he can, but he would caution the Burdettes that, like we say in every rezoning case, the

1 ownership of the property can change. He said that he knows Mr. Kimball is not planning to sell the land,
2 but between Phase 1 and Phase 2, who knows what might happen, and to protect your neighbor, there
3 really should be a condition from the very beginning.

4
5 Mr. Kimball said that if we extend this decision, it could put the project at risk of not moving forward. He
6 said that is why they are talking about \$1,000 of landscaping; it could be this going forward or not.
7

8 Ms. Burgstrom said that they have done a special condition before, basically stating that a neighbor will
9 have a say in the landscaping prior to approval of the construction permit.
10

11 Mr. Kimball asked Mrs. Burdette if this was that important that they should include the landscaping screen
12 as part of this process.
13

14 Mrs. Burdette stated that they feel very comfortable with the Kimballs, but she is not sure how she feels
15 if the Kimballs sell before they finished since she had not thought of that before.
16

17 Mr. Kimball thanked Mrs. Burdette and told her they will make sure the Burdettes are taken care of.
18

19 Mr. Elwell asked if the condition could just say the Kimballs have to place the screen on the west property
20 line covering eight feet in height within five years' time, or whatever time period is acceptable.
21

22 Mr. Kimball told Mr. Elwell that he thinks it will do better for the Burdette's landscape for the screen to
23 be on the Burdette's property. He said the way the Burdettes have it set up right now, the screen would
24 flow right around with the same type of plantings.
25

26 Mrs. Burdette said that is fine.
27

28 Mr. Elwell said that he is trying to work toward getting this case done tonight if possible.
29

30 Mr. Hall asked Mr. Kimball if his plan is to continue an already existing line of vegetation along the west
31 property line on the neighbor's property. He said that actually locks in what kinds of trees and what kind
32 of spacing and things like that. He asked Mr. Kimball if that is an accurate statement.
33

34 Mr. Kimball said he thinks so; the way he sees it, he is going to be doing some landscape work at the
35 Burdette's house, outside of this Board meeting. He asked Mrs. Burdette what kind of trees she has.
36

37 Mrs. Burdette stated that they are all the way down on the west side of her property, and they are juniper
38 trees. She said that she prefers that they were north and south, and right now they are east and west and
39 only go to the end of her property on the west end up to her driveway.
40

41 Mr. Kimball asked Mr. Elwell if there is a process for Mrs. Burdette to remove this from the agenda such
42 that Mr. Kimball would work directly with the Burdettes on this.
43

44 Mr. Randol stated that he believes all that would be required for the Board is that there is four-foot
45 screening on Kimball's land, so whatever they work out, they could have a four-foot berm, for example.
46 He said that whatever Mr. Kimball would work out with the Burdettes would be over and above what the
47 Board requires.
48

1 Mr. Hall told the Board that if they are not concerned with what the screen will look like, then they do not
2 have to worry about it. He said it could be left up to the neighbors, but frankly that is not locking in any
3 protection for the neighbor.

4
5 Ms. Burgstrom said that this method does not cover any maintenance that might be needed. She asked
6 what would happen if everything dies off, is that ok with the neighbors.
7

8 Mr. Hall stated that we are not trying to make it complicated, we are just dealing with real world
9 considerations.
10

11 Mr. Elwell asked Mr. Kimball if he is going to do the four-foot screen along the west side.
12

13 Mr. Kimball said that it seems like that is the way it is written – you either provide the four-foot screen or
14 have no parking on the west side. He said he is comfortable with that if Mrs. Burdette is comfortable with
15 that.
16

17 Ms. Burgstrom pointed out that none of the site plans we have looked at have screening shown, so if that
18 is the case, it would have to be drawn into the site plan.
19

20 Mr. Elwell asked if the four-foot screening would have any bearing on the septic in the northwest corner.
21

22 Mr. Kimball said no, as far as they are concerned, they plan on making it secure and make sure that a
23 fence would not interfere with septic.
24

25 Mr. Elwell told Mr. Kimball that it seems to him like he is being a very good neighbor, and he feels that
26 Mr. Kimball will make good on his word with the Burdettes. He said his concern is that he feels like
27 moving forward today, but the Board would need to have an agreement on the four-foot screen on the
28 west side, and to know where the retention basin is going to be, whether it is going to be wet or dry, etc.
29

30 Mr. Kimball asked Mr. Elwell if the basin couldn't be either-or, it couldn't be wet or dry. He asked if he
31 said it would be dry, the Board's vote would be different.
32

33 Mr. Elwell said no, they just need to know that it is going to be wet or it is going to be dry. He said that it
34 will need some forethought; if it is dry, he is going to have so much smaller a building because a dry basin
35 will have to be so much larger in square footage. He said he needs more to work with.
36

37 Mr. Kimball said as he understands it, there is a two-step process. He said the first step is determining if
38 this land is appropriate for the self-storage land use. He said that the second one is getting the exact
39 calculations – are these going to be 100 feet deep, 200 feet deep, and if it is a dry system, the buildings
40 are going to have to be shorter, and if it is a wet system, they can be longer. He said that we will not be
41 able to determine that if we push the decision off by a week. He said that it is all calculations, it is all
42 dealing with the additional runoff that non-pervious surfaces are going to provide; it is the same calculation
43 that is going to be done. He said that even if they say it will be dry, they will not be able to determine the
44 size of the buildings until an actual engineer calculates that. He said that design will be submitted for
45 approval in the construction permitting phase, and then double checking to make sure that it is accurate.
46 Mr. Elwell asked Mr. Hall if it is too much to ask to have that for us.
47

48 Mr. Hall stated that he does not think it is too much to ask. He said what the Board wants to know is, if

1 they were taking action on the Special Use Permit, are there buildings on the east side that are going to be
2 230 feet long or 110 feet long. He said that the Board wants to know what they are being asked to approve.
3

4 Mr. Randol said that the Board needs a set of plans. He told Mr. Kimball that he needs to decide what
5 kind of a system he is going to put in, and then he gives the Board the plans so they can vote on it.
6

7 Mr. Kimball asked if he needs to design this system before step one, which is determining if this land can
8 be used for self-storage.
9

10 Mr. Randol said yes, we need to know what kind of storage you are going to put on the property.
11

12 Mr. Kimball asked if he needed to spend \$25,000, and then if the Board votes no, that this land is not
13 appropriate for the use, then he just eats that cost.
14

15 Mr. Hall said that Mr. Kimball does not need to design a system, but he needs to show the Board a site
16 plan that indicates he has considered how much area he is going to need on the south side for a detention
17 basin. He said that maybe Mr. Kimball could reserve the entire 55 feet along the south property line for
18 a detention basin. He said that he can confirm with the Board that a detention basin would fit in that area.
19 He said that it will have to be a wet basin that is going to be more expensive, but if Mr. Kimball is willing
20 to commit to that, then he can confirm for the Board that it would work. He said that we don't have that
21 on the site plan.
22

23 Mr. Kimball asked Mr. Hall if it would be sufficient to have a revised sketch showing that they will not
24 build 55 feet from the south edge, making the buildings 200 feet long instead of 230 feet long, then the
25 Board has what it needs.
26

27 Mr. Hall said that he thinks that would work for the purposes of the Special Use Permit.
28

29 Mr. Kimball said okay, we are in agreement, and he can do that now or he can resubmit tomorrow.
30

31 Mr. Hall said that if he resubmits tomorrow, the Board does not meet again for two weeks.
32

33 Ms. Lee said that she thinks the petitioner needs to look at things like what it will cost, wet versus dry
34 basin, and building area. She said she thinks it is to Mr. Kimball's benefit to look into these things further,
35 and not rush it through tonight.
36

37 Mr. Kimball said, yes, he has considered that, and like he said, the 25 foot French drain was a placeholder,
38 just like we're talking about, and if the Board feels more comfortable making that placeholder 50 feet,
39 then he is fine with that.
40

41 Mr. Elwell asked if Mr. Kimball says he will reserve the south 55 feet for detention across the property,
42 would that be sufficient for dry detention.
43

44 Mr. Kimball clarified if it goes all the way across the south property line – 300 feet wide.
45

46 Mr. Hall said that the problem with the dry detention basin is you have to have sloping ground, and that
47 cuts the amount of storage you have for every square foot in half. He said that there is only two feet of
48 relief on this property, and you can't make a dry basin span the width of this property.

1 Mr. Elwell said that if Mr. Kimball agrees to the 50 or 55 feet, then he would be agreeing to a wet detention
2 basin.

3
4 Mr. Hall said that maybe Mr. Kimball's engineer could figure out a way to do a dry basin, but it would
5 have to be locked into that 55-foot dimension.

6
7 Mr. Kimball asked if 400 feet by 50 feet of dry would not handle 2.5 acres of impervious area.

8
9 Mr. Hall said that maybe if he constructed a concrete low flow channel for the 400-foot length, but again,
10 that is adding to cost, and if the whole 400 feet by 55 feet is reserved for detention, he knows that will fit.

11
12 Ms. Burgstrom said that is it correct so far that if the Kimballs agree to the 55 feet along the south line for
13 a wet detention basin, along with a landscaped screen on the west side shown on the site plan, then that
14 would be sufficient for the Board to determine the Special Use and variances, or are there other pieces
15 that we are missing on that site plan.

16
17 Mr. Elwell asked the Board how it would like to proceed.

18
19 Mr. Randol said he would table it to the next available meeting, and Mr. Kimball would need to come
20 back with a revised site plan showing what kind of detention. He said that he does not care what kind of
21 screening Mr. Kimball and the neighbors work out. He said that Mr. Kimball needs to follow what our
22 requirements are on his property for zoning.

23
24 Mr. Elwell asked Ms. Burgstrom if Mr. Kimball had an iPad, and he came in and marked out the 55 feet
25 for the drainage basin and the four feet of screen on the west side, and emailed it to her, would that need
26 to be to scale.

27
28 Mr. Kimball asked Mr. Elwell if that would be an additional submission for a meeting.

29
30 Mr. Elwell said that is correct.

31
32 Mr. Kimball said that he has sent Ms. Burgstrom many sketches, and asked her if the type of sketch he
33 has sent in the past would work.

34
35 Ms. Burgstrom said that if it squares up with the requirements of the Zoning Ordinance, then that is fine.
36 She said that it is a hand-drawn sketch that provides enough detail, but it is also a question of showing us
37 the buildings as well as the detention area to make sure things work.

38
39 Mr. Kimball said he will do that.

40 Mr. Elwell asked the Board how it would like to proceed. He asked Mr. Hall if this case were to be
41 continued, what the date would be.

42
43 Mr. Hall responded that the next meeting is August 27th. He said that another possibility, if the Board
44 would want to take a short break, he knows that we could come up with a condition that would revise the
45 site plan in writing in regards to the detention basin, it would add a requirement for a minimum four feet
46 high screen along the west property line, leaving the vegetative screening between the Kimballs and the
47 Burdettes. He said that way the Board could take action on this case tonight if they choose to do so.

48

1 Mr. Kimball said that he understands, and asked what the four-foot screening is that they were talking
2 about.

3
4 Mr. Hall said that the Zoning Ordinance requires four foot high screening anytime there is parking visible
5 within 100 feet of the building restriction line of a residential lot.

6
7 Mr. Kimball said that the way he understood the submittal is that the variance is for not having a screen
8 for parking.

9
10 Ms. Burgstrom said that what she discussed with Mr. Kimball is that he could have the four-foot screening
11 for the parking area, or he could forego any parking whatsoever on the west side and use a building as the
12 screen.

13
14 Mr. Kimball said yes, that would be their plan, to not have any parking along that west line.

15
16 Ms. Burgstrom said that for her, that becomes a logistical question; if you have the westernmost building
17 where you have no parking, would you therefore not have any units open to the west side, and would that
18 still be feasible.

19
20 Mr. Kimball said that they would have units opening to the west, but he thinks the considerable amount
21 of parking in the entire development would be adequate to support those units, and there would be a 25-
22 foot aisle for accessibility.

23
24 Ms. Burgstrom said that she did not think that could be guaranteed. She said that speaking only as a staff
25 member, people are not going to want to park somewhere, potentially 200 feet away, to drop something
26 off in the middle of a storage building, just so we can say there is no parking on the west side – it doesn't
27 seem like a realistic thing that people would do.

28
29 Mr. Kimball said that he was thinking people could get their stuff or drop their stuff off at their unit and
30 then leave.

31
32 Mr. Randol stated that that is considered parking.

33
34 Mr. Kimball said okay. He requested that he be allowed to have a security fence, a 25 foot aisle, and then
35 a storage facility on the west property line.

36
37 Mr. Randol said this is basically what Mr. Kimball has in the sketch he provided.

38
39 Mr. Kimball said that was correct.

40
41 Mr. Elwell asked if the fencing would need to be up for Phase 1.

42
43 Mr. Kimball said that would not be the plan; it would go up with Phase 2.

44
45 Mr. Hall verified that the screen would not be required for Phase 1.

46
47 Mr. Elwell asked if the screening for the Burdettes would be for Phase 1.

48

1 Mr. Hall said that would be decided between the Kimballs and the Burdettes; his understanding was that
2 it would be from the beginning.
3

4 Mr. Kimball said that Mrs. Burdette could speak for herself, but it is his understanding that she withdrew
5 the screening from this agenda.
6

7 Mr. Wood asked if there is not also supposed to be a septic system on the west side.
8

9 Mr. Randol replied at some point, in the northwest corner.
10

11 Mr. Wood asked if the septic would be driven over.
12

13 Mr. Randol said no, they cannot drive over it.
14

15 Mr. Wood asked where is it going to fit in there.
16

17 Mr. Hall said that the septic system would be a lot bigger than what is indicated on the site plan.
18

19 Mr. Randol moved, seconded by Mr. Wood, to take a 5-minute recess.
20

21 The vote was called as follows:

22 **Anderson – yes**

23 **Roberts – yes**

Elwell - yes

Wood - yes

Randol – yes

Lee - yes

24
25 The motion carried.
26

27 Returning from recess, Mr. Elwell stated that parking within 100 feet of the west lot line requires
28 screening.
29

30 Ms. Burgstrom said yes, the required screening would not be needed until Phase 2, and we just need a
31 condition that is going to state that.
32

33 Mr. Hall said that he has a condition drafted that he is ready to read for the Board.
34

35 **H. The petitioner shall revise the site plan to reserve the south 55 feet of the property for
36 a detention basin.**

37
38 The special condition stated above is required to ensure the following:
39 **That the development meets the requirements of the Storm Water**

40 **Management and Erosion Control Ordinance.**

41
42 Ms. Lee asked if the basin would be wet or dry.
43

44 Mr. Hall replied that he assumes it will be a wet basin, but he does not think that needs to be part of the
45 condition.
46

47 Mr. Randol and Mr. Wood agreed with Mr. Hall.
48

1 Ms. Lee said that we talked about the fence, and on page 5 of our materials, special condition D mentions
2 the description of the four-foot screen. She said that it is not necessarily four feet, it is a minimum of four
3 feet from the highest adjacent grade, so it could be farther down if the elevation is lower.

4
5 Mr. Hall said that he believes that the condition she is referring to should actually be under Phase 2
6 construction. He said since the screen is not shown on the site plan, it should still be listed and refer to
7 Phase 2.
8

9 Ms. Lee said that with the technology we have, you could send the petitioner a site plan that he could
10 revise, and then he could send it back tonight, but that is a little hard to do.
11

12 Mr. Hall agreed that it is hard to do.
13

14 Ms. Burgstrom said that she could tell that Mr. Kimball put a lot of time into his sketch, and it would take
15 a lot of time for him to revise it.
16

17 Mr. Wood asked if the second line of condition D should say Phase 2.
18

19 Ms. Burgstrom said yes. She said that for special condition G, we would just need the petitioner to
20 withdraw their request for variance Part D tonight. She explained that by withdrawing Part D of the
21 variance, that Mr. Kimball is saying he will have a Storm Water Drainage Plan done by an engineer, have
22 it subject to review by the County's consulting engineer and the fees for that review, all as part of Phase
23 2 of the construction permit approval process.
24

25 Mr. Kimball withdrew variance Part D.
26

27 Ms. Burgstrom asked the Board if they feel there is sufficient parking shown such that variance Part A
28 would not be required. She said that under the wet basin option, there are 130 parking spaces shown, so
29 the variance would not be necessary, even if the entire 55 feet along the south property line was set aside
30 for detention.
31

32 Mr. Elwell asked if variance Part C was still necessary if the south 55 feet has no construction.
33

34 Ms. Burgstrom said yes, but the variance would be for 29 feet given the new closest building location to
35 the east property line.
36

37 Mr. Kimball asked if Ms. Burgstrom acknowledged that the setback from the street centerline of IL 47 is
38 sufficient.
39

40 Ms. Burgstrom said yes.
41

42 Mr. Elwell reviewed the special conditions with Mr. Kimball. He referred to the conditions starting on
43 page 25 of 33 of the Summary of Evidence for Case 977-S-20. He read special condition A as follows:
44

45 A. **A Change of Use Permit shall be applied for in conjunction with the Zoning Use
46 Permit for Phase 1 construction.**
47

48 The special condition stated above is required to ensure the following:

1 **The establishment of the proposed use shall be properly documented as
2 required by the Zoning Ordinance.**

4 Mr. Elwell asked Mr. Kimball if he agreed with special condition A.

6 Mr. Kimball said yes.

8 B. **The Zoning Administrator shall not authorize a Zoning Use Permit or a Zoning
9 Compliance Certificate until the petitioner has demonstrated that any new or
10 proposed exterior lighting on the subject property will comply with the lighting
11 requirements of Section 6.1.2.**

13 The special condition stated above is required to ensure the following:

14 **That the proposed uses are in compliance with the Zoning Ordinance.**

16 Mr. Elwell asked Mr. Kimball if he agreed with special condition B.

18 Mr. Kimball said yes.

20 C. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning
21 Compliance Certificate for the proposed Self-storage Warehouses until the
22 petitioner has demonstrated that the proposed Special Use complies with the
23 Illinois Accessibility Code for each phase of development by providing a set of
24 signed and sealed plans prepared by an architect or engineer licensed in Illinois.**

26 The special condition stated above is required to ensure the following:

27 **That the proposed Special Use meets applicable State requirements for
28 accessibility.**

30 Mr. Elwell asked Mr. Kimball if he agreed with special condition C.

32 Mr. Kimball said yes.

34 D. **For Phase 2 construction, a Type A Screen must be installed along the west property
35 line in order to receive a Zoning Compliance Certificate for Phase 2 construction. A
36 self-storage building with no parking allowed on the west side may serve in lieu of
37 the Type A Screen. Type A Screen is “Decorative opaque fence, shrubs or other
38 vegetative material or a landscaped berm planted and maintained with a minimum
39 HEIGHT of four feet as measured from the highest adjacent grade.”**

41 The special condition stated above is required to ensure the following:

42 **To promote public health, safety, and general welfare that is a purpose of the
43 Zoning Ordinance.**

45 Mr. Elwell asked Mr. Kimball if he agreed with special condition D.

47 Mr. Kimball said yes.

- 1 E. A septic system shall be installed on the subject property in conjunction with
2 construction of the caretaker's residence, and:
3 (1) A Zoning Use Permit for Phase 2 construction shall not be approved until the
4 petitioner provides a copy of certification from the County Health
5 Department that the proposed septic system on the subject property has
6 sufficient capacity for the proposed use.
7
8 (2) The septic leach field shall be kept free of vehicular traffic and cannot be
9 paved over.

10
11 The special condition stated above is required to ensure the following:

12 **That the solid waste system conforms to the requirements of the Zoning
13 Ordinance and any applicable health regulations.**

14
15 Mr. Elwell asked Mr. Kimball if he agreed with special condition E.

16
17 Mr. Kimball said yes.

- 18
19 F. The Zoning Administrator shall not authorize a Zoning Compliance Certificate
20 authorizing occupancy of the proposed building until the Zoning Administrator has
21 received a certification of inspection from an Illinois Licensed Architect or other
22 qualified inspector certifying that the new building comply with the following codes:
23 (A) the 2006 or later edition of the International Building Code; (B) the 2008 or
24 later edition of the National Electrical Code NFPA 70; and (C) the Illinois Plumbing
25 Code.

26
27 The special condition stated above is required to ensure the following:

28 **New commercial buildings shall be in conformance with Public Act 96-704.**

29
30 Mr. Elwell asked Mr. Kimball if he agreed with special condition F.

31
32 Mr. Kimball said yes.

- 33
34 G. A complete Storm Water Drainage Plan that conforms to the requirements of the
35 Storm Water Management and Erosion Control Ordinance shall be submitted and
36 approved as part of the Zoning Use Permit application for Phase 2 construction, and
37 all required certifications shall be submitted after construction of Phase 2 prior to
38 issuance of the Zoning Compliance Certificate.

39
40 The special condition stated above is required to ensure the following:

41 **That the drainage improvements conform to the requirements of the Storm
42 Water Management and Erosion Control Ordinance.**

43
44 Mr. Elwell asked Mr. Kimball if he agreed with special condition G.

45 Mr. Kimball said yes.

- 46
47 H. The petitioner shall revise the site plan to reserve the south 55 feet of the property for
48 a detention basin.

1 The special condition stated above is required to ensure the following:

2 **That the development meets the requirements of the Storm Water
3 Management and Erosion Control Ordinance.**

5 Mr. Elwell asked Mr. Kimball if he agreed with special condition H.

7 Mr. Kimball said yes.

9 Mr. Elwell asked if there was a motion to approve the special conditions.

11 **Mr. Randol moved, seconded by Mr. Wood, to approve the special conditions as amended.**

13 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

17 **The motion carried.**

19 Ms. Burgstrom said that there are two new Documents or Record, for the wet and dry basin options.

21 Mr. Elwell asked if there was a motion to continue to the Findings of Fact for case 977-S-20.

23 **Mr. Randol moved, seconded by Mr. Wood, to continue to the Findings of Fact for case 977-S-20.**

25 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee – yes

29 **The motion carried.**

31 **Mr. Wood moved, seconded by Mr. Randol, to extend the meeting by 15 minutes until 9:45.**

33 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee – yes

37 **The motion carried.**

39 **FINDINGS OF FACT FOR CASE 977-S-20:**

41 **From the documents of record and the testimony and exhibits received at the public hearing for
42 zoning case 977-S-20 held on August 13, 2020, the Zoning Board of Appeals of Champaign County
43 finds that:**

45 **1. The requested Special Use Permit IS necessary for the public convenience at this location.**

47 Mr. Randol stated that the requested Special Use Permit IS necessary for the public convenience at this
48 Location because the proposed use will not conform to zoning without the requested variances.

1 Mr. Wood stated that a mini storage land use requires a SUP in the B-3 zoning district.
2

3 **2. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
4 IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL
5 NOT be injurious to the district in which it shall be located or otherwise detrimental to the
6 public health, safety, and welfare because:**

7 **a. The street has ADEQUATE traffic capacity and the entrance location has
8 ADEQUATE visibility.**

9
10 Mr. Wood stated that the street has ADEQUATE traffic capacity and the entrance location has
11 ADEQUATE visibility.

12 **b. Emergency services availability is ADEQUATE.**

13 Mr. Randol stated that emergency services availability is ADEQUATE.

14 **c. The Special Use WILL be compatible with adjacent uses.**

15 Mr. Wood stated that the Special Use WILL be compatible with adjacent uses.

16 **d. Surface and subsurface drainage will be ADEQUATE.**

17 Mr. Wood stated that surface and subsurface drainage will be ADEQUATE.

18 **e. Public safety will be ADEQUATE.**

19 Mr. Randol stated that public safety will be ADEQUATE.

20 **f. The provisions for parking will be ADEQUATE.**

21 Mr. Wood stated that the provisions for parking will be ADEQUATE.

22 Mr. Wood stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
23 IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL NOT be
24 injurious to the district in which it shall be located or otherwise detrimental to the public health, safety,
25 and welfare.

26 **3a. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
27 IMPOSED HEREIN, DOES conform to the applicable regulations and standards of the
28 DISTRICT in which it is located.**

29 Mr. Randol stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
30 IMPOSED HEREIN, DOES conform to the applicable regulations and standards of the DISTRICT in
31 which it is located.

32 **3b. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
33 IMPOSED HEREIN, DOES preserve the essential character of the DISTRICT in which it
34 is located because:**

- 1 **a. The Special Use will be designed to CONFORM to all relevant County ordinances**
2 **and codes.**

3
4 Mr. Randol stated that the Special Use will be designed to CONFORM to all relevant County ordinances
5 and codes.

- 6 **b. The Special Use WILL be compatible with adjacent uses.**

7
8 Mr. Randol stated that the Special Use WILL be compatible with adjacent uses.

- 9
10 **c. Public safety will be ADEQUATE.**

11
12 Mr. Randol stated that public safety will be ADEQUATE.

13
14 Mr. Randol stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
15 IMPOSED HEREIN, DOES preserve the essential character of the DISTRICT in which it is located.

- 16
17 **4. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS IMPOSED**
18 **HEREIN, IS in harmony with the general purpose and intent of the Ordinance because:**

- 19 **a. The Special Use is authorized in the District.**

20
21 Mr. Wood stated that the Special Use is authorized in the District.

- 22
23 **b. The requested Special Use Permit IS necessary for the public convenience at this**
24 **location.**

25
26 Mr. Wood stated that the requested Special Use Permit IS necessary for the public convenience at this
27 location.

- 28
29 **c. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS**
30 **IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it**
31 **WILL NOT be injurious to the district in which it shall be located or otherwise**
32 **detrimental to the public health, safety, and welfare.**

33
34 Mr. Wood stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
35 IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL NOT be
36 injurious to the district in which it shall be located or otherwise detrimental to the public health, safety,
37 and welfare.

- 38
39 **d. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS**
40 **IMPOSED HEREIN, DOES preserve the essential character of the DISTRICT in**
41 **which it is located.**

42
43 Mr. Wood stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
44 IMPOSED HEREIN, DOES preserve the essential character of the DISTRICT in which it is located.

45
46 Mr. Wood stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
47 IMPOSED HEREIN, IS in harmony with the general purpose and intent of the Ordinance.

1 5. The requested Special Use IS NOT an existing nonconforming use.

2
3 6. THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE
4 COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE
5 PARTICULAR PURPOSES DESCRIBED BELOW:

6
7 A. A Change of Use Permit shall be applied for in conjunction with the Zoning Use
8 Permit for Phase 1 construction.

9
10 The special condition stated above is required to ensure the following:

11 The establishment of the proposed use shall be properly documented as
12 required by the Zoning Ordinance.

13
14 B. The Zoning Administrator shall not authorize a Zoning Use Permit or a Zoning
15 Compliance Certificate until the petitioner has demonstrated that any new or
16 proposed exterior lighting on the subject property will comply with the lighting
17 requirements of Section 6.1.2.

18
19 The special condition stated above is required to ensure the following:

20 That the proposed uses are in compliance with the Zoning Ordinance.

21
22 C. The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning
23 Compliance Certificate for the proposed Self-storage Warehouses until the
24 petitioner has demonstrated that the proposed Special Use complies with the
25 Illinois Accessibility Code for each phase of development by providing a set of
26 signed and sealed plans prepared by an architect or engineer licensed in Illinois.

27
28 The special condition stated above is required to ensure the following:

29 That the proposed Special Use meets applicable State requirements for
30 accessibility.

31
32 D. For Phase 2 construction, a Type A Screen must be installed along the west property
33 line in order to receive a Zoning Compliance Certificate for Phase 2 construction. A
34 self-storage building with no parking allowed on the west side may serve in lieu of
35 the Type A Screen. Type A Screen is “Decorative opaque fence, shrubs or other
36 vegetative material or a landscaped berm planted and maintained with a minimum
37 HEIGHT of four feet as measured from the highest adjacent grade.”

38
39 The special condition stated above is required to ensure the following:

40 To promote public health, safety, and general welfare that is a purpose of the
41 Zoning Ordinance.

42
43 E. A septic system shall be installed on the subject property in conjunction with
44 construction of the caretaker’s residence, and:

45 (1) A Zoning Use Permit for Phase 2 construction shall not be approved until the
46 petitioner provides a copy of certification from the County Health
47 Department that the proposed septic system on the subject property has
48 sufficient capacity for the proposed use.

- 1 (2) **The septic leach field shall be kept free of vehicular traffic and cannot be**
2 **paved over.**

3
4 The special condition stated above is required to ensure the following:

5 **That the solid waste system conforms to the requirements of the Zoning**
6 **Ordinance and any applicable health regulations.**

- 7
8 F. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate**
9 **authorizing occupancy of the proposed building until the Zoning Administrator has**
10 **received a certification of inspection from an Illinois Licensed Architect or other**
11 **qualified inspector certifying that the new building comply with the following codes:**
12 **(A) the 2006 or later edition of the International Building Code; (B) the 2008 or**
13 **later edition of the National Electrical Code NFPA 70; and (C) the Illinois Plumbing**
14 **Code.**

15
16 The special condition stated above is required to ensure the following:

17 **New commercial buildings shall be in conformance with Public Act 96-704.**

- 18
19 G. **A complete Storm Water Drainage Plan that conforms to the requirements of the**
20 **Storm Water Management and Erosion Control Ordinance shall be submitted and**
21 **approved as part of the Zoning Use Permit application for Phase 2 construction, and**
22 **all required certifications shall be submitted after construction of Phase 2 prior to**
23 **issuance of the Zoning Compliance Certificate.**

24
25 The special condition stated above is required to ensure the following:

26 **That the drainage improvements conform to the requirements of the Storm**
27 **Water Management and Erosion Control Ordinance.**

- 28
29 H. **The petitioner shall revise the site plan to reserve the south 55 feet of the property for**
30 **a detention basin.**

31
32 The special condition stated above is required to ensure the following:

33 **That the development meets the requirements of the Storm Water**
34 **Management and Erosion Control Ordinance.**

35
36 Mr. Elwell asked if there was a motion to adopt the Summary of Evidence, Documents of Record, and
37 Findings of Fact as amended for Case 977-S-20.

38
39 **Mr. Wood moved, seconded by Mr. Randol, to adopt the Summary of Evidence, Documents of**
40 **Record, and Findings of Fact as amended for Case 977-S-20.**

41
42 The vote was called as follows:

43 **Anderson – yes**
44 **Roberts – yes**

Elwell - yes
Wood - yes

Randol – yes
Lee - yes

45
46 **The motion carried.**

47
48 Mr. Elwell asked if there was a motion to proceed to the Finding of Fact for Case 979-V-20.

1 Mr. Randol moved, seconded by Mr. Wood, to move to the Findings of Fact for Case 979-V-20.
2

3 The vote was called as follows:

4 Anderson – yes
5 Roberts – yes

Elwell - yes
Wood - yes

Randol – yes
Lee - yes

7 The motion carried.

9 **FINDINGS OF FACT FOR CASE 979-V-20:**

11 From the documents of record and the testimony and exhibits received at the public hearing for
12 zoning case 979-V-20 held on August 13, 2020, the Zoning Board of Appeals of Champaign County
13 finds that:

15 1. **Special conditions and circumstances DO exist which are peculiar to the land or structure
16 involved, which are not applicable to other similarly situated land and structures elsewhere
17 in the same district.**

19 Mr. Randol stated that special conditions and circumstances DO exist which are peculiar to the land or
20 structure involved, which are not applicable to other similarly situated land and structures elsewhere in
21 the same district because: the size, shape, and lay of the land make it difficult to follow the strict letter of
22 the law.

24 2. **Practical difficulties or hardships created by carrying out the strict letter of the regulations
25 sought to be varied WILL prevent reasonable or otherwise permitted use of the land or
26 structure or construction.**

28 Mr. Randol stated that practical difficulties or hardships created by carrying out the strict letter of the
29 regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or
30 structure or construction because meeting the strict letter of the law will be cost prohibitive for this type
31 of construction project.

33 3. **The special conditions, circumstances, hardships, or practical difficulties DO NOT result
34 from actions of the applicant.**

36 Mr. Wood stated that the special conditions, circumstances, hardships, or practical difficulties DO NOT
37 result from actions of the applicant because: the particular type of enterprise does not require loading
38 berths, and there is a special condition along with the angle of the State right of way that requires just a 6
39 foot variance on the southern end of the property.

41 4. **The requested variance IS in harmony with the general purpose and intent of the Ordinance.**

43 Mr. Randol stated that the requested variance IS in harmony with the general purpose and intent of the
44 Ordinance because: the surrounding land is zoned B-3 and AG-1.

46 5. **The requested variance WILL NOT be injurious to the neighborhood or otherwise
47 detrimental to the public health, safety, or welfare.**

1 Mr. Randol stated that the requested variance WILL NOT be injurious to the neighborhood or otherwise
2 detrimental to the public health, safety, or welfare because: the state and township have no plans for
3 expanding either Rt 47 or the township road, and the nearest home is a little over 300 feet away.

4

5 **6. The requested variance IS the minimum variation that will make possible the reasonable use**
6 of the land/structure.

7

8 Mr. Randol stated that the requested variance IS the minimum variation that will make possible the
9 reasonable use of the land/structure because: of the shape of the lot and the lot size.

10

11 Mr. Elwell entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings
12 of Fact, as amended for Case 979-V-20.

13

14 **Mr. Wood moved, seconded by Mr. Randol, to adopt the Summary of Evidence, Documents of**
15 Record, and Findings of Fact, as amended.

16

17 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - absent

21 **The motion carried.**

22

23 Mr. Elwell entertained a motion to move to the Final Determination for Case 977-S-20.

24

25 **Mr. Wood moved, seconded by Mr. Randol, to extend the meeting by 10 minutes to 9:55.**

26

27 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee – yes

31 **The motion carried.**

32

33 **Mr. Randol moved, seconded by Mr. Roberts, to proceed to the Final Determination for Case 977-**
S-20.

35

36 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

40 **The motion carried.**

41

42 **FINAL DETERMINATION FOR CASE 977-S-20:**

43

44 **Mr. Wood moved, seconded by Mr. Randol, that the Champaign County Zoning Board of Appeals**
finds that, based upon the application, testimony, and other evidence received in this case, the
46 requirements of Section 9.1.11B. for approval HAVE been met, and pursuant to the authority
47 granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, determines that:

1 The Special Use requested in Case 977-S-20 is hereby GRANTED WITH SPECIAL
2 CONDITIONS to the applicants, Adam & Jodi Kimball, to authorize the following:
3

4 Authorize the construction and use of up to 290 Self-Storage Warehouse Units with
5 heat and utilities to individual units as a Special Use on land in the B-3 Highway
6 Business Zoning District.
7

8 **SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:**
9

- 10 A. A Change of Use Permit shall be applied for in conjunction with the Zoning Use
11 Permit for Phase 1 construction.
- 12 B. The Zoning Administrator shall not authorize a Zoning Use Permit or a Zoning
13 Compliance Certificate until the petitioner has demonstrated that any new or
14 proposed exterior lighting on the subject property will comply with the lighting
15 requirements of Section 6.1.2.
16
- 17 C. The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning
18 Compliance Certificate for the proposed Self-storage Warehouses until the
19 petitioner has demonstrated that the proposed Special Use complies with the
20 Illinois Accessibility Code for each phase of development by providing a set of
21 signed and sealed plans prepared by an architect or engineer licensed in Illinois.
22
- 23 D. For Phase 2 construction, a Type A Screen must be installed along the west property
24 line in order to receive a Zoning Compliance Certificate for Phase 2 construction. A
25 self-storage building with no parking allowed on the west side may serve in lieu of
26 the Type A Screen. Type A Screen is “Decorative opaque fence, shrubs or other
27 vegetative material or a landscaped berm planted and maintained with a minimum
28 HEIGHT of four feet as measured from the highest adjacent grade.”
29
- 30 E. A septic system shall be installed on the subject property in conjunction with
31 construction of the caretaker’s residence, and:
32 (1) A Zoning Use Permit for Phase 2 construction shall not be approved until the
33 petitioner provides a copy of certification from the County Health
34 Department that the proposed septic system on the subject property has
35 sufficient capacity for the proposed use.
36
- 37 (2) The septic leach field shall be kept free of vehicular traffic and cannot be
38 paved over.
39
- 40 F. The Zoning Administrator shall not authorize a Zoning Compliance Certificate
41 authorizing occupancy of the proposed building until the Zoning Administrator has
42 received a certification of inspection from an Illinois Licensed Architect or other
43 qualified inspector certifying that the new building comply with the following codes:
44 (A) the 2006 or later edition of the International Building Code; (B) the 2008 or
45 later edition of the National Electrical Code NFPA 70; and (C) the Illinois Plumbing
46 Code.
47

1 G. A complete Storm Water Drainage Plan that conforms to the requirements of the
2 Storm Water Management and Erosion Control Ordinance shall be submitted and
3 approved as part of the Zoning Use Permit application for Phase 2 construction, and
4 all required certifications shall be submitted after construction of Phase 2 prior to
5 issuance of the Zoning Compliance Certificate.
6

7 H. The petitioner shall revise the site plan to reserve the south 55 feet of the property for
8 a detention basin.
9

10 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

14 **The motion carried.**

16 Mr. Elwell told Mr. Kimball that Case 977-S-20 was approved.
17

18 Mr. Elwell entertained a motion to move to the Final Determination for Case 979-V-20.
19

20 **Mr. Randol moved, seconded by Mr. Wood, to move to the Final Determination for Case 979-V-20.**
21

22 The vote was called as follows:

Anderson – yes	Elwell - yes	Randol – yes
Roberts – yes	Wood - yes	Lee - yes

26 **The motion carried.**

28 **FINAL DETERMINATION FOR CASE 979-V-20:**
29

30 **Mr. Wood moved, seconded by Mr. Randol, that the Champaign County Zoning Board of Appeals**
31 **finds that, based upon the application, testimony, and other evidence received in this case, that the**
32 **requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority**
33 **granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of**
34 **Appeals of Champaign County determines that:**

36 **The Variance requested in Case 979-V-20 is hereby GRANTED to the petitioners, Adam & Jodi**
37 **Kimball, to authorize the following:**

39 **Authorize the following variance on the Special Use Permit requested in related Zoning Case**
40 **977-S-20:**

41 **Part A: Authorize a variance for no loading berths in lieu of the minimum 3 loading**
42 **berths required for commercial facilities with 40,000 to 99,999 square feet in**
43 **floor area, per Section 7.4.2 C.5. of the Zoning Ordinance.**

45 **Part B: Authorize a variance for a front yard of 25 feet along a State highway in lieu of**
46 **the minimum required 35 feet, per Section 4.3.2 of the Zoning Ordinance.**

48 Mr. Elwell requested a roll call vote.

1 The vote was called as follows:

2 **Anderson – yes**
3 **Roberts – yes**

Elwell - yes
Wood - yes

Randol – yes
Lee - yes

5 **The motion carried.**

7 Mr. Elwell told Mr. Kimball that his variance has been approved.

9 Ms. Burgstrom told Mr. Kimball that she would be in touch early next week with next steps.

11 7. **Staff Report - None**

13 8. **Other Business**

14 **A. Review of Docket**

16 Mr. Randol said that he is not sure if he will attend the August 27th meeting.

18 9. **Audience participation with respect to matters other than cases pending before the Board**

20 None

22 10. **Adjournment**

24 Mr. Elwell entertained a motion to adjourn the meeting.

26 **Mr. Wood, seconded by Ms. Lee, to adjourn the meeting.**

28 Mr. Elwell requested a roll call vote.

30 The vote was called as follows:

31 **Anderson – yes**
32 **Roberts – yes**

Elwell - no
Wood - yes

Randol – yes
Lee - yes

34 **The motion carried.**

36 The meeting adjourned at 9:52 p.m.

39 Respectfully submitted

40 Secretary of Zoning Board of Appeals