

CASES 035-AM-21, 036-S-21 & 041-V-22

SUPPLEMENTAL MEMORANDUM #6

April 11, 2023

Petitioner: Jeffrey Jenkins, d.b.a. Walnut Grove MHP

Request:

Case 035-AM-21

Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-5 Manufactured Home Park Zoning District in order to operate the proposed Special Use with waivers in related Zoning Case 036-S-21

Case 036-S-21

Authorize the expansion and use of an existing nonconforming manufactured home park with 12 existing plus 8 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the subject property in related case 035-AM-21 and including the waivers of standard conditions as listed on the legal advertisement (other waivers may be necessary).

Case 041-V-22

Authorize a variance for a 9.68-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

Location: A 9.68-acre tract in the Northwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township and commonly known as Walnut Grove MHC with an address of 1513 CR 2300N, Urbana.

Site Area: 9.68 acres

Time Schedule for Development: Already in use

Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator

STATUS

Attachment B is a series of emails and photos received April 10, 2023 from a former tenant of Unit 11 at Walnut Grove MHC.

Staff has revised proposed special condition E below regarding the septic system – changes are in yellow highlight. It is Staff's understanding that discharge to waters of the United States must be approved by US Environmental Protection Agency (USEPA). The changes to the special condition require the petitioner to provide documentation that USEPA has approved the septic system or documentation that only Illinois Department of Public Health approval is required. The condition also requires the water system to be approved by either USEPA or IDPH; it is unclear to Staff which entity approves this water system.

PROPOSED SPECIAL CONDITIONS - AMENDED

The following are special conditions proposed for Map Amendment Case 035-AM-21:

- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- B. **The Map Amendment is contingent upon approval of Case 036-S-21.**

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

That the Special Use is consistent with the Zoning Ordinance and ZBA recommendations.

- C. The petitioner shall achieve full compliance with the Illinois Department of Public Health within one year of approval of Map Amendment Case 035-AM-21 or the rezoning will be void.**

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

To ensure compliance with IDPH regulations and licensing that provide a greater assurance of public health and safety and ensure that County regulations and IDPH regulations are coordinated in a reasonable manner.

The following are special conditions proposed for Special Use Permit Case 036-S-21:

- A. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioners have demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That any proposed exterior lighting is in compliance with the Zoning Ordinance.

- B. **No parking signs shall be posted along all streets in the manufactured home park.**

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

That there is always adequate emergency vehicle access.

- C. **Each new home on proposed sites 15 through 20 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.**

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

To clarify the permits that are required to ensure conformance with the Zoning Ordinance.

- D. Certification from the County Health Department or the Illinois Department of Public Health that the septic system on the subject property has sufficient capacity for the existing and proposed homes is a requirement for approval of the Zoning Use Permit.

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

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

- E. The manufactured home park shall be compliant at all times with ~~the requirement for licensing from the~~ Illinois Department of Public Health **and US Environmental Protection Agency requirements** ~~and relevant government entity. A copy of the license for 20 home sites shall be submitted to the P&Z Department within one year of approval of Zoning Case 036-S-21. At the time of application for a Zoning Use Permit, the petitioner shall provide a copy of the following: from Illinois Department of Public Health:~~
- (1) Approved IDPH construction permit for homes 15 through 20; and**
 - (2) Approved IDPH license for 20 homes; and**
 - (3) Either documentation that the septic system and water system have been approved by USEPA or documentation that only IDPH approval is required.**

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

To ensure compliance with IDPH **and USEPA** regulations and licensing that provide a greater assurance of public health and safety and ensure that County regulations, ~~and IDPH,~~ **and USEPA** regulations are coordinated in a reasonable manner.

- F. Within two years, the petitioner shall develop the recreation area in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (77 Ill. Adm. Code 860)*.

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

That the manufactured home park conforms to State of Illinois requirements.

- G. The east road in the manufactured home park shall ~~be widened to 24 feet wide and shall~~ connect to the existing interior road between home sites 16 and 17.

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

To provide efficient and safe traffic circulation.

H. **Homes on sites 17 through 20 shall meet the following requirements:**

- (1) **Homes shall be no larger than 16 feet by 68 feet.**
- (2) **Homes shall be 15 feet from the eastern interior road.**
- ~~(3) **Homes shall be set on concrete pads.**~~

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

That new home sites meet the requirements of the Zoning Ordinance.

I. **Within one year of the approval of Case 036-S-21, the petitioner shall construct a monolithically paved outdoor area of a minimum 160 square feet in area with a minimum dimension of 8 feet and a two-foot wide monolithically paved sidewalk to the entrance of each home.**

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

That all home sites meet the requirements of the Zoning Ordinance.

~~J. **Within one year of the approval of Case 036-S-21, the petitioner shall construct a three-foot wide monolithically paved sidewalk from the existing cul-de-sac to the recreation area.**~~

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

~~**That the required recreation area meets the requirements of the Zoning Ordinance.**~~

~~J. **The petitioner shall achieve full compliance with the Illinois Department of Public Health within one year of approval of Special Use Permit case 036-S-21 or the Special Use Permit will become void and the P&Z Department will begin enforcement action.**~~

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

~~**To mitigate violations on the subject property.**~~

~~K. **Within 30 days of approval of Special Use Permit case 036-S-21, the petitioner shall record a Miscellaneous Document at the Champaign County Recorder of Deeds which states that approvals for the rezoning in Case 035-AM-21 and the Special Use Permit in Case 036-S-21 will become void if IDPH approval is not received within one year of approval of cases 035-AM-21 and 036-S-21.**~~

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

~~**That future potential purchasers of the subject property are aware of the conditions established from the zoning cases.**~~

~~L. **All new "as-built" private accessway paving must be certified by an Illinois Licensed Professional Engineer to comply with "...Section 16.3.3d. of the Subdivision Ordinance and the current standard specifications of the Illinois Department of Transportation."**~~

The special condition stated above is required to ensure the following:
That new roads comply with County ordinances.

M. Any new electrical hook-ups shall be done by a licensed electrical contractor and:

(1) The installing electrician shall certify in writing that the electrical hook-ups for home sites 17 through 20 meet the National Electrical Code requirements.

(2) The installing electrician shall inspect the electrical hook-ups for home sites 13 through 16 and provide a written opinion on whether the hook-ups appear to meet the National Electrical Code requirements.

The special condition stated above is required to ensure the following:
That electrical hook-ups comply with Zoning Ordinance requirements.

There are no proposed special conditions for Variance Case 041-V-22.

ATTACHMENTS

- A Legal advertisement
- B Emails and images from Jamie Burke received April 10, 2023

LEGAL PUBLICATION: WEDNESDAY, AUGUST 31, 2022

CASES 035-AM-21, 036-S-21 & 041-V-22

NOTICE OF A PUBLIC HEARING IN REGARD TO A REZONING, A SPECIAL USE PERMIT WITH WAIVERS, AND A VARIANCE ON PROPERTY IN UNINCORPORATED CHAMPAIGN COUNTY, UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE.

Jeffrey Jenkins, 13426 Maverick, Marion, IL, d.b.a. Walnut Grove MHC, has filed petitions for a Zoning Map Amendment, a Special Use Permit with Waivers, and a Variance under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, Illinois.

A public hearing will be held **Thursday, September 15, 2022, at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, at which time and place the Champaign County Zoning Board of Appeals will consider petitions for the following:

CASE 035-AM-21

Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-5 Manufactured Home Park Zoning District in order to operate the proposed Special Use with waivers in related Zoning Case 036-S-21, on the subject property described below.

CASE 036-S-21

Authorize the expansion and use of an existing nonconforming manufactured home park with 12 existing plus 8 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the subject property in related case 035-AM-21 and including the following waivers of standard conditions (other waivers may be necessary):

Part A: Authorize a waiver from Section 6.2.2. B. for having 20 home sites in lieu of the minimum required 24 home sites in an existing manufactured home park.

Part B: Authorize a waiver from Section 6.2.1 C.2., for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites.

Part C: Authorize a waiver from Section 6.2.2 C.3. for not providing screening along all boundary lines abutting existing residential development.

Part D: Authorize a Manufactured Home Park with recreation space totaling less than the minimum required 8 percent of gross site area, per Section 6.2.2 D.

Part E: Authorize a waiver from Section 6.2.2 E.1., for a Site Plan that does not include the limits of each Manufactured Home Site.

Part F: Authorize a minimum setback (yard) of 11 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, per Section 6.2.2 E.2.a. for proposed home sites 15 through 20.

Part G: Authorize a minimum setback (yard) of 15 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary, per Section 6.2.2 E.2.b., for existing home site 2.

Part H: Authorize a minimum side yard of 9 feet in lieu of 10 feet, per Section 6.2.2 E.2.c. for existing home site 3.

Part I: Authorize a waiver from having a manufactured home stand or pad on each home site made of concrete slabs or runways with ground anchors, per Section 6.2.2 E.4.

Part J: Authorize no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet, per Section 6.2.2 E.5. for all existing and proposed home sites.

Part K: Authorize a minimum pavement width of 19 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets, per Section 6.2.2 F.5.

Part L: Authorize a waiver from Section 6.2.2 F.6., with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, that the provisions of the Subdivision Ordinance shall apply to existing private accessways.

Part M: Authorize a waiver from Section 6.2.2 H.1., for not having individual walks to each manufactured home stand that are paved and a minimum of two feet in width.

Part N: Authorize a waiver from Section 6.2.3 A., for having a private water system that can furnish a minimum of 150 gallons per day per manufactured home at a minimum pressure of 20 pounds per square inch.

Part O: Authorize a waiver for the electrical system to comply with the latest edition of the National Electric Code, per Section 6.2.3 D.1.

CASE 041-V-22

Authorize a variance for a 9.68 acres lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance, on the subject property described below:

SUBJECT PROPERTY

A 9.68-acre tract in the Northwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township and commonly known as Walnut Grove MHC with an address of 1513 CR 2300N, Urbana.

All persons interested are invited to attend said hearing and be heard. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair

Champaign County Zoning Board of Appeals

Susan Burgstrom

From: Jamie Burke <brendon.mommy.2013@gmail.com>
Sent: Saturday, April 8, 2023 8:40 PM
To: Susan Burgstrom
Subject: Walnut Grove exhibit 1
Attachments: 20230324_144155.jpg

CAUTION: External email, be careful when opening.

This is a utility box that does not have a cover on it and the lock has been cut..

This cannot be within the electrical code at walnut Grove trailer park. This box was installed in January 2022 for lot number
That is parallel to 2300.

Please provide this to the board members for an as needed basis.

RECEIVED

APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT

RECEIVED

APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT



Susan Burgstrom

From: Jamie Burke <brendon.mommy.2013@gmail.com>
Sent: Saturday, April 8, 2023 8:58 PM
To: Susan Burgstrom
Subject: Walnut Grove trailer park exhibits
Attachments: 20230324_144309.jpg; 20230324_144312.jpg; 20230324_143651.jpg; 20230324_143628.jpg; 20230324_144305.jpg

CAUTION: External email, be careful when opening.

Here are photos from the well house. As you can see there are several issues with the well house as damage on the roof that is held down with a board. Inside the well house is a caved in ceiling with insulation hanging right above the well system..the damage to the well house is definitely proof that rodents and other debri have easy access. Other neighbors have stated that there are dead animal carcass such as mice and birds in there that have decomposed into the well water. The well house is located behind lot number 1 in between lot 1 and 2. And the tank shown in blue has hay bales linned all around it as well.

Again this is for FYI purposes. Please inform board members of this damage as proof that the water system cannot be up to epa standards. Mr. Jenkins continues to lie to the board about the water being fine.

Lot number 11. My old rental home had been tested by Culligan and tested positive for ecoli bacterium and other dangerous for consumption back in summer of 2022. Culligan tech even pointed out that the well needs to replaced as well. The tech pointed out that you can clearly see the damage to the well house as soon as you drive down 2300. I was personally informed by culligan to not use my tap water for drinking or cooking purposes as it could make my family sick.

Some home owners actually had their water tested as well even with culligan water filtration systems and stated that they had experiences with ecoli as well and had to be put on antibiotics with symptoms of diahreeah and fevers.

Just more proof that Mr. Jenkins again is not telling the truth at the meetings.

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APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT



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WARNING
BURIED
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APR 10 2013

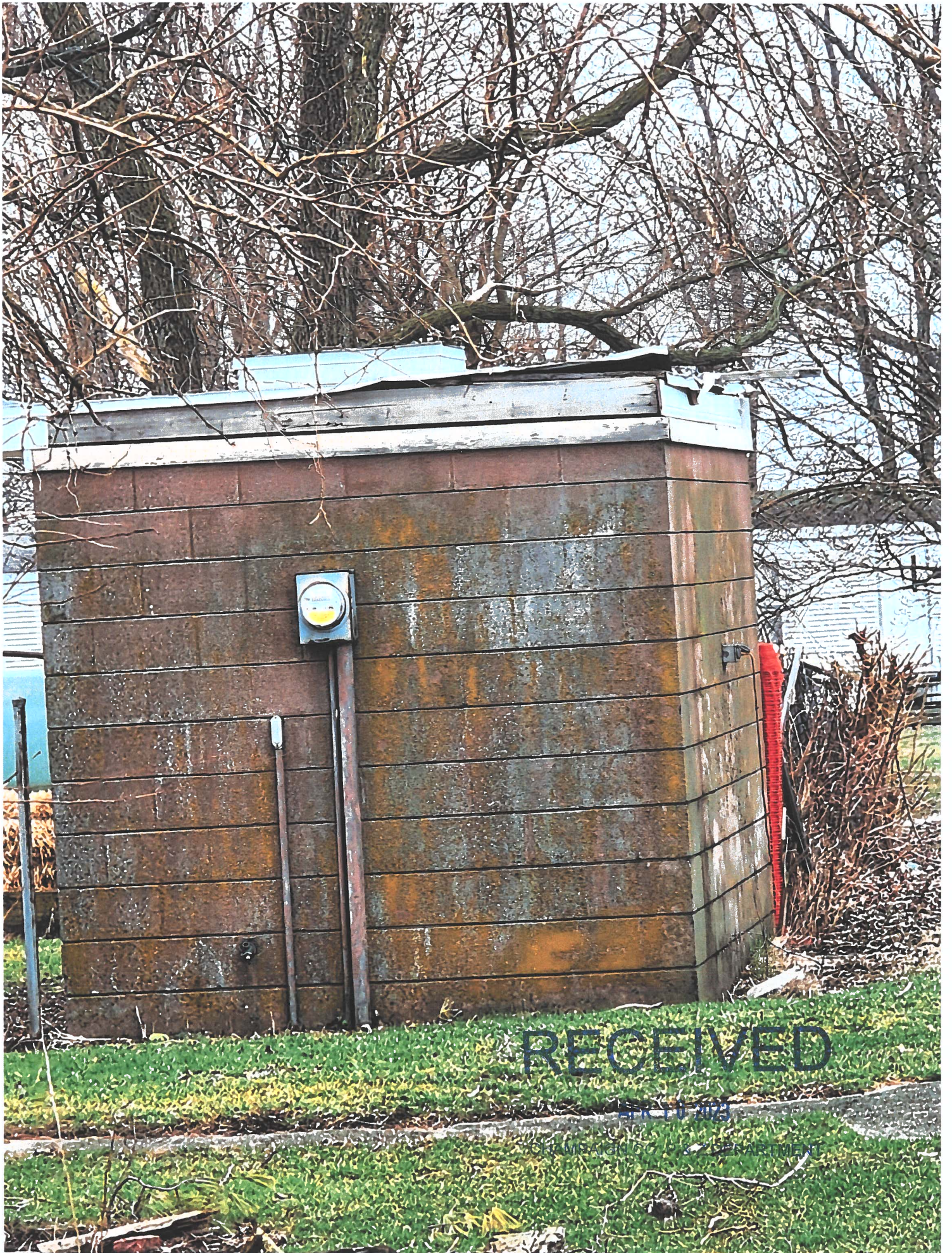
Environmental & Resource Center



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CHAMPAIGN CO. P & Z DEPARTMENT



RECEIVED

APR 11 2023

WATER & SEWER DEPARTMENT

Susan Burgstrom

From: Jamie Burke <brendon.mommy.2013@gmail.com>
Sent: Monday, April 10, 2023 2:10 PM
To: Susan Burgstrom
Subject: Another exhibit
Attachments: IMG_20221206_211001_01.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: External email, be careful when opening.

A home made code violation from Mr. Jenkins himself. For storing our enclosed trailer on the property that he gave us permission to store when we signed our 1 year lease in Nov. 2021.

I find this very interesting considering he is not the dept of public health.

We never even recieved the actual violation or anything from anyone either.

I think it should be brought to the board members attention that he himself is making his own violations but putting on there a government entity.

Just a thought.

Thank you.

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APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT

12/5/22, 8:36 AM

img190.jpg

The desk of
Jeffrey D Jenkins

Sunday, December 4, 2022

ILLINOIS DEPARTMENT of PUBLIC HEALTH

!CODE VIOLATION!

**IT IS A CODE VIOLATION TO STORE A TRAILER OR BOX
TRAILER IN A MOBILE HOME COMMUNITY**

***THIS TRAILER MUST BE REMOVED BY NOON ON
WEDNESDAY, DECEMBER 7th, 2022 OR IT WILL BE
TOWED AWAY!!!**

WALNUT GROVE MOBILE HOME COMMUNITY

1513 C.R. 2300N, Urbana, IL 61802


JEFFREY D. JENKINS

618.889.8995

217.317.1012

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APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT

Susan Burgstrom

From: Jamie Burke <brendon.mommy.2013@gmail.com>
Sent: Monday, April 10, 2023 2:29 PM
To: Susan Burgstrom
Subject: Electrical burn exhibit
Attachments: 20220807_210341.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: External email, be careful when opening.

This was the outlet in our master bedroom at lot 11.

This was due to a loose ground wire. Mr. Jenkins informed us that he does all the work at his rentals at Walnut Grove trailer park.

If he is certified to do electrical work this would not have happened to my family almost causing us to lose our whole home.

Thank God my spouse is retired firefighter from Thomasboro and had Thomasboro deem faulty wiring for this major electrical burn.

If our unit would have caught fire we would have lost our home and our lives because the fire hydrant in the park is not even hooked up as of January 2023. It's empty.

This is also included in his lawsuit for constructive eviction which is illegal in the state of Illinois.

I would like the board members to see just one example of the electrical being up to code. This is just lot 11. He has 3 more rental units out there at Walnut Grove mobile home park.

RECEIVED

APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT

RECEIVED

APR 10 2023

CHAMPAIGN CO. P & Z DEPARTMENT

