

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

1776 E. Washington Street

Urbana, IL 61801

DATE: October 13, 2011

PLACE: Lyle Shields Meeting Room  
1776 East Washington Street

TIME: 6:00 p.m.

Urbana, IL 61802

MEMBERS PRESENT: Catherine Capel, Thomas Courson, Roger Miller, Melvin Schroeder,  
Eric Thorsland, Paul Palmgren, Brad Passalacqua

MEMBERS ABSENT : None

STAFF PRESENT : Connie Berry, Lori Busboom, John Hall, Jamie Hitt, Andrew Kass

OTHERS PRESENT : Joanne Keller, Rollae Keller, Kevan Parrett, Doug Turner

1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Roll Call and Declaration of Quorum

The roll was called and a quorum declared present.

Mr. Thorsland informed the audience that anyone who desires to present testimony must sign the witness register. He reminded the audience that when they sign the witness register they are signing an oath.

3. Correspondence

None

4. Approval of Minutes

None

5. Continued Public Hearing

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1 **Case 692-V-11 Petitioner: Rollae Keller Request to authorize the division of a lot that is 4.03**  
2 **acres in area into two lots in total in lieu of the requirement that a lot to be divided must be**  
3 **more than five acres in area, in the AG-1, Agriculture Zoning District. Location: A 4.03 acre**  
4 **tract in the North Half of the Northeast Quarter of Section 32, of Newcomb Township and**  
5 **commonly known as the house at 169 CR 2500N, Mahomet.**  
6

7 Mr. Thorsland informed the audience that this is an Administrative Case and as such the County  
8 allows anyone the opportunity to cross examine any witness. He said that at the proper time he will  
9 ask for a show of hands for those who would like to cross examine and each person will be called  
10 upon. He requested that anyone called to cross examine go to the cross examination microphone to  
11 ask any questions. He said that those who desire to cross examine are not required to sign the  
12 witness register but are requested to clearly state their name before asking any questions. He noted  
13 that no new testimony is to be given during the cross examination. He said that attorneys who have  
14 complied with Article 7.6 of the ZBA By-Laws are exempt from cross examination.  
15

16 Mr. Thorsland stated that as a matter of housekeeping before the Board moves further with Case  
17 692-V-11, he will read Case 695-I-1, Zoning Administrator so that it can be continued to a future  
18 meeting.  
19

20 Mr. Thorsland asked if the Petitioner desired to make a statement outlining the nature of their request  
21 before introducing evidence.  
22

23 Mr. Thorsland informed the audience that anyone who desires to present testimony must sign the  
24 witness register. He reminded the audience that when they sign the witness register they are  
25 signing an oath.  
26

27 Ms. Joanne Keller, who resides at 378 CR 2425N, Mahomet, Illinois, stated that she has no new  
28 information regarding their request but the Board should have a copy of all of the information that  
29 they were required to submit.  
30

31 Mr. Thorsland asked the Board if there were any questions for Ms. Keller and there were none.  
32

33 Mr. Thorsland asked if staff had any questions for Ms. Keller and there were none.  
34

35 Mr. Thorsland asked the audience if anyone desired to cross examine Ms. Keller and there was no  
36 one.  
37

38 Mr. Thorsland asked Mr. Hall if he had new information regarding Case 692-V-11.

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1  
2 Mr. Hall stated that there is no new information to add this case tonight. He said that he had hoped  
3 to get new evidence, based on the Supplemental Memorandum dated October 7, 2011, into the  
4 Summary of Evidence although he was unsuccessful. He noted that there was a typo in Item #10.D  
5 (5) on Page 7 of the Preliminary Draft Summary of Evidence. He said that Item #10.D(5) states that  
6 the subject property is approximately 6.6 road miles from the Philo Fire Protection District station.  
7 He said that revised Item #10.D (5) should read as follows: The availability of emergency services to  
8 the site. The subject property is approximately 5 road miles from the Cornbelt Fire Protection  
9 District station. Mr. Hall stated that it is probably less than 5 road miles but he did not have chance  
10 to go out and drive the distance although he does know that it does not exceed 5 road miles.

11  
12 Mr. Thorsland asked the Board if there were any questions for Mr. Hall and there were none.

13  
14 Mr. Thorsland called Mr. Rollae Keller to testify.

15  
16 Mr. Keller declined to testify at this time.

17  
18 Mr. Thorsland called Mr. Kevan Parrett to testify.

19  
20 Mr. Kevan Parrett declined to testify at this time. He said Mr. Turner will express any of their shared  
21 concerns during his testimony.

22  
23 Mr. Thorsland called Mr. Doug Turner to testify.

24  
25 Mr. Doug Turner, who resides at 248 CR 2500N, Mahomet, Illinois stated that his property borders  
26 the subject property on one corner. He said that his concerns are not directed to the Keller family  
27 and his concerns are for his personal livestock operation and the survivability of it. He said that his  
28 livestock operation is nearly always over 50 head and nearly 100 most of the time which makes it a  
29 fairly large operation. He said that when more and more homes are constructed near and around the  
30 existing livestock operation he can see more problems develop. He said that he does agree with the  
31 report that one more house will probably not affect the requirements on his livestock operation but  
32 when the area is reviewed there are 17 properties within the limits of this area which consist of five  
33 acres. He said that if the variance is approved for the division of the subject property then the  
34 property owners of those 17 properties could request permission to divide their lot as well. He said  
35 that he can't believe that there is any reason why the Board could deny the other properties if they  
36 allow the variance for the subject property. He said that some of the fronts of those 17 properties do  
37 fall within the Pipeline Impact Radius and the back portions of the lots are sufficient for a second  
38 residence. He said that when you add up the amount of potential homes that could be placed on

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1 those 17 properties that number begins to affect his livestock operation because his requirements are  
2 going to change due to the population increase in the area.

3  
4 Mr. Turner stated that he is concerned about CR 2500N because the rating of the road is probably as  
5 low as possible. He said that it is an oiled and chipped road which has not been oiled or chipped in  
6 the last 12 years. He said that there are numerous potholes in the road to the east of the subject  
7 property and CR2500N does not need any additional traffic. He said that one more house could  
8 possibly create 10 more trips on CR2500N which is not a big issue but the other 17 properties  
9 request the same variance then it could be an issue.

10  
11 Mr. Turner stated that he is concerned with the conflict of farm equipment and the additional  
12 driveway and mailbox that the subject property will install. He said that perhaps the driveways and  
13 the mailboxes could be set side by side but in the future, if the property is sold, the mailbox and  
14 driveway may be required to be relocated therefore one more obstacle for the farm equipment which  
15 travels CR2500N.

16  
17 Mr. Turner stated that he is concerned about the permitted septic system. He said that the septic  
18 system has been installed but the soil type is not conducive to a good septic system even though the  
19 permit was issued. He said that other problems that he witnessed on the property is that a  
20 considerable amount of work has been done to the property such as the addition of a deck,  
21 underpinning installed, septic installed, entrance which is a field entrance to the property is being  
22 used to access the subject property therefore crossing the neighbor's field. He said that when the  
23 question is before the Board whether or not to allow the property to be divided for a residence why  
24 are already lawn chairs, a grill and a deck at the supposed storage shed. He said that there are lights  
25 on inside the storage shed at night therefore if it is really storage shed then it is probably the only one  
26 in Champaign County which has a deck on it.

27  
28 Mr. Turner stated that he is mainly concerned about the effect that it will have on his livestock  
29 operation and its approval will lead to several more requests and he cannot see a way that the Board  
30 could deny the other requests.

31  
32 Mr. Thorsland asked the Board if there were any questions for Mr. Turner.

33  
34 Mr. Courson asked Mr. Turner what type of effects the increased population would have on the  
35 livestock operation.

36  
37 Mr. Turner stated that he can imagine complaints of smell and different times of manure spreading.  
38 He said that those problems spring up from non-farm people who move in to the area and do not

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1 understand that when they drive by and see 100 head of cattle occasionally there will be an odor  
2 when the manure is spread. He said that he runs a very clean operation but those types of complaints  
3 do cause people grief and as the population grows in the livestock operation's area the State will  
4 impose more requirements. He said that if he desires to increase the size of the operation in a  
5 populated area it is almost impossible although he does not believe that this is the case if he desired  
6 to build another barn for 50 additional livestock.

7  
8 Mr. Courson asked Mr. Turner if he farms as well as operates the livestock operation.

9  
10 Mr. Turner stated that he owns and farms 80 acres to the corner of the subject property and farms  
11 another 20 and 30 acre parcels which are within one-half mile of the subject property. He said that  
12 his livestock operation has been a continuous family owned livestock operation for over 100 years.

13  
14 Mr. Thorsland asked Mr. Turner if there have been times when he has had more than 100 cattle.

15  
16 Mr. Turner stated that before he purchased the property from the estate his uncle fed livestock and  
17 generally there would be 200 or 300 cattle on feed at the time. He said that currently it is a cow/calf  
18 operation therefore the numbers change but currently there are 90 mother cows in the operation. He  
19 said that during the summer some of the cows are on other pastures but during the winter they are  
20 mostly at the livestock operation and the operation usually has over 50 head.

21  
22 Mr. Thorsland asked Mr. Turner to indicate the distance between the livestock operation and the  
23 subject property.

24  
25 Mr. Turner stated that the subject property corners a pasture that he uses for the livestock operation.  
26 He said that the memorandum has a map that indicates the location of the livestock operation, noted  
27 as "C", and that is the location where most of the cattle are located and the other property which also  
28 has a varying amount of cattle on it is noted as "D."

29  
30 Mr. Courson asked Mr. Turner if most of his farming acreage butts up to his grazing acreage  
31 therefore creating his own buffer zone.

32  
33 Mr. Turner stated yes, with the exception of the property on the south side. He said that at one time  
34 the subject property was part of his family's estate but it was sold when the estate was settled.

35  
36 Mr. Thorsland asked the Board if there were any additional questions for Mr. Turner and there were  
37 none.

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1 Mr. Thorsland asked if staff had any questions for Mr. Turner and there were none.  
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3  
4 Mr. Thorsland asked the audience if anyone desired to cross examine Mr. Turner and there was no  
5 one.  
6  
7 Mr. Thorsland called Mr. Parrett to testify.  
8  
9 Mr. Parrett again declined to testify. He said that Mr. Turner also expressed his concerns.  
10  
11 Mr. Thorsland asked the audience if anyone desired to sign the witness register at this time to present  
12 testimony regarding Case 692-V-11 and there was no one.  
13  
14 Ms. Keller requested the opportunity to re-address the Board.  
15  
16 Mr. Thorsland called Ms. Keller.  
17  
18 Ms. Joanne Keller stated that she understands Mr. Turner's concerns although they are not there to  
19 create a problem for his livestock operation. She said that their only desire is to provide their son  
20 with a home. She said that perhaps they should not be using the farmer's drive but it seemed like the  
21 closest way to get them to where they were going. She said that they required access into the  
22 structure and the wood was previously there so they built a deck. She said that the underpinning is to  
23 keep critters out from getting underneath the storage shed and its insulation. She said the grill is  
24 located at the storage shed because they have to eat while they are working. She said that they do not  
25 intend to step on anyone's toes but their main concern is to turn the storage shed turned back into a  
26 home for their son so that he has a decent place to live. She said that they are not taking any  
27 farmland out of production and the cattle operation is not a problem because they love the country  
28 life.  
29  
30 Mr. Thorsland asked Ms. Keller if she resides at the subject property.  
31  
32 Ms. Keller stated no. She said that she and her husband live approximately one mile from CR2500N  
33 at 378 CR 2425N.  
34  
35 Mr. Thorsland asked Ms. Keller to indicate what their alternate plan would be if the variance is not  
36 approved.  
37  
38 Ms. Keller stated that there is no alternate. She said that their son would either live with them or his

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1 brother. She said that the traffic would be the same if he moved in with his brother. She said that  
2 the structure would remain a storage shed and they would continue to weatherproof it and finish it.  
3 She said that they are still working on the approved septic system.

4  
5 Thorsland asked the Board if there were any questions for Ms. Keller and there were none.

6  
7 Mr. Thorsland asked if staff had any questions for Ms. Keller and there were none.

8  
9 Mr. Thorsland asked the audience if anyone desired to cross examine Ms. Keller and there was no  
10 one.

11  
12 Mr. Thorsland asked the audience if anyone desired to sign the witness register at this time to present  
13 testimony regarding this case and there was no one.

14  
15 Mr. Thorsland closed the witness register for Case 692-V-11.

16  
17 Mr. Hall stated that even before the variance is approved there is a non-farm dwelling at the north  
18 end of the livestock operation, noted as "C," and a non-farm dwelling at the south end of the  
19 livestock operation, noted as "C." He said that the setback considerations for the *Livestock*  
20 *Management Facilities Act*, regarding a quarter mile from a non-farm residence both ends of the  
21 property are already adjacent to a non-farm residence. He said that regarding the one-half mile from  
22 a populated area even without the variance the livestock operation, which is 50 to 1,000 animal units,  
23 is already within one-half mile of populated area. He said that regarding divisions of other five acre  
24 lots, the memorandum points out that everything north of the mid-section line of Section 29 is  
25 probably going to be within the Pipeline Impact Radius and any division of those five acre lots would  
26 require a variance. He said that he attempted to contact Tom Purrachio of People's Gas but his e-  
27 mails were returned and he did not have a chance to contact him by phone. Mr. Hall stated that staff  
28 does not have a map of the pipelines for People's Gas Company. He said that he directed the  
29 Keller's to Mr. Purrachio in the beginning of the variance process but part of his task for this case  
30 was to obtain a better idea of the location of the pipelines in this area although he did not obtain as  
31 much information as he had wanted. He said that as far as he knows none of the five acre lots that  
32 are north of CR2500N can be divided without a variance and they are all within the Pipeline Impact  
33 Radius. He said that south of CR2500N there is one five acre lot and one lot which is equal to or  
34 greater than five acres and is not located with the Pipeline Impact Radius therefore the property  
35 owner could request a variance for division. He said that the subject property is one-and-one half  
36 mile from Route 47 to the east and further than from Route 150 to the south. He said that it was not  
37 clear to him how wide spread the Board's concerns were about other five acre lots that could be  
38 divided. He said that if the Board goes further south they will be in the Mahomet ETJ which is still

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1 AG-1 zoning and a lot of those lots are less than five acres and it is not clear that the lots near or  
2 around the Hedgerow's of Bloomville Subdivision there is only one lot which could be divided to  
3 create a second lot. He said that in regards of the effect of granting this variance on the creation of  
4 subsequent five acres lots in this general area the Board could only be faced with one other variance.  
5

6 Mr. Passalacqua stated that the one lot is further away from the livestock operation.  
7

8 Mr. Hall stated that it is technically within the one-half mile radius therefore it is already being  
9 counted. He said that he did not propose any conditions and if the Board is interested the Board  
10 could impose the condition that simply restates one of the new LRMP policies which refers to the  
11 Right to Farm policy to reassert that even if the Board approves the variance the livestock operation  
12 has every right to continue and Champaign County would not follow up on any nuisance complaints  
13 against the livestock facility.  
14

15 Mr. Thorsland stated that he is not against such a condition. He requested that the Board review the  
16 Summary of Evidence.  
17

18 Mr. Hall stated that he should have flagged this in the Supplemental Memorandum dated October 7,  
19 2011, but the septic system is a chamber field which is a vast improvement over typical septic  
20 systems and there is also a curtain drain indicated. He said that if there is a curtain drain around the  
21 chamber field there is a very well constructed septic system. He said that he thought that the whole  
22 idea of using the chambers, which are molded plastic structures that are used in place of pipes, is  
23 because they have a greater volume inside and are better for wet soils but if there is a curtain drain  
24 also then the septic system has been well designed for the soil type. He said that he has not had a  
25 chance to confirm that the curtain drain is still proposed as part of the system.  
26

27 Mr. Thorsland requested that Ms. Keller address the Board.  
28

29 Ms. Keller stated that they met with Jeff Blackford at the Champaign County Health Department he  
30 explained everything to them. Ms. Keller said that Mr. Blackford informed that what is being  
31 proposed is a chamber system which is molded black plastic. She said that they used the 8-1/3 foot  
32 sections and there will be 160 feet in total. She said that along with the chamber system there is a  
33 curtain drain that goes around the actual chambers and has to be in front of the chambers and goes  
34 out ten feet from the chambers and then out and back around and the excess ground water is pumped  
35 into a pit by a sump pump and then pumped out. She said that the sump pump keeps the excess  
36 ground water from absorbing into the chamber field therefore allowing the chamber field to work  
37 correctly.  
38



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1 Mr. Hall asked Ms. Keller to indicate where the excess ground water will be pumped to.

2  
3 Ms. Keller stated that it is pumped 10 feet away from the chamber field and down the 80 feet of the  
4 chambers and then over to the side into a pit for the sump pump.

5  
6 Mr. Hall asked Ms. Keller if the excess ground water is pumped onto the surface of the ground.

7  
8 Ms. Keller stated yes.

9  
10 Mr. Hall asked Ms. Keller if the location is on the subject property or the farm field.

11  
12 Ms. Keller stated that it will be pumped onto their property. She said that Mr. Blackford suggested  
13 that if there is a field tile on the property then they could hook into that tile and let it drain there.

14  
15 Mr. Hall stated that he believed that the sump pump was hooked up to a tile drain but according to  
16 the submitted diagram it is discharging relatively close to the property line. He asked Ms. Keller if  
17 she knew how close the water was going to be pumped to the property line.

18  
19 Ms. Keller stated that she is not sure but she can obtain the measurement but wherever it needs to be  
20 drained is where it will be drained. She said that the outline that Mr. Blackford drew is just an  
21 outline of where the system is located. She said that Mr. Blackford indicated that they could connect  
22 it to a farm field tile but she does not know if a farm field tile exists where they could do such.

23  
24 Mr. Thorsland stated that at this point the proposal is to sump pump the surface water from the leach  
25 field and pump it close to the property line.

26  
27 Ms. Keller stated that it will be pumped somewhere on their property.

28  
29 Mr. Thorsland asked Ms. Keller if the submitted drawing received September 26, 2011, is from Mr.  
30 Blackford.

31  
32 Ms. Keller stated yes. She said that they are not to cover the system until the Health Department  
33 comes to the property to inspect the system including the drain.

34  
35 Mr. Thorsland stated that, with more precision, he would like to know where the excess water is  
36 being pumped to.

37  
38 Mr. Hall asked Ms. Keller if the underground drain tile is located on their property.

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1  
2 Ms. Keller stated that she does not know if they have an underground drain tile to pump into.

3  
4 Mr. Passalacqua stated that the curtain drain is only a protective device to drain the ground water  
5 from the septic system but the Board's issue is that the ground water that is being brought to the  
6 surface is possibly being discharged on the neighbor's property.

7  
8 Mr. Hall stated that the excess ground water is either being drained onto the neighbor's property or  
9 close enough that it could eventually get there. He said that obviously there is a much greater area on  
10 the subject property where the excess ground water could be discharged but people being people  
11 want to get their own problems around the perimeters as much as they can. He apologized to the  
12 Board because he had assumed that this was all underground.

13  
14 Ms. Thorsland asked Ms. Keller to indicate how far along the septic system is right now.

15  
16 Ms. Keller stated that the tank has been installed and the two lines of 80 feet of chambers but they  
17 have not installed the curtain drain yet.

18  
19 Mr. Hall asked Ms. Keller if Mr. Blackford indicated that the curtain drain is mandatory.

20  
21 Mr. Rollae Keller, petitioner, stated that the septic system has a 10 foot drain line around the whole  
22 perimeter of the chamber field and its purpose is to prevent ground water from going into the  
23 chamber during heavy rains. He said that Mr. Blackford did not say where the groundwater had to be  
24 pumped out just that it was to keep it going into the septic system. He said that basically it is clean  
25 water that will be pumped out.

26  
27 Mr. Hall stated that the only concern about the excess water is the nuisance of having a continual  
28 discharge of ground water on the surface and the Board may need some sort of assurance that this  
29 excess ground water is not going to create a nuisance for the neighbor.

30  
31 Mr. Keller stated that it will not create a nuisance.

32  
33 Mr. Courson stated that it will create a nuisance if it is pumped onto the neighbor's property. He  
34 said that the Board is concerned about mosquitoes and standing ground water where the grass cannot  
35 be mowed therefore leaving overgrown vegetation.

36  
37 Mr. Keller stated that he could have it pumped to the other side of the yard into a gravel pit.

38

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1 Mr. Courson stated that he has seen septic systems that leach water out of them year around and  
2 people cannot mow around the leach field therefore they become a nuisance and a habitat for  
3 mosquitoes.

4  
5 Mr. Thorsland stated that he is worried that construction of the septic system has already started with  
6 a possible curtain drain which will drain water to an unknown location. He said that the Board is  
7 now in the awkward position in trying to deal with a detail that maybe a little premature of the basic  
8 detail which was obtaining the variance in the first place. He said that he is not comfortable in not  
9 knowing where the excess ground water will be pumped to.

10  
11 Mr. Hall stated that the storage shed will have a bathroom therefore the septic system needed to be  
12 installed either way.

13  
14 Mr. Thorsland stated that he would like to know where the excess ground water is being pumped to  
15 so that it does not create a nuisance.

16  
17 Mr. Hall reaffirmed that building a septic system did not violate any of the Ordinance's rules and  
18 discharging the curtain drain even at the property line does not violate any written rule. He said that  
19 in this situation the petitioners are in front of the Board requesting a variance and this is part of the  
20 variance therefore it is a concern. He said that he is not aware of anything that the Keller's have  
21 violated but now the Board has more questions.

22  
23 Mr. Thorsland stated that he would like the Board to go as far as they can with the Summary of  
24 Evidence and determine if the Board desires to take final action with special conditions or continue  
25 the case to a later date.

26  
27 Mr. Hall stated that Objective 4.7 of the LRMP states the following: Champaign County affirms  
28 County Resolution 3425 pertaining to the right to farm in Champaign County. He said that the  
29 resolution is the only thing that a special condition would need to relate to and it does not have to  
30 relate back to the LRMP. He said that resolution is a free-standing resolution that was adopted long  
31 before the LRMP and it doesn't impose any obligation upon the Kellers it just says that don't bother  
32 complaining about agricultural activities because that is to be expected.

33  
34 Ms. Keller stated that they are not concerned about the livestock operation.

35  
36 Mr. Thorsland stated that there will probably be a special condition that the Kellers will need to  
37 agree to that would mean that if someone calls the office regarding a complaint about odor from the  
38 livestock operation staff will let you know that they appreciate your call and move on.

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Ms. Keller stated that they have no problem with such a special condition.

Mr. Hall suggested that if the Board decides that they are not going to finish this case tonight then there is no need to do anything with the Summary of Evidence. He said that the Board needs to make clear what will be needed in order to take final action. He said that if the Board is ready for final action tonight then there are a lot of things that need to be done to the Summary of Evidence to support whatever direction the Board chooses to go.

Ms. Capel stated that in addition to the special condition regarding County Resolution 3425 she would like to know where the excess ground water is going to be discharged.

Mr. Passalacqua asked if a condition could be imposed regarding using the neighbor's field as access to the subject property. He said that the minutes from the previous meeting indicate that the Kellers testified that they had no problem sharing the existing driveway. He said that this would address one of the concerns of the neighboring landowner.

Mr. Hall stated that he would require a shared driveway.

Mr. Thorsland stated that Mr. Passalacqua is discussing the access to the agriculture by someone other than the people living there.

Mr. Passalacqua stated that one of the concerns that Mr. Turner discussed was the existence of another mailbox and driveway. Mr. Passalacqua stated that the Kellers indicated that they had no problem in using the same driveway to access both properties therefore could the Board stipulate that they need to keep it at one driveway.

Mr. Hall stated that he does not see how the Board could do that because the Ordinance requires that this lot have its own right of access to the road therefore to require such a condition is contradictory to the Ordinance. He said that having the driveway be located as far west as possible would approximate a shared driveway but he has not done any detailed measurements on the property.

Mr. Passalacqua stated that this was just one of Mr. Turner's concerns.

Mr. Hall stated that it is a concern of staff and the LRMP but in a case like this there is only so much that the Board can do.

Mr. Schroeder stated that he is concerned about sharing the driveway with a livestock operation.

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Mr. Thorsland clarified that the subject property will not be sharing the driveway with the livestock operation but between the existing house and the proposed lot.

Mr. Thorsland proposed two conditions. He said that one condition would be in regards to the livestock operation and the other about the area that is within the curtain drain.

Mr. Hall stated that if the case is continued staff will investigate if requiring the driveway at the extreme west end of the lot is feasible. He said that it may be possible to have a condition regarding only accessing the property from the street or the lot to the west.

Ms. Keller stated that at the last meeting one of the Board members indicated that he would prefer that the proposed lot had its own driveway. She said that they submitted the new site plan which indicates the location of the new driveway which is located on the east side of the property.

Mr. Hall stated that Ms. Keller indicated that they will only install the driveway if they need it.

Ms. Keller stated that they originally indicated a shared driveway because the two residents are brothers but the one Board member indicated that he was concerned that in the future if the property is sold that it has its own driveway.

Mr. Thorsland asked Ms. Keller if the case was continued to November 3<sup>rd</sup> could she provide staff with the requested information for the Board's review.

Ms. Keller stated yes.

Mr. Hall stated that the information would be required as soon as possible to make sure that it is going to meet what the Board is requires.

Ms. Keller asked Mr. Hall if the information should come from Mr. Blackford.

Mr. Hall stated that he will contact Mr. Blackford to discuss the curtain drain and then contact the Kellers regarding his conversation with Mr. Blackford. He said that he cannot guarantee that staff will have everything done by November 3<sup>rd</sup>.

**Ms. Capel moved, seconded by Mr. Schroeder to continue Case 692-V-11 to the November 3, 2011, meeting. The motion carried by voice vote.**

10/13/11

1  
2 **Case 695-I-11** Petitioner: **Zoning Administrator Request: Determine if the requirement of**  
3 **paragraph 7.1.2 E. limiting vehicles that may be used in a Rural Home**  
4 **Occupation is as follows: (1) Considers a vehicle to be any motorized or non-motorized device**  
5 **used to carry, transport, or more people, property or material either on road or primarily off**  
6 **road; or a piece of mechanized equipment on which a driver sits; (2) Limits the number of**  
7 **non-farm vehicles to no more than 10 vehicles in total, including vehicles under 8,000 pounds**  
8 **gross vehicle weight, including trailers and off-road vehicles but excluding patron or employee**  
9 **personal vehicles; (3) Limit the number of vehicles weighing more than 8,000 pounds gross**  
10 **vehicle weight to no more than three self-propelled vehicles. Location: Lot 1 of Orange**  
11 **Blossom Estates in Section 18 of Hensley Township and commonly known as the house and**  
12 **shed at 700 County Road 2175N, Champaign.**  
13  
14

15 Mr. Hall stated that no new information is available for tonight's meeting.

16  
17 Mr. Thorsland requested a motion to continue Case 695-I-11 to the December 15, 2011, meeting.

18  
19 **Mr. Courson moved, seconded by Ms. Capel to continue Case 695-I-11, Zoning Administrator**  
20 **to the December 15, 2011, meeting. The motion carried by voice vote.**  
21

22 Mr. Thorsland stated that the Board will now return to Case 692-V-11.

23  
24 **6. Adjournment**  
25

26 Mr. Thorsland requested a motion to adjourn the meeting.

27  
28 **Mr. Courson moved, seconded by Mr. Passalacqua to adjourn the meeting. The motion**  
29 **carried by voice vote.**  
30

31 The meeting adjourned at 6:49 P.M.  
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37 Respectfully submitted  
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ZBA

AS APPROVED NOVEMBER 3, 2011

10/13/11

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4 Secretary of Zoning Board of Appeals  
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