

1 Mr. Elwell requested a roll call vote.

2

3 The vote was called as follows:

| | | | |
|---|----------------|--------------|--------------|
| 4 | Anderson – yes | Elwell - yes | Randol – yes |
| 5 | Roberts – yes | Wood - yes | Lee - yes |

6

7 **The motion carried.**

8

9 Mr. Elwell entertained a motion to approve the minutes of February 11, 2021.

10

11 **Mr. Randol moved, seconded by Mr. Roberts, to approve the minutes of February 11, 2021.**

12

13 Mr. Elwell requested a roll call vote.

14

15 The vote was called as follows:

| | | | |
|----|----------------|--------------|---------------|
| 16 | Anderson – yes | Elwell - yes | Randol – yes |
| 17 | Roberts – yes | Wood - yes | Lee - abstain |

18

19 **The motion carried.**

20

21 **5. Continued Public Hearings**

22

23 **Cases 995-S-20 & 996-V-20**

24 **Petitioners: Adam & Jodi Kimball**

25 **Requests: Case 995-S-20: Authorize multiple principal structures on the same lot consisting of self-**
 26 **storage warehouses previously authorized in Cases 977-S-20 and 979-V-20 and a sign structure with**
 27 **four off-premises freestanding advertising signs as a Special Use in the B-3 Highway Business**
 28 **Zoning District, subject to approval of the variances requested in related Case 996-V-20. Case 996-**
 29 **V-20: Authorize the following variances for the Special Use Permit requested in related Zoning Case**
 30 **995-S-20 for proposed off-premises signs in the B-3 Highway Business Zoning District, per Section**
 31 **7.3.5 of the Zoning Ordinance: Part A: A variance for four off-premises freestanding advertising**
 32 **signs on one sign structure on one frontage that total 1,152 square feet in sign face area in lieu of**
 33 **the maximum allowed one off-premises sign per frontage that totals 300 square feet in sign face**
 34 **area. Part B: A variance for four off-premises freestanding advertising signs on one sign structure**
 35 **with a maximum height of 37 feet in lieu of the maximum allowed 30 feet. Part C: A variance for**
 36 **four off-premises freestanding advertising signs on one sign structure in addition to an on-premises**
 37 **sign along the same IL Route 47 frontage, in lieu of the maximum allowed one sign per frontage.**
 38 **Part D: A variance for four off-premises freestanding advertising signs on one sign structure with**
 39 **a setback of 64 feet from the street centerline of IL Route 47 and a front yard of 23 feet, in lieu of**
 40 **the minimum required setback of 85 feet and front yard of 35 feet along a State highway.**

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

44

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

48

49 Mr. Elwell informed the audience that this Case is an Administrative Case, and as such, the County allows

1 anyone the opportunity to cross-examine any witness. He said that at the proper time, he will ask for a
2 show of hands or a verbal indication from those who would like to cross-examine, and each person will
3 be called upon. He said that those who desire to cross-examine will be asked to clearly state their name
4 before asking any questions. He noted that no new testimony is to be given during the cross-examination.
5 He said that attorneys who have complied with Article 7.6 of the ZBA By-Laws are exempt from cross-
6 examination. He asked if the petitioner would like to outline the nature of their request prior to introducing
7 evidence.

8
9 Mr. Adam Kimball, 1103 Farm Lake Dr, Mahomet, stated that they met with the Board a couple of months
10 ago, and they were tasked with some additional items for a sign structure at the current location, and he
11 has done that. He said the submittals included renderings from the sign manufacturer, photos of some
12 similar signs in similar rural two-lane highway locations in central Illinois, a 3-D model of the sign,
13 buildings, and the streets, which allow you to zoom in and out and pan around the site to see what the
14 finished product would look like. He said he put together a matrix of the face sizes and what that does if
15 you reduce the sizes of the faces, what that does to the total square footage. He said there is an aerial shot
16 of the property showing the distance to the county roads and the stop sign at I-72 that shows the location
17 of the one proposed structure. He asked if the Board wanted him to share his screen and review those
18 materials.

19
20 Mr. Elwell said that the Board members all have the materials in front of them and thanked Mr. Kimball
21 for providing them. He asked if there were any questions from the Board.

22
23 Mr. Wood asked Mr. Kimball how tall the walls are on the proposed buildings.

24
25 Mr. Kimball said that the peak of the building is 25 feet. He said the model does not show a pitched roof,
26 but more than likely the building will have a pitched roof.

27
28 Mr. Wood referred to page 7 of the renderings in the packet, it shows the height of the wall on the building
29 as the height of the first sign, which is about 25 feet if you add up the dimensions. He said that the side
30 wall is obviously not that high if the building has a 4:12 pitch.

31
32 Mr. Kimball said that the 3-D model doesn't have a pitched roof, it is just flat. He said that when it is built,
33 there will be a pitch, so the side walls will be lower than the high point of 25 feet.

34
35 Mr. Wood noted that the model just makes the buildings look a little bigger compared to what the sign
36 will actually be.

37
38 Mr. Kimball said that Mr. Wood was correct.

39
40 Mr. Elwell asked Mr. Kimball how much distance there would be between the easternmost storage
41 building and the proposed sign.

42
43 Mr. Kimball said it would be minimal, a foot or two, just enough for construction.

44
45 Mr. Elwell asked if Mr. Kimball is planning to be able to drive around that sign.

46
47 Mr. Kimball said yes, underneath the sign, but not between the signpost and the building. He said there
48 would be about 13 feet between the bottom of the sign and the drive.

49

- 1 Mr. Wood said that the drawing he submitted shows about 10.5 feet of space.
2
- 3 Mr. Kimball said correct, you would be able to drive a car or pickup truck under the sign.
4
- 5 Mr. Anderson referred to Attachment A with the sign photos from other locations, and asked if the
6 proposed sign would most resemble photo 1 or photo 2. He said that the sign frame seems to be A-shaped
7 on photo 2 and there is a center post on photo 1.
8
- 9 Mr. Kimball said that the rendering by RMG Outdoors is a flag configuration, where the sign faces
10 cantilever off of a post, and the pictures of example signs are not a flag; they have posts underneath the
11 signs.
12
- 13 Mr. Anderson asked which configuration the proposed sign would have.
14
- 15 Mr. Kimball said he is looking at the flag configuration.
16
- 17 Mr. Elwell asked Mr. Kimball if he was going to need to have any type of warning sign that would tell
18 people not to drive, for example, their U-Haul truck under the sign.
19
- 20 Mr. Kimball said that he thinks it wouldn't be a bad idea, similar to what you see in parking decks. He
21 said he wouldn't be opposed to putting up signage with the height limit.
22
- 23 Mr. Randol said that a fire truck would not fit under the sign. He said that if the fire department would
24 have to come around on that side of the building, they would need a minimum of 13.5 feet of clearance.
25
- 26 Mr. Kimball said that he could raise that.
27
- 28 Mr. Randol said that part will have to change, and you never know if a fire truck will have to be there or
29 not.
30
- 31 Mr. Kimball said he agreed, and he would want it to be accessible to fire trucks, so he would make those
32 accommodations.
33
- 34 Mr. Randol said that would eliminate the need for a warning sign, and U-Haul trucks could get under the
35 sign also.
36
- 37 Mr. Wood noted that would raise the overall sign height from 37 feet to 40 feet.
38
- 39 Mr. Kimball said that from a construction, design and logistics point of view, that would be no problem,
40 but it would increase the variance.
41
- 42 Mr. Elwell asked if the proposed signs would be clear of the power lines.
43
- 44 Mr. Hall said that as regards the direction of the flag, most of the sign will be away from the power lines;
45 as regards the proximity of the heavy steel pole to the power lines, he has to say that did not occur to him,
46 and it seems like it is pretty close.
47
- 48 Mr. Randol said that if the sign is going to be 40 feet in the air, and the sign is 57 feet from the centerline
49 of Route 47, that height might be a conflict with the utility.

1 Mr. Elwell said it appears that the flagpole itself is closest to the easternmost structure, and the actual flag
2 itself is pointing toward the power line.
3
4 Mr. Kimball said that is correct; the east face of that would be 13 feet from the power line. He said that
5 he could review this from Ameren and get something in writing from them; he would want to do that
6 regardless.
7
8 Mr. Randol said that he knows Ameren has changed their easements in the last year around structures near
9 their utility lines.
10
11 Mr. Kimball said that he would definitely get something from Ameren; he wouldn't want to do something
12 that is unsafe. He said he would provide Ameren the drawings and let their engineers determine if there is
13 sufficient space. He said that he has met with Ameren onsite; their local rep is an outstanding individual
14 and he thinks he would provide that information.
15
16 Mr. Elwell asked Mr. Hall if he foresees any needs other than an okay from Ameren for this 13-foot
17 distance.
18
19 Mr. Hall said that it would only be of concern to Ameren, so he does not think of any other approvals
20 needed.
21
22 Mr. Elwell asked Mr. Kimball if they were talking 1,200 square feet of sign face in the last case, or was it
23 closer to 1,100 square feet.
24
25 Mr. Kimball said that the 12 feet by 24 feet sign faces would be 1,152 square feet. He said that the 12 feet
26 by 24 feet sign is about a half size billboard, so it is not a large sign like you would see off of an interstate.
27 He said that it is pretty open there, so he thinks that this size of sign would be a good fit.
28
29 Mr. Randol said he is still concerned about the sign being close to the interchange. He said that the property
30 is 336 feet from the centerline of CR 1675N, and Mr. Kimball is approaching the incline of Route 47 for
31 that interchange, and he thinks that is a little close to the interstate such that the sign would serve as a
32 distraction. He said that is just his comment to Mr. Kimball; he does not know if other Board members
33 have considered the distance and the structure of that size with it being lighted. He said if there were not
34 an interchange there, he doesn't think it would be a problem at all.
35
36 Mr. Wood said he doesn't think that the sign is really designed to be visible from the interstate.
37
38 Mr. Randol said exactly, but if you are coming up off of the ramp, and you're looking at traffic, and you
39 look down there at a sign, you could be distracted trying to read it as opposed to paying attention to the
40 oncoming traffic.
41
42 Mr. Elwell asked Mr. Kimball to refresh his memory about whether this sign will be lit.
43
44 Mr. Kimball said it will be lit, but it will follow all the lighting guidelines.
45
46 Mr. Wood asked if the sign could be changed electronically.
47
48 Mr. Kimball said no.
49

1 Ms. Lee said that she thinks Mr. Randol mentioned at the last meeting that there are already accidents in
2 that area, so this is a safety issue also.

3
4 Mr. Randol said that is correct, in his opinion. He said there is a lot of traffic on Route 47, and he knows
5 that is the reason Mr. Kimball wants to put the sign there, but there is a lot of traffic that comes southbound
6 on Route 47 and gets on I-72 to go west.

7
8 Mr. Kimball said that he does not want to minimize that thought, because he thinks it is a great point. He
9 said we would not want any accidents or safety issues, but there are thousands, if not hundreds of
10 thousands of signs like this in urban and rural areas, two-lane highways, four-lane highways, and city
11 streets and he thinks we have all seen them, but he is not trying to be disrespectful.

12
13 Mr. Randol said that he understands that.

14
15 Mr. Elwell told Mr. Kimball you definitely don't want to do your job too well in getting people to look at
16 your sign.

17
18 Mr. Anderson said that he thinks that sign is almost 7 football fields away from the interchange, and he
19 typically does not look that far ahead when driving, and he does not think it will be a problem.

20
21 Mr. Wood said it would be 670 feet from the intersection of I-72 at Route 47; that's two football fields.

22
23 Mr. Randol said that his property line is only about 30 or 40 feet from where the guardrails start going up
24 to the interchange.

25
26 Mr. Kimball told Mr. Randol that he is not sure how to respond to this because he sees it as being a positive
27 thing. He said that stopping at a stop sign, turning, and seeing a sign is kind of the point of advertising;
28 you see a pizza joint up ahead, turn to your significant other and say let's go for pizza. He said he has been
29 looking at these applications more since we have been reviewing this sign as he drives, and he is always
30 wanting to see what's on there; it's educational, beneficial, and safe.

31
32 Mr. Wood asked Mr. Hall if we have had other situations like this, that the County has approved.

33
34 Mr. Hall asked if he meant for a sign like this.

35
36 Mr. Wood clarified that he is referring to a sign with these variances.

37
38 Mr. Hall said no, we have never had one like this, and he is not aware of any sign structure like this in
39 Champaign County.

40
41 Ms. Lee said she has a problem with the size of the sign; one of the things is that if we approve this one,
42 then other people are going to come in wanting such a large sign. She said that her understanding of zoning
43 when it first came in was signs such as this.

44
45 Mr. Elwell asked Ms. Lee if she was referring to the size of the sign.

46
47 Ms. Lee said yes; 1,152 square feet is quite a large square footage area.

48
49 Mr. Elwell asked if there were any other questions from the Board or staff.

1 Mr. Randol said he does not recall from the last meeting if Mr. Kimball is planning to have a freestanding
2 sign for the warehouses also.
3
4 Mr. Kimball said no; he thinks the variances currently read that way, but that was a miscommunication in
5 the process of putting this together. He said that there will not be another freestanding sign on the Route
6 47 frontage.
7
8 Mr. Randol asked Mr. Kimball if he was putting his own advertising on the billboard.
9
10 Mr. Kimball said potentially, the advertising on the billboard could rotate, but there won't be another
11 structure.
12
13 Mr. Randol asked Mr. Kimball if he would not have another sign on the property advertising his business.
14
15 Mr. Kimball said that along CR 1675N where the entrance is, there will be a small directional sign so
16 people know where they are going to turn in for storage.
17
18 Mr. Randol asked what size of sign is he looking at for the directional sign.
19
20 Mr. Kimball said just a two foot by four foot sign, something small so you know where you're turning in,
21 with a phone number, maybe a website, and name of the storage facility.
22
23 Mr. Randol asked if that sign would be at the entrance for the building.
24
25 Mr. Kimball said that it would be by the entrance where the corn crib is, where there is a culvert.
26
27 Ms. Lee said that in effect there will be another freestanding sign.
28
29 Mr. Wood said that the variances include four off-premises signs; it doesn't say anything about any other
30 sign.
31
32 Mr. Kimball said that his understanding is that it is per sign per road, so if it is on CR 1675N, that's fine,
33 but what we just discussed about the Route 47 number of signs is what Ms. Burgstrom and he discussed
34 when putting this together.
35
36 Mr. Elwell asked Mr. Hall to clarify if Mr. Kimball can have the sign that faces CR 1675N with certain
37 limitations.
38
39 Mr. Hall said that an on-premises sign in the B-3 district can be no larger than 150 square feet, and you
40 are allowed one per frontage.
41
42 Mr. Elwell asked if he can therefore have one 150 square foot sign on CR 1675N and the variance would
43 be needed on signs two through five.
44
45 Mr. Hall said that we advertised this variance with a Part C where staff was expecting an on-premises sign
46 along Route 47 in addition to the flag signs. He said that if Mr. Kimball doesn't want to have an on-
47 premises sign along Route 47, then Part C isn't necessary, and he can still have an on-premises sign along
48 CR 1675N.
49

- 1 Mr. Kimball said he agrees, and so Part C should be removed.
2
- 3 Mr. Wood said that the issue here is really the approval of multiple uses because this is a completely
4 separate use from the storage facility. He said that all these variances are currently above the Zoning
5 Ordinance, and he has difficulty setting a precedent like that.
6
- 7 Mr. Elwell said that he was just confused with his secondary sign, if it was going to be on Route 47 or on
8 CR 1675N.
9
- 10 Mr. Randol said variance parts A, B, C, and D would not pertain to an on-premises sign for the business.
11
- 12 Mr. Elwell said that part C would.
13
- 14 Mr. Randol said part C would only if he put his advertisement on the flag sign.
15
- 16 Mr. Hall said that part C was anticipating an on-premises sign on Route 47 in addition to the flag sign. He
17 said that with what Mr. Kimball said tonight, part C is not necessary.
18
- 19 Mr. Elwell said that part C is not necessary if he only wants one sign. He said if Mr. Kimball wants the
20 150 square foot sign in addition to the flag sign along Route 47, then part C would be necessary.
21
- 22 Mr. Elwell asked if there were any other questions from the Board or staff.
23
- 24 Mr. Hall said that he thinks variance part B has been increased from 37 to 40 feet tonight. He said that he
25 thinks that is a minor change, so long as everyone is clear on that, he thinks it is fine for the Board to go
26 ahead and take action. He said he does not think it is something that staff needs to re-advertise.
27
- 28 Mr. Elwell asked Mr. Hall if one of the attachments showed that the power line is only at 31 feet.
29
- 30 Mr. Hall said that he thinks that is what Ms. Burgstrom reasoned from measuring the sign for the horse
31 stable at 11 feet and simply multiplying that, the power line is about 30 feet tall. He said that the proposed
32 sign would be 10 feet above the power line.
33
- 34 Mr. Elwell said that when he thinks about this type of request, he thinks about driving along the interstate
35 and often he doesn't get the power line being so close to said sign, so trying to get an idea of what it would
36 like from the view of sitting under the sign has helped.
37
- 38 Mr. Randol said in looking at the measurement on page 1 of Attachment D, the flag sign is going to be 57
39 feet to the center of CR 1675N. He said that if the sign is 40 feet tall, even if you go east to west 37 feet
40 to the property line, then 40 feet is still going to catch the utility pole on the corner that is 30 feet tall. He
41 said that CR 1675N has a 40 feet right-of-way, if he's not mistaken, so he is thinking that the 40 feet high
42 sign, if that would go over in a windstorm, it would take out the power lines. He said we don't have a
43 measurement to the north property line.
44
- 45 Mr. Kimball said that is about 45 feet. He said it would be stamped by an engineer with the wind
46 calculations and wind loads.
47
- 48 Mr. Elwell referred to page 1 of Attachment D, and said that it shows from the northeasternmost corner
49 to the yellow property line. He asked if it is safe to assume that is where the power line would be, or would

1 it be east of that boundary line.
2
3 Mr. Randol said that if you look northeast from the corner of the building, where the yellow lines make a
4 90 degree angle, there is a black square there that he thinks is the shadow from that white horse farms
5 sign, and that is where the utility pole is that runs east-west along CR 1675N.
6
7 Mr. Elwell asked if the power line is west of this yellow line.
8
9 Mr. Randol said it is right at the corner.
10
11 Mr. Hall said that there is a power line that runs north-south, and looking at the aerial, that sign is
12 dimensioned as 5 feet, so if the west side of the sign is 37 feet from the property line, and the sign goes
13 east 24 feet, then there is 13 feet between the eastern edge of the sign and the property line. He said that
14 now we know from the aerial that the power line is at least 5 feet west of the property line at that point.
15
16 Mr. Elwell said that the power line is thus about 8 feet from the proposed sign.
17
18 Mr. Hall said yes. He said that he knows Ameren is very particular about how close things get to their
19 power lines and they are the only ones who can identify how close is too close; there is no handbook, so
20 you have to talk to Ameren. He said that he would not think that the power line would sway a lot, but he
21 does not know.
22
23 Mr. Randol referred to the photo with dimensions of the White Horse Farms sign and the utility pole, and
24 said that he lives out there, and that the top of the electric line is going west along CR 1675N. He said that
25 the power lines go both north and west on that pole. He said that the one going west is his concern.
26
27 Mr. Kimball said that he is in agreement that this approval can be conditional upon review from Ameren.
28
29 Mr. Elwell said that he thinks that would alleviate maybe 85% of his concern, that we're not putting a sign
30 too close to the power line. He asked Mr. Hall if that could be added as a special condition.
31
32 Mr. Hall said yes.
33
34 Mr. Elwell asked if there was anyone interested in cross-examination.
35
36 Mr. Hall said he did not see any other attendees.
37
38 Mr. Elwell opened the Witness Register for testimony. He said that ZBA member Mr. Randol wanted to
39 testify.
40
41 Mr. Jim Randol said that he is representing the Seymour Fire Department. He said that the Fire Chief has
42 not been able to participate due to illness. Mr. Randol said that he is a Trustee on the Board of Directors
43 for the Seymour Fire Corporation and the Assistant Chief for the fire department. He said it is their feeling
44 that this is a safety issue along Route 47. He said they get called to the overpass area for accidents, and
45 they just feel that this sign is one more thing to add to the accident potential.
46
47 Mr. Elwell asked Mr. Randol if there is any opportunity to move this sign; for example, to move it to face
48 CR 1675N rather than Route 47.
49

1 Mr. Randol said that they feel the sign is just too large for the area, no matter if it is facing Route 47 or
2 CR 1675N. He said that it is a huge sign to have at a busy intersection where traffic is sometimes running
3 70 mph over the overpass. He said they are not objecting to a sign being there, they are objecting to the
4 size of this sign. He said he thinks if it was even half the size that is being proposed it might be okay, but
5 at this point they object to the size of it.

6
7 Mr. Elwell asked if it is the obstruction of the sign, or is it the distraction of reading the sign.

8
9 Mr. Randol said it is the distraction. He said that this sign is not like those you see traveling down the
10 interstate where they are advertising McDonalds or Holiday Inn, for example, on the whole sign. He said
11 that this is a sign of that size advertising four businesses at a busy strip of highway. He said that when
12 you're right in there, you have people trying to read the signs, look at the cars in front of them that may
13 be turning, or not looking at the cars, so their feeling is that it is way too big.

14
15 Mr. Elwell said if Mr. Kimball reduces the size of the sign, potentially they would still have more than
16 two people advertising on the sign. He said that working through what Mr. Randol was just saying, it is
17 the busyness of the sign, not necessarily the size.

18
19 Mr. Randol said that it is both.

20
21 Mr. Elwell asked Mr. Randol if there were two advertisers on each side of the sign, but the sign was
22 smaller, that still would not make the fire department comfortable.

23
24 Mr. Randol said it would be better than having four signs with the current size at that location. He said
25 that if this sign were 200 yards north of this intersection, they wouldn't object to it at all, because you're
26 getting away from a busy intersection there. He said there is 600 feet of heavy traffic, and there is a large
27 pull off lane on the east side of Route 47 that people often use, that is just another thing that adds to the
28 busyness of that intersection.

29
30 Mr. Elwell asked what would make the fire department comfortable.

31
32 Mr. Randol said that in this location, if the sign was down at ground level and maybe half the size of the
33 proposal, that might work. He said that it is just with the size of it and the four different things to try to
34 read on it, they just think it is a hazard to the location.

35
36 Ms. Lee said that the Zoning Ordinance provides for 300 square feet; if you multiply 300 times 3, that is
37 900 square feet, and the proposal is for almost 1,200 square feet, so we are getting to be almost four times
38 the allowable for size, which she thinks is a really big deal.

39
40 Mr. Wood agreed. He said that he really cannot see, in addition to what Mr. Randol has pointed out,
41 allowing this much of a variance for size, height, and other things. He said we should not create that much
42 of a precedent.

43
44 Mr. Randol said that another issue is that we continually tell businesses that come to the Board that they
45 have to obey rules for lighting purposed so that lights don't distract. He said that this proposal is the
46 opposite of that; you have a big sign like that, and even if it has indirect lighting, it is still lighting to be a
47 distraction.

48
49 Mr. Elwell said inherently, if the sign is going to be doing its job, it is going to be lit, and you are going

1 to be able to see it.

2
3 Mr. Randol said that as a member of this Board and representing the fire department, he thinks that it is
4 too much.

5
6 Mr. Elwell asked if there were any more questions from the Board or staff, and there were none. He invited
7 Mr. Kimball to cross-examine Mr. Randol.

8
9 Mr. Kimball said he did not know if he had a cross-examination for Mr. Randol, but he has the utmost
10 respect for our fire departments, so he respects what Mr. Randol is saying. He said that talking about the
11 variance size, with Ms. Burgstrom putting this together, we knew this was an issue, so whether it looks
12 good or not, it is a big variance. He said that they put together a proposal for a size that is about half the
13 square footage, about 10 feet by 16 feet, that was the last one listed on the matrix that is in the packet, that
14 totals just over 600 feet. He said that there are lots of applications of this in similar intersections and
15 traffic; he does not think it is blocking the view of the road. He said that he is not going to argue that; Mr.
16 Randol brought up a good point and he appreciates that. He said that he thinks they can reduce the variance
17 significantly.

18
19 Mr. Wood said that even if Mr. Kimball went with that particular selection, it is still going to be 33 to 35
20 feet in the air.

21
22 Mr. Elwell asked if it would be true if Mr. Kimball halved the size of the square footage, would it still
23 require the 35 to 37 feet height.

24
25 Mr. Kimball said it would be about 33 feet. He said that the sign face onsite right now is 12 feet tall, so
26 the smaller sign face size would be about 2 feet less than that in height, just as a visual if we reduced it
27 down to 10 feet by 16 feet.

28
29 Mr. Wood said it still requires all the variances, and it still provides a distraction as Mr. Randol was
30 pointing out.

31
32 Mr. Elwell said that he has a ton of respect for the fire department and for Mr. Randol, but it is very hard
33 for him to believe that this hasn't been done safely before. He said that he kind of leans towards this being
34 Mr. Kimball's ground, and as long as it doesn't hurt you or I, as long as he keeps it within reason and
35 going through the proper channels, he should be able to do what he wants with his property. He said that
36 his biggest concern is safety as well, and he does understand what Mr. Randol is saying. He said that
37 another concern he has is with Ameren's need for distance from the power lines. He said that speaking to
38 setting a precedent, he thinks each case will be different, and he does not want us to set a precedent by
39 creating hypothetical cases going forward.

40
41 Mr. Randol said that for this issue, we are setting an extreme precedent for the size of this sign; it is way
42 above what it is supposed to be. He said that it was a variance for something that was 2 or 3 feet bigger
43 than what the Zoning Ordinance allows, he does not think that would be a problem requesting a variance
44 like that. He said if there is a variance request for a sign of this size, and particularly in this location, he
45 thinks it is wrong.

46
47 Mr. Wood said it is the wrong reason to bend the rules, just to create an additional revenue stream; that is
48 not the intent of the Zoning Ordinance. He said if you want to make money off of it, do it someplace where
49 it can be allowed, in his opinion.

1 Ms. Lee said that in her perspective about size, she said that 300 times 3 is 900 feet, and that would be a
2 300% variance. She said we have another 252 square feet in addition to the 900 square feet, so Mr. Kimball
3 is getting closer to a 400% variance instead of a 300% variance, which is huge.

4
5 Mr. Elwell said that Mr. Hall is going to have a lot more of an historical perspective than he does, and
6 asked if Mr. Hall knows of any specific reason why 300 square feet is the maximum. He asked if someone
7 just threw a dart and it landed on 300, or is there a specific reason.

8
9 Mr. Hall said that he has no idea where 300 feet comes from, just like he has no idea where the 1,600
10 square feet comes from for the interstate sign, although that might come from federal regulations, he does
11 not know. He said that he thinks that the plain old nuisance of having too many signs, whether it is a safety
12 issue or not, is sufficient reason to deny the variance. He said that he does not think the Board has to
13 adhere to a strict safety standard; the Zoning Ordinance is here for a whole bunch of reasons, and he thinks
14 there is a reason why we don't have signs like this in Champaign County anywhere. He said if you want
15 to start, this is the time.

16
17 Mr. Kimball said that just so everyone is clear, the proposal on the table would be a 10 feet by 16 feet sign
18 face that would total 640 square feet, or he could go as low as even an 8 feet by 15 feet sign face, for a
19 total area of 480 square feet. He said it is over the 300 square feet maximum, but nothing like the original
20 proposal.

21
22 Mr. Hall asked Mr. Kimball what he is asking for at this point.

23
24 Mr. Kimball said that when he talked to Ms. Burgstrom, we knew that size was an issue, and he agrees
25 that it is a big variance. He said they talked about what could still be functional, so Mr. Kimball put this
26 matrix together so the Board could say that 1,152 square feet is ridiculous and there is no way they are
27 going to vote on that, but maybe a smaller size is more realistic.

28
29 Mr. Randol said that the other size options shown in the matrix are not part of the variance request for
30 tonight. He said that if these sizes are other options that Mr. Kimball is thinking about because the current
31 request fails, then these are not part of tonight.

32
33 Mr. Elwell asked Mr. Hall if a smaller variance would need to be re-disclosed, like if he asked for
34 something big, but settles for something smaller.

35
36 Mr. Hall said that is the point; Mr. Kimball has to settle on something, and he hasn't settled on anything;
37 he wants the Board to decide how much is appropriate. He said that this is like a petitioner who says they
38 are willing to do anything, but they are not willing to specify what it is they want.

39
40 Mr. Randol said exactly.

41
42 Mr. Wood said that in the matrix, the petitioner is suggesting that the smallest legible size that makes
43 economical sense for him is a 10 feet by 20 feet sign face, so why would he accept anything smaller.

44
45 Mr. Kimball said that when he put this together, his thought was that it would be reviewed as options. He
46 said if there was a miscommunication there, he apologizes. He said if the Board wants to know what it is
47 voting on here tonight and he has to pick one, then he chooses the 8 feet by 15 feet sign face, which would
48 be 480 square feet total.

49

1 Mr. Hall noted that the 8 feet by 15 feet option was not in the handout, it is only shown on the screen.
2

3 Mr. Wood said the matrix in the packet only went down to 10 feet by 16 feet.
4

5 Mr. Kimball said okay, it might have been the original matrix that was sent for the last meeting.
6

7 Mr. Anderson said that since our last meeting on this case, he has been attention to his driving as he
8 approached these signs. He said he found that he did not get distracted mightily by them. He said he
9 noticed them because he was looking for them, but once again, out in the middle of nowhere, what effect
10 the big sign is going to have. He said that a big sign mixed in with a bunch of small signs is not a distractor,
11 but out in the middle of nowhere perhaps it is.
12

13 Mr. Randol said that this is not the middle of nowhere; it is at an intersection where there is a lot of traffic.
14 He said it is different than being out on the interstate where everything is moving in the same direction
15 you are.
16

17 Mr. Anderson told Mr. Randol that he would take his word for that. He said that within a year, he has been
18 in that intersection maybe 3 times, but Mr. Randol is obviously quite familiar with it.
19

20 Mr. Wood asked Mr. Hall if the cities of Champaign and Urbana have different rules for billboard signs
21 than what we have in the County.
22

23 Mr. Hall said yes.
24

25 Mr. Wood said there are some pretty big billboard signs out there, and always have been as far as he
26 knows.
27

28 Mr. Hall said that they have always had different sign standards; they tried once to make them more
29 uniform, and it just went nowhere. He said that he cannot explain the differences, and today he doesn't
30 know what the differences are because that was attempted back in the early 1990s, and he doesn't know
31 what it is like today.
32

33 Mr. Elwell asked Mr. Hall if he thinks the County is more restrictive or less restrictive than the cities.
34

35 Mr. Hall said that he did not know.
36

37 Ms. Lee said that another issue is that you are not traveling as fast in the cities as the speed limit says you
38 are out in the country.
39

40 Mr. Elwell asked if there were any other questions for this witness.
41

42 Mr. Hall said that is just an observation for the Board to make sure that you know what you are voting on
43 when you vote on this. He said that if it is an 8 feet by 15 feet sign, he thinks that they need to get that
44 affirmatively stated by the petitioner before you take any action.
45

46 Mr. Elwell said he thought this would be as good a point as any. He told Mr. Kimball that he has given
47 the Board several different sizes. He asked Mr. Kimball what size the Board is potentially going to take
48 action on.
49

1 Mr. Kimball said he just pulled up his packet, and they are right, the packet only goes down to the 10 feet
2 by 16 feet size. He said he would choose 8 feet by 15 feet, but if we are held to the options in the packet,
3 then he would choose the smallest option in the packet, 10 feet by 16 feet.

4
5 Mr. Hall said it is up to the Board, but if Mr. Kimball wants to go to 8 feet by 15 feet, that would be up to
6 the Board. He said the fact that we had a miscommunication in the handout is one thing. He asked Mr.
7 Kimball if he wanted to change it to 8 feet by 15 feet, is that what he is willing to do.

8
9 Mr. Kimball said yes.

10
11 Mr. Randol said that Mr. Kimball is again asking the Board to make the decision for him, and that is not
12 what the Board is here for. He said in his opinion, this case needs to be ended, and Mr. Kimball needs to
13 decide what he wants and come back to the Board with different information.

14
15 Mr. Elwell asked Mr. Randol if that was a motion.

16
17 **Mr. Randol moved that we do not proceed further with this case.** He said that if Mr. Kimball wants a
18 different size of sign than what he has been talking to them about all night long, then he needs to come
19 back with a whole different proposal. He said that everything is changing; this whole packet has been
20 discussing a sign that is 40 feet in the air and almost 1,200 square feet in area. He said if that is not what
21 Mr. Kimball wants, then the Board is not agreeing to it if they agree with his motion. He said that Mr.
22 Kimball needs to come to this Board with something he knows from tonight that the Board is more likely
23 to accept.

24
25 **Mr. Wood seconded the motion.**

26
27 Mr. Hall said that if Mr. Kimball is willing to withdraw this petition, and readvertise with one set proposal,
28 then Mr. Randol’s motion could make that happen. However, in his view, Mr. Kimball could say he wants
29 an up and down vote on his original proposal, and if it fails, he could come back. He said that Mr. Kimball
30 has a right to an up or down vote on what he originally proposed, but he also has the right to withdraw
31 this after the vote on Mr. Randol’s motion. He said that if Mr. Kimball chooses not to withdraw, then the
32 Board has to have a motion on the original proposal.

33
34 Mr. Kimball said that he is fine with that. He said that the intention working with Ms. Burgstrom putting
35 the different sizes in there was to have this discussion and come to an understanding if they’re good with
36 the 10 feet by 16 feet, but not the 12 feet by 24 feet for example. He said if he needs to resubmit, that’s
37 fine, but that was the intent to having the matrix in the packet.

38
39 Mr. Wood said that they need to vote on the motion, because Mr. Kimball did not ask for an up or down
40 vote.

41 Mr. Elwell confirmed with Mr. Kimball that he did not ask for an up or down vote.

42
43 Mr. Kimball said that is correct.

44
45 Mr. Elwell requested a roll call vote.

46
47 The vote was called as follows:

| | | | |
|----|-----------------------|--------------------|---------------------|
| 48 | Anderson – yes | Elwell - no | Randol – yes |
| 49 | Roberts – yes | Wood - yes | Lee - yes |

1 **The motion passed.**

2

3 **6. New Public Hearings - None**

4

5 **7. Staff Report - None**

6

7 **8. Other Business**

8

9 **A. Review of Docket**

10

11 Mr. Hall said that they had two new zoning cases the day after he made copies of the docket, and there
12 was an inquiry on another one, so the economy is doing pretty well looking at our intake of cases.

13

14 Mr. Wood said he would be gone in May and would miss both May meetings.

15

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

17

18 None

19

20 **10. Adjournment**

21

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

23

24 **Mr. Randol moved, seconded by Mr. Wood, to adjourn the meeting.**

25

26 Mr. Elwell requested a roll call vote.

27

28 The vote was called as follows:

29

Randol – yes

Roberts- yes

Wood – yes

30

Anderson– yes

Elwell - no

Lee - yes

31

32 Mr. Elwell said the motion carried.

33

34 The meeting adjourned at 7:58 p.m.

35

36 Respectfully submitted,

37

38

39

40 Secretary of Zoning Board of Appeals

41

42

43

44

45

46

47

48

49