

AS APPROVED MAY 11, 2006

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2
3 **MINUTES OF REGULAR MEETING**

5 **CHAMPAIGN COUNTY ZONING BOARD OF APPEALS**

6 1776 E. Washington Street

7 Urbana, IL 61801

8
9 **DATE:** December 15, 2005

PLACE: 1776 East Washington Street
Meeting Room 1

10
11 **TIME:** 6:30 p.m.

Urbana, IL 61802

13 **MEMBERS PRESENT:** Doug Bluhm, Dennis Goldenstein, Debra Griest, Richard Steeves, Melvin
14 Schroeder, Roger Miller

15
16 **MEMBERS ABSENT :** Joseph Irle

17
18 **STAFF PRESENT :** Connie Berry, John Hall, Leroy Holliday

19
20 **OTHERS PRESENT :** Eric Thorsland, Martha Kersey, Jenny Southlynn, Cathe Capel, Brian
21 Maroon, Don Wauthier, Rose Goodman, Roberta Schnitkey, Kris Campbell,
22 Jennifer Campbell, Amy Murray

23
24
25 **1. Call to Order**

26
27 The meeting was called to order at 6:32 p.m.

28
29 **2. Roll Call and Declaration of Quorum**

30
31 The roll was called and a quorum declared present.

32
33 **3. Correspondence**

34
35 None

36
37 **4. Approval of Minutes (July 28, 2005 and August 25, 2005)**

38
39 Mr. Steeves moved, seconded by Mr. Bluhm to approve the July 28, 2005 and August 25, 2005,
40 minutes as submitted. The motion carried by voice vote.

41
42 Mr. Goldenstein moved, seconded by Mr. Steeves to hear Cases 497-AM-05 and 498-S-05, prior to
43 Case 517-AT-05. The motion carried by voice vote.

44
45 **5. Continued Public Hearings**

46
47 Case 517-AT-05 Petitioner: Zoning Administrator Request to amend Ordinance to allow lots in
48 platted subdivisions between 1/1/91 and 2/18/97 to have access by means of easement (if included as

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1 **part of original plat). (Related to Cases 508-V-05 and 509-V-05).**
2

3 Mr. Hall stated that he had hoped to have this case for ready for final action at tonight's meeting but it is not.
4 He said that he would like to see this case continued to the February 16, 2006, meeting. He said that there
5 will be another text amendment at that meeting but this case should be an easy to dispense with at that time.
6

7 **Mr. Schroeder moved, seconded by Mr. Goldenstein to continue Case 417-AT-05 to the February 16,**
8 **2006, meeting. The motion carried by voice vote.**
9

10
11 **Case 497-AM-05 Petitioner: Helen Willard and Steven and Shirley Willard. Request to amend the**
12 **Zoning Map to change the zoning district designation from CR-Conservation Recreation to AG-2,**
13 **Agriculture. Location: A 29 acre tract in the Northwest ¼ of the Southeast ¼ of Section 36 of**
14 **Newcomb Township and located east of CR 550E and north of CR 2425N at the corner of CR 550E**
15 **and CR 2425N and commonly known as the home and property at 556 CR 2425N, Dewey.**
16

17 **6. New Public Hearings**
18

19 **Case 498-S-05 Petitioner: Helen Willard; Steven and Shirley Willard; and rock the shed, inc a non-**
20 **profit corporation with Directors and Officers Steven Willard, Micah Boyce, Sherry Newton, Brian**
21 **Maroon and Peter Ruedi. Request to authorize the establishment and use of the following Special Use**
22 **in the AG-2, Agriculture Zoning District: Part A: A Private Indoor Recreational Development; and**
23 **Part B: A Church. Location: A 29 acre tract in the Northwest ¼ of the Southeast ¼ of Section 36 of**
24 **Newcomb Township and located east of CR 550E and north of CR 2425N at the corner of CR 550E**
25 **and CR 2425N and commonly known as the home and property at 552 CR 2425N, Dewey.**
26

27 Ms. Griest called Case 497-AM-05 and Case 498-S-05 concurrently.
28

29 Ms. Griest informed the audience that this is an Administrative Case and as such the County allows anyone
30 the opportunity to cross examine any witness. She said that at the proper time she will ask for a show of
31 hands for those who would like to cross examine and each person will be called upon. She requested that
32 anyone called to cross examine go to the cross examination microphone to ask any questions. She said that
33 those who desire to cross examine are not required to sign the witness register but are requested to clearly
34 state their name before asking any questions. She noted that no new testimony is to be given during the
35 cross examination.
36

37 Mr. Hall distributed a Supplemental Memorandum dated December 15, 2005, for the Board's review. He
38 said that when he prepared the December 9, 2005, Supplemental Memorandum he somehow overlooked the
39 letter of opposition from Larry and Deborah Fox, adjacent property owners, which was received on
40 December 5, 2005. He said that a second frontage protest has been received. He said that this frontage
41 protest does not add an even higher level of approval it is only an additional frontage protest. He explained
42 that Part B., of the Special Use Permit indicates a church. He said that the Willards have not proposed what
43 most people would consider as a church and have only proposed small group religious gatherings in the shed
44 building on Sunday evenings. He said that the thing about a Special Use Permit is that the Petitioner

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1 explains their proposal and the closest thing that the County has in the Table of Uses is a church. He said
2 that there has been a lot of testimony received at the previous meetings and several letters of opposition and
3 in support and a lot of minutes and all of this information needs to be added to the Summary of Evidence for
4 the Special Use Permit and for the Map Amendment. He said that currently there is no one on staff who can
5 prepare the Summary of Evidence although in November he alerted the Regional Planning Commission
6 regarding this situation and they did not have anyone that they could assign to the case either therefore
7 unfortunately no additional work has been completed on this case. He noted that there may changes in staff
8 within the next few months but there are no changes at this time.

9
10 Mr. Steeves asked Mr. Hall if Case 498-S-05 is contingent upon approval of Case 497-AM-05.

11
12 Mr. Hall stated that regarding Case 498-S-05, Part A. is only possible in the AG-2 district therefore it is
13 contingent upon the approval of Case 497-AM-05 but Part B. is not. He said that churches are allowed as a
14 Special Use Permit in either the CR, Conservation zoning district or AG-2, Agriculture zoning district.

15
16 Mr. Steeves stated that it is possible then that the Board could approve Case 498-S-05, Part B. He asked if
17 Part A. and Part B. could be split.

18
19 Mr. Hall stated that the division of Part A. and Part B. would be the Petitioner's decision. He said that if this
20 Board would be inclined to recommend approval of one part over the other the Petitioner would be given the
21 opportunity to decide if they will accept one part without the other or if they want all or none.

22
23 Mr. Steeves stated that the Board's primary focus should be on Case 497-AM-05 first and then consider
24 Case 498-S-05.

25
26 Mr. Hall stated that the Board could make a determination for Case 497-AM-05 and forward that decision to
27 the County Board for approval and wait on Case 498-S-05 until the County Board renders their decision. He
28 said that if the Special Use is warranted it could be approved by this Board contingent on the County
29 Board's decision.

30
31 Mr. Bluhm stated that Case 498-S-05 as it is requested is a Special Use in the AG-2 zoning district and if
32 Case 497-AM-05 was denied by the County Board, Case 498-S-05 would require re-advertisement for a
33 church in the in the CR zoning district.

34
35 Mr. Hall stated that he would need to check with the State's Attorney's office regarding that situation. He
36 said that a Special Use Permit for a church in the AG-2, zoning district is a greater request than a Special
37 Use Permit in the existing zoning.

38
39 Ms. Martha Kersey, who resides at 107 Ridge Rd, Mahomet stated that she is a 31 year resident of
40 Champaign County. She said that she is a practicing attorney, past Vice President of the Champaign County
41 Bar Association and past President of the East Central Illinois Women's Attorney's Association. She said
42 that her background is in family law and most of her career has been in insurance law. She said that her
43 father is a retired Professor of Social Work from the University of Illinois and he spent his entire career
44 concerned with the public welfare. She said that the reason that she believes her father's career is relevant is

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1 because her life has been affected by that as well. She said that by growing up with her father's beliefs she
2 is very aware of public policies and public servitude and the social issues that surround venues such as the
3 one proposed tonight. She said that her brother is a teacher in the Chicago public school system and she
4 spends an equal amount of time talking with him about problems with teenagers, their social problems, their
5 activities, etc. She said that previously she submitted a statement to the Board and does not intend to cover
6 that information tonight because she has been assured that her statement has been entered as evidence. She
7 said that in her previous statement she discussed impacts that The Shed will have on her personally because
8 she is a boarder at Long Leap Stables and has been a boarder since it was opened to the public about 14 years
9 ago. She said that in her previous testimony she mentioned an incident on September 30th which involved
10 loud music from The Shed and another incident occurring on October 15th. She said that the September 30th
11 incident occurred after the Village of Mahomet ruled to not oppose the request map amendment. She
12 referred to the letter from Ms. Tess Morrison regarding the lack of County resources to provide police and
13 fire protection in this area, and the negative impact on the Mahomet Village Board because they would have
14 to try to fill in for this area in case there was an incident. She said that the October 15th incident occurred
15 after this Board met and the music was very loud and during this venue she decided to observe the horses in
16 the barn. She said that even though the doors to the barn were closed she could still hear the music and feel
17 the vibrations and in fact one of the smaller horses rejected his feed and hay and was transfixed facing the
18 corner of his stall which is an unusual behavior for this horse. She said that since she has voiced her
19 concerns regarding The Shed at previous hearings she received an e-mail from a neighbor indicating the
20 blogs which referred to her. She said that it was an intimidating situation and people were concerned with
21 her safety. She said that she was invited to come to The Shed to witness the mosh pit and the venue but
22 after reading the blogs she has decided that this would not be a wise thing to do. She said that The Shed is
23 located in a somewhat rural area, the response time for Police is perhaps 45 minutes and she does not feel
24 that it is a safe place for her to visit. She said that she canvassed the neighborhood and spoke to the
25 neighbors in the area regarding their feelings about The Shed because if they were all okay with the venue
26 then perhaps she should find a different location for her horse. She said that during her conversations with
27 the neighbors she found that most people had a fear of retaliation if they spoke in opposition. She said that
28 she is sure that the Board is aware that it is easy for someone to speak in favor of a venue but it is not easy
29 for everyone to speak in opposition of something. She said that there are many inconsistencies in Mr.
30 Willard's statement but regardless of whether it is an all-age venue, the core focus of Mr. Willard's request
31 is to get the zoning changed is so that he can get the variance so that he can have a commercial concert
32 venue where its main audience are kids in a rural area on roads that which were initially designed to service
33 farms and not commercial venues. She said that it is important to know the statistics on teen driving. She
34 said that 16 to 19 year old drivers are 4 times more likely to have an accident than an adult and the risk is
35 highest at the age of 16. She said that: the crash rate per mile is almost 3 times as high as for 18 to 19-year
36 olds; 95% of all teenagers speed; the majority of accidents happen after 10:00 p.m; the accident rate for boys
37 who drive at night is 5 times higher than girls; 61% of teen accidents which resulted in death in 2002
38 occurred in cars where there was another teen driving. She said as a matter of public policy this Board is
39 potentially making it possible for teenagers from all over, to be concentrated into a rural area which has been
40 described as somewhat perilous. She said that the roads have no lighting, no lanes, no speed limit signs, and
41 no intersections with stop signs or are clearly marked for this type of event. She said that the road may meet
42 the requirements to service farms but are substandard when you are bringing in young people who are
43 completely unfamiliar with the area. She said that she does not believe that the County has adequate
44 protection nor extra money to hire additional officers to monitor this area nor does she believe that there is

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1 adequate fire protection for this area if a commercial concert venue is approved. She said that the area is 15
2 miles from Carle Hospital and the roads prove difficult for emergency vehicles to navigate because they
3 involve 90 degree turns, hills that create blind vision, and a blind, unmarked "T" intersection. She said that
4 if a venue such as the one requested is needed then it should be located in a more urban area because the
5 infrastructure is there to accommodate it. She said that the structure is a 30' x 40' tool shed that was
6 designed to handle farm machinery not to be a commercial venue to house a bunch of teenagers. She said
7 that all of the electrical requirements that are needed for such a venue are also a concern when the building
8 is full of unsuspecting teenagers. She said that Mr. Willard has testified that there have been as many as
9 120+ kids in attendance to a show and the girls are allowed to use the bathroom in the home. She said that
10 she is concerned with the type of septic system that the property has to support the number of people in
11 attendance to the venues not mentioning the environmental impact. She asked the Board if they approved
12 the request with conditions regarding lighting, hours of operation, controlled supervision, etc, how the
13 County would enforce the conditions. She said that Bloomington had a venue like this and there were five
14 kids stabbed before the police were able to arrive. She said that there are potential problems with this type
15 of venue and requested that the Board find a way to truly have control and manage the venue or find a
16 different alternative through different resources. She recently the news has reported that there are more rural
17 accidents occurring and this area has enough pressure on it already with subdivisions and a commercial
18 concert venue will only add to that pressure. She requested that the Board deny Mr. Willard's petitions.
19

20 Ms. Griest asked the Board if they had any questions for Ms. Kersey.

21
22 Mr. Steeves asked Ms. Kersey if she was aware of the accident rate in the area since the opening of The
23 Shed.
24

25 Ms. Kersey stated that she is not aware of any reported accidents but one of the problems with accidents is
26 that teenagers do not want to tell their parents when they have an accident. She said that there is always
27 evidence of small accidents which have happened in the field across from The Shed.
28

29 Ms. Griest asked if staff had any questions for Ms. Kersey and there were none.
30

31 Ms. Griest asked Mr. Willard if he had any questions for Ms. Kersey.
32

33 Mr. Willard asked Ms. Kersey if she had been inside The Shed.
34

35 Ms. Kersey stated that she has been near and around The Shed but never inside. She said that she has
36 wanted to go into The Shed but she does fear for her personal safety. She said that due to the content in the
37 blogs she did not feel comfortable approaching the property during a venue.
38

39 Mr. Willard asked Ms. Kersey why she did not visit The Shed during the open house. He asked Ms. Kersey
40 if emergency services would be available if someone would become injured at the stable because the stable
41 is only 200 feet from The Shed.
42

43 Ms. Kersey stated that the stable is not concentrating 100+ minors in a tool shed.
44

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1 Mr. Willard stated that there have been four shows since the last public hearing. He asked Ms. Kersey why
2 she feels intimidated by the venue. He asked Ms. Kersey if any of kids had done anything to make her feel
3 this way.
4
5 Ms. Kersey informed Mr. Willard of the blogs which referred to her. She indicated that not only was she
6 concerned with her personal safety but her neighbors were also concerned.
7
8 Mr. Willard asked Ms. Kersey if the driveway to The Shed was dark. He asked her if she would feel
9 intimidated in driving up the dark driveway.
10
11 Ms. Kersey stated that the driveway to The Shed is dark. She said that she would feel intimidated driving up
12 the dark driveway and then finding a crowd of people standing outside smoking.
13
14 Mr. Willard asked Ms. Kersey if smoking was illegal. He said that he has a rule that the kids must be 18
15 years of age or more to smoke and they must smoke 50 feet from The Shed.
16
17 Ms. Kersey stated that Mr. Willard's testimony has changed because he originally stated that this was a key
18 venue for 13 to 18 year olds and they were allowed to smoke.
19
20 Mr. Willard stated that he has always stated that it is an all-age music venue although the majority of the
21 people that attend are 13 to 18 years of age.
22
23 Ms. Kersey stated that if Mr. Willard is stating that he is enforcing the smoking rule then that is fine.
24
25 Mr. Willard asked Ms. Kersey why she is concerned with the supervision at The Shed and the lack thereof.
26 He said that there is always one adult at each performance and many times three.
27
28 Ms. Kersey informed Mr. Willard that he testified that he did not require supervision and did not require a
29 certain number of adults to be in attendance.
30
31 Ms. Griest asked the audience if anyone had any questions for Ms. Kersey and there were none.
32
33 Ms. Jennifer Campbell, who resides at 2811 Woodhaven Dr, Champaign stated that she has been riding out
34 at Long Leap Farm for the past 13 years. She said that she is 100% behind a safe place for teenagers to go
35 but when she was a teenager her place was the farm because she does not like large groups of people. She
36 said that The Shed may be helping teenagers who like large crowds and loud music and that is fine but it is
37 located next to a place which is better equipped for youths which require calmer environments. She said
38 that she has not been at any of the shows at The Shed so she cannot comment on what happens during
39 performances. She said that Long Leap Farm has been a place which saved her relationship with her mother
40 and kept her on a sound path. She said that the farm taught her respect and responsibility and personally
41 having two places which are so opposite from each other will affect one or the other in a negative way.
42
43 Ms. Griest asked the Board if they had any questions for Ms. Campbell and there were none.
44

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1 Ms. Griest asked if staff had any questions for Ms. Campbell and there were none.

2

3 Ms. Griest asked Mr. Willard if he had any questions for Ms. Campbell.

4

5 Mr. Willard asked Ms. Campbell if she felt intimidated by testifying at tonight's hearing in that someone
6 may retaliate against her.

7

8 Ms. Griest stated that Ms. Campbell did not present testimony to that fact.

9

10 Ms. Chris Campbell, who resides at 2811 Woodhaven Dr, Champaign stated that she is Jennifer's mother.
11 She stated that they live in Champaign and they go to Long Leap Farm for the tranquility and quiet
12 atmosphere. She said that the farm did save their relationship and she does respect the need for the kids to
13 have a place to gather but it is location, location, location and this is not the location. She said that the area
14 has a purpose of tranquility, quiet, and being with nature and not the place for loud music and this type of
15 venue. She said that there are plenty of places in Champaign, Urbana, or Mahomet which would be perfect
16 for this type of venue.

17

18 Ms. Griest asked the Board if they had any questions for Ms. Campbell and there were none.

19

20 Ms. Griest asked if staff had any questions for Ms. Campbell and there were none.

21

22 Ms. Griest asked Mr. Willard if he had any questions for Ms. Campbell and there were none.

23

24 Ms. Griest asked the audience if they had any questions for Ms. Campbell and there were none.

25

26 Ms. Rose Goodman, who resides at 1904 Golf Dr, Mahomet stated she has lived at her current residence for
27 almost 30 years. She said that she is a wife, mother and a retired teacher after 31 years of teaching, a
28 mentor, an animal lover but mostly a horse lover. She said that she has been riding at Long Leap Farm since
29 1992. She said that she is a leisure rider who goes to the stable to relax and enjoy the natural setting and not
30 be bothered by cell phones, telephones and loud music. She said that in order to have her horse stabled at
31 Long Leap Farm she works there almost daily. She said that the farm is also a social atmosphere because
32 they must all work together to maintain the stable and horses. She said that she has been at the stable during
33 all hours of the night because her horse will often colic. She said that she has never been worried about her
34 safety because it is a quiet, rural area and to see this change will be very difficult. She said that it will affect
35 her personally and it will affect Long Leap Farm. She said that Long Leap Farm will probably lose clients
36 due to the venue and their concerns with personal safety. She said that she will not feel safe when a venue
37 which invites people who are not from the area is so close to the stable. She said that she is concerned with
38 the smoking issue and the dry conditions which exist in the summer months. She said the horses are
39 sensitive and some of the people at the stable own very expensive thoroughbreds. She said that the majority
40 of the people who stable their horses at Long Leap Farm are over the age of 30 and they go to the farm for a
41 reason and that reason is to enjoy the atmosphere. She said that she understands that the teenagers must
42 have a place to go but when that place is next to horses the horses react to the situation. She said that she
43 turned her horse out to the pasture which is next to the Willard's property and when he heard the music he
44 came back to the gate and wanted back in the barn. She said that there are places for teenagers to be but it is

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1 not in this rural area. She said that she has attended dances and such with teenagers and most of them are
2 very well behaved but you always have those who cause problems and it is tough to remedy that situation if
3 you do not have a lot of supervision.
4

5 Ms. Griest asked the Board if they had any questions for Ms. Goodman and there were none.
6

7 Ms. Griest asked if staff had any questions for Ms. Goodman and there were none.
8

9 Ms. Griest asked Mr. Willard if he had any questions for Ms. Goodman and there were none.
10

11 Ms. Griest asked the audience if they had any questions for Ms. Goodman and there were none.
12

13 Mr. Eric Thorsland, who resides at 480 E CR 2500N, Mahomet stated that he lives more than one mile from
14 The Shed. He said that he has no problem hearing the music during the performance but he does not ride his
15 horse during a performance. He said that he is concerned with the traffic which will be generated by the
16 venue. He said that one night last winter when Mr. Willard was having a show he lost one of his signs. He
17 said that if someone does not know the area and are not familiar with the road it can be perilous. He said
18 that the road in front of his residence is shaded all winter and there may be ice on the road when it is gone
19 everywhere else. He said that he can tell when there are shows because there is more garbage in the ditch.
20 He said that he does not feel intimidated by testifying. He said that he believes that what Mr. Willard is
21 doing is a great idea because he was in a band when he was younger. He said that the intent is good but not
22 in this location. He said that he would like to help the Willards to find a different place to locate their venue
23 and suggested the vacant Menards building for an example.
24

25 Ms. Griest asked the Board if they had any questions for Mr. Thorsland and there were none.
26

27 Ms. Griest asked if staff had any questions for Mr. Thorsland and there were none.
28

29 Ms. Griest asked Mr. Willard if he had any questions for Mr. Thorsland and there were none.
30

31 Ms. Griest asked the audience if they had any questions for Mr. Thorsland and there were none.
32

33 Ms. Roberta Schnitkey, who resides at 3409 W. Hensley, Champaign stated that she and her husband are
34 involved in a contract to purchase Long Leap Farm. She said that she opposes the proposed map
35 amendment and the requested Special Use Permit. She said that she and her husband plan to continue to
36 operate the farm as a stable and will making the existing residence their home along with their two
37 daughters. She said that it has always been her dream to run a stable from the time as a child growing up
38 with horses and then going to college majoring in Animal Science. She said that although they are currently
39 residents of rural Champaign they have strong ties to Mahomet. She said that her children are involved in 4-
40 H in Mahomet, she is Brownie leader for a Mahomet troop, and they are very active in the Lutheran Church
41 of Mahomet. She said that she has three reasons why she opposes the petitions. She said that changing the
42 zoning designation from CR, Conservation to AG-2, Agriculture could potentially allow for changes to the
43 neighborhood which are inconsistent with the neighborhood. She said that there will be potentially an
44 increase of teenagers which will be driving past Long Leap Farm which will be their home on the weekend.

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1 She said that driving in the country is a lot more hazardous than driving in the city because of the
2 construction of the roads and the wildlife which lives in the area. She said that she opposes the requests
3 because of the noise issue. She said that she does not have first hand experience with the music to date but
4 she has been informed by neighbors that the music is very loud. She said that she supports the boarders of
5 the stable and their testimony that loud noises are very disturbing to the horses and could eventually lead to
6 health concerns and the loss of existing clients. She said that most of the boarders at the stable come in the
7 evening hours and on the weekends and would be in conflict with the loud noise coming from The Shed.
8 She said that her family enjoys being out in nature, watching the sunset and listening to the birds and they
9 would certainly prefer hearing the birds and tree frogs rather than to hear someone else's music. She said
10 that her family is excited about moving to the neighborhood and the property because the area is beautiful
11 and contains many of the qualities that she and her husband grew up with and desire to share with their
12 daughters. She requested that the Board deny the Petitioner's request for the map amendment and Special
13 Use Permit.

14
15 Ms. Griest asked the Board if they had any questions for Ms. Schnitkey and there were none.

16
17 Ms. Griest asked if staff had any questions for Ms. Schnitkey and there were none.

18
19 Ms. Griest asked Mr. Willard if he had any questions for Ms. Schnitkey.

20
21 Mr. Willard asked Ms. Schnitkey if The Shed did not exist would there be any other noise which would
22 disturb their peacefulness.

23
24 Ms. Schnitkey stated that she understands that there other noises but not constant noises.

25
26 Mr. Willard invited Ms. Schnitkey to The Shed.

27
28 Ms. Griest asked the audience if anyone had any questions for Ms. Schnitkey and there were none.

29
30 Mr. Steve Willard, who resides at 552 CR 2425N, Dewey stated that he did not bring anyone with him to the
31 hearing. He said that his mother is 81 years old and cannot stand the stress. He said that he asked the kids
32 not to attend tonight because they do not understand procedures and they get people mad at them. He said
33 that he hopes that everyone understands that he has not brought up anything negative about anyone else
34 although he could have. He said that The Shed is all that he could afford to do when he did it. He said that
35 he did not know that he was going to have to go through all of this and cause so much trouble for everyone
36 else. He said that he was notified by one person about the noise and shut the big doors to The Shed during
37 the performance and solved the problem. He said that he received a complaint about the burning garbage
38 and ceased burning it. He said that he has tried to address every issue as it is brought to his attention. He
39 said that he has attended other venues and does not like dealing with the drunks which attend and will not
40 deal with them on his property either. He said that he has a church which is working with them for the
41 venue. He said that he hopes that some of the kids that he is trying to reach will be able to get past the fact
42 that the Saturday night venue will be held in a church. He apologized for any trash that might be caused by
43 the attendees of the venue and will gladly clean up the ditches if it is. He said that he has heard a lot people
44 testify that they love animals and horses and he loves them too but he loves the kids more and will not give

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1 up on them. He said that he is working with the Internal Revenue Service in obtaining a tax-exempt status.
2 He said that every two or three months he has to stop the performances because he doesn't know what will
3 happen at the public hearing. He said that if a continuance is granted then he has to explain to the kids that
4 the shows will start up again until the next public hearing. He said that he does not want to lose any of the
5 kids to the street. He said that the music is loud and it is rock and roll and all he is asking is one night a
6 week from 6:30 p.m. to 10:00 p.m. He said that he understands that there are a lot of people complaining
7 about the venue but he did not start the venue to cause anyone any grief. He said that there have been no
8 accidents at The Shed. He said that the Sheriff's deputies have been at the property a few times and have
9 not found any alcohol or drugs and no formal reports have been filed. He said that the property is a long
10 way from the hospital and perhaps if it were closer his father would not have passed away from a heart
11 attack but it is not known if whether his property was 5 miles or 15 miles from the hospital if it would have
12 made any difference. He said that he understands that there are a lot of negative things out there and the
13 venue is smaller than what he desires. He said that the church request is no more than a Sunday night youth
14 group of young adults that come from all over to gather. He said that normally it is 10 to 12 in attendance
15 but the kids tell their friends and it will grow. He said that he does not have a police officer present at every
16 event or a lot of adults. He said that a church in Urbana used to hold a music venue with other churches in
17 the area but failed. He said that the reason that it failed is because the venue involved approximately 30
18 adults continuously supervising the kids during the performances. He said that he respects the kids therefore
19 they respect him. He said that The Shed is a building and The Shed will never die because the kids are The
20 Shed. He said that he is not aware of the reason why people feel that they will be retaliated on if they come
21 to Saturday night's performance. He said that any anonymous blogs are not worth reading and he has
22 received a few when he doesn't invite certain bands to perform at The Shed. He said that the night of the last
23 meeting he had the rear window of his vehicle smashed out although he isn't going to worry about it and is
24 going to keep The Shed alive whether it out there on his property or not. He said that he understands that it
25 is the Board's decision whether they want to hurt some people's feelings on Saturday night or whether they
26 want to have 30 to 50 kids, not many more because the bigger shows are planned to be in different locations,
27 at this location. He said that he hopes that the Board puts the kids before the horses. He said that he has 29
28 acres and has been there since 1966 and there have been kids race up down the road all our lives. He said
29 that someone cannot buy a 10-acre lot anywhere and demand that it be tranquil. He said that in this tranquil
30 place people drive up and down the roads and ATV's run around in the woods and in the fields. He said that
31 he is trying to have a stop sign and speed limit signs posted on the road because he is worried about the road
32 like any other parent. He said that he is aware that the roads are dark and that they have crowns on them and
33 if anything happens to any of the kids he is going to feel as bad as anyone but he would rather have his kids
34 drive to The Shed sober and straight in the dark with their headlights on than anywhere else drunk and high.
35 He thanked the Board for their time and rested his case.

36
37 Mr. Hall stated that when Mr. Willard stops giving testimony the case will rest. He explained that no matter
38 what recommendation the Board makes Case 497-AM-05 continues through the process unless Mr. Willard
39 withdraws it. He said that the Board has not been shutting down The Shed after each meeting. He said that
40 staff has been directed to hold further enforcement until this decision goes before the County Board and
41 unfortunately the way that the Department is staffed that may be a while.

42
43 Mr. Willard stated that he is working with the IRS and hopefully that will open up some doors for resources.
44 He said that they have had four shows within the last two months which is way down from normal. He said

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1 that his son's enthusiasm is much like the other kids which is pretty dampened. He said that he does not
2 want to withdraw his petition because he told the kids that he would do everything that he could to keep The
3 Shed going and that is what he is going to do. He said that he tries to be as courteous as he can but the kids
4 mean more to him than horses and tranquility and he is sorry if that seems blunt.
5

6 Ms. Griest asked Mr. Willard since his first and foremost interest is the kids would this mean that he would
7 find another location for the venue.
8

9 Mr. Willard stated that the Curtis Road Church of God asked him if they could help and he said yes. He said
10 that they have a gymnasium which has an 8' x 14' stage which he expanded with his own funds and held
11 one show. He said that another show is scheduled for this Saturday night. He said that he and his family
12 has spent approximately \$20 thousand dollars on The Shed with no regrets. He said that a lot of the expense
13 was for sound equipment but this is equipment which can be utilized at different locations. He said that he
14 hopes that everyone understands that they do not make money on this venue they only charge at the door to
15 pay for the bands and hopefully with the help of other resources the fee at the door can be lowered or even
16 eliminated. He said that he cannot afford to rent or purchase another location at this point.
17

18 Ms. Griest asked Mr. Willard to clarify how many times per week the small gatherings would meet. She
19 said that the minutes from the last hearing indicated once or twice a week yet he testified tonight that they
20 would only meet once per week.
21

22 Mr. Willard stated that the small gatherings would meet every Sunday of the month except for the first
23 Sunday. On the first Sunday, a joint youth group meeting occurs off-site at the main church. He said that
24 they are associated with the Windsor Road Church of God who stopped having Sunday morning services for
25 their youth because they were not working so now they have small group gatherings at different locations.
26 He said that the youth group setting will only meet once a week from 6:00 p.m. to 8:00 p.m. in addition to
27 the music venue.
28

29 Ms. Griest asked Mr. Willard if he was maintaining the blog.
30

31 Mr. Willard stated no. He said that the website "rocktheshed.org" is up and running and does not contain
32 any links other than to the bands.
33

34 Ms. Griest asked how The Shed was heated.
35

36 Mr. Willard stated that he has a wall mounted ventless propane heater. He said that the glamour of coming
37 to The Shed is not to have a nice cool place in the summer months or to have a nice warm place in the winter
38 and the use of an outhouse. The glamour is the reactions of the kids the music and each other.
39

40 Ms. Griest asked the Board if they had any questions for Mr. Willard and there were none.
41

42 Ms. Griest asked if staff had any questions for Mr. Willard and there were none.
43

44 Ms. Griest asked the audience if they had any questions for Mr. Willard.

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1
2 Ms. Kate McGinley, who resides at 2517 CR 600E, Mahomet stated that she understands that Mr. Willard is
3 very concerned about the kids and has indicated that if they didn't have The Shed they would be out on the
4 street. She asked Mr. Willard to explain who these kids are that would be out on the street.
5
6 Mr. Willard stated that a lot of the kids are what many people would consider weird. He said that most of
7 the kids are kids that are not as active in sports, have some music inclination and just don't fit in. He said
8 that he doesn't know what they would be doing if they didn't have The Shed but if anyone has been in
9 Mahomet on a Saturday night you can see a bunch of kids just hanging around because they don't have
10 anywhere to go to gather.
11
12 Ms. McGinley asked Mr. Willard if the kids that come to The Shed are just kids from Mahomet.
13
14 Mr. Willard stated that the kids are from all over.
15
16 Ms. McGinley stated that the kids are not her neighbors but from all over and at times Mr. Willard probably
17 isn't sure where they are from.
18
19 Mr. Willard stated that he has a bunch of kids that come out to The Shed which are clean, have fun and are
20 straight. He said that he does not ask them where they are from and the only time that he will ask them their
21 age is when they are smoking cigarettes.
22
23 Ms. McGinley stated that the only reason that she is asking these questions is because during Mr. Willard's
24 testimony, it sounded as if The Shed did not exist these kids would be alcoholic and doing drugs.
25
26 Mr. Willard stated that Ms. McGinley should review the letters from the kids because they are from
27 Mahomet, Arcola, Sidney, Rantoul, Fisher, etc.
28
29 Ms. McGinley stated that this is exactly her point in that these are kids from different communities that are
30 driving on her dark road at night and are not familiar with the area.
31
32 Mr. Willard stated that these are the same kids that may be driving on the dark interstate highway any other
33 time.
34
35 Ms. Griest stated that the testimony in the record indicates that the kids come from a variety of locations and
36 the Board has not received any testimony nor would it be relevant to zoning if these kids were destitute.
37
38 Ms. McGinley asked Mr. Willard what his plan is if a car load of kids came to The Shed which had been
39 drinking or appear to be high.
40
41 Mr. Willard stated that he would request that the kids give him their keys so that he can drive them home
42 and if they do not he will call the County Sheriff. He said that in two years he has had one band member that
43 had marijuana on his breath and was allowed to play with his band for their set but then was asked to leave
44 and told that if he came back again with it on his breath he would not be welcome. He said that he returned

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1 within one and one-half months later and had accepted Christ into his life. He said that he believes that if
2 the kids are disciplined with love they will pay attention to you.

3
4 Ms. Griest closed the witness register.

5
6 **Mr. Steeves moved, seconded by Mr. Goldenstein to waive the 100-day rule for continuation of Cases**
7 **497-AM-05 and 498-S-05. The motion carried voice vote.**

8
9 **Mr. Steeves moved, seconded by Mr. Bluhm to continue Cases 497-AM-05 and 498-S-05 to the April**
10 **27, 2006, meeting. The motion carried by voice vote.**

11
12 **Mr. Schroeder moved, seconded by Mr. Steeves to recess the public hearing for a ten minute break.**
13 **The motion carried by voice vote.**

14
15 **The Board recessed at 8:12 p.m.**

16 **The Board resumed at 8:26 p.m.**

17
18
19 **7. Staff Report**

20 **A. 2006 Calendar**

21
22 **Mr. Miller moved, seconded by Mr. Steeves to approve the 2006 calendar as submitted. The motion**
23 **carried by voice vote.**

24
25 Mr. Hall introduced Leroy Holliday as the Department's Zoning Secretary. He said that with the
26 reorganization the Department has a lot more administrative duties that in the past were provided by the
27 Regional Planning Commission but now it is a stand alone department and we have to do all of that
28 ourselves. He said that Mr. Holliday is familiar with these administrative duties and it nice to have that
29 experience. He said that Mr. Holliday will be transcribing the minutes for the Environment and Land Use
30 Committee and eventually the minutes for the ZBA.

31
32 Mr. Schroeder asked if the County Board has realized that the ZBA docket is slipping behind because of the
33 amount of staffing available to the Department. He said that he has personally gone to individuals
34 indicating his dismay and perhaps if enough of the Board members would do the same maybe something
35 would be done to assist with the problem.

36
37 Mr. Hall stated that he believes that the County Board has gotten the idea and there may be some changes in
38 the coming year. He said that there is a lot to do within the next year. He said that the reorganization was
39 done without doing any of the ground work and we are trying to implement it as we go along and that is why
40 it is good to have Mr. Holliday to help with things that we have never been responsible for before.

41
42 Ms. Griest asked if the Board needs to change their method of operation in any way in regard to contacting
43 the office.

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1 Mr. Hall stated that the current operation is working just fine.
2
3

4 **8. Other Business**
5

6 None
7
8

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

11 None
12
13

14 **10. Adjournment**
15

16 The meeting adjourned at 8:42 p.m.
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19
20 Respectfully submitted
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25 Secretary of Zoning Board of Appeals
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ZBA //

DRAFT SUBJECT TO APPROVAL DRAFT

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