

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS NOTICE OF REGULAR MEETING

Date: **August 28, 2008**
Time: **7:00 P.M.**
Place: **Lyle Shields Meeting Room
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802**

**Note: NO ENTRANCE TO BUILDING
FROM WASHINGTON STREET PARKING
LOT AFTER 4:30 PM.
Use Northeast parking lot via Lierman Ave.,
and enter building through Northeast
door.**

*If you require special accommodations please notify the Department of Planning & Zoning at
(217) 384-3708*

EVERYONE MUST SIGN THE ATTENDANCE SHEET – ANYONE GIVING TESTIMONY MUST SIGN THE WITNESS FORM

AGENDA

1. Call to Order
2. Roll Call and Declaration of Quorum
3. Correspondence
4. Approval of Minutes
5. Continued Public Hearings
6. New Public Hearings

***Case 625-V-08** Petitioner: **Larry Ohlsson**

Request: **Authorize the construction and use of a detached garage with a side yard of one foot in lieu of the required five feet side yard for accessory structures and a rear yard of 2 feet in lieu of the required five feet rear yard for accessory structures.**

Location: **Lot 123 of Windsor Park Fifth Subdivision in Section 25 of Champaign Township and commonly known as the house at 607 Park Lane Drive, Champaign.**

Case 630-AM-08 Petitioner: **Wingfield Distributors, LLC, and Dean Wingfield, President and Wayne Busboom**

Request: **Amend the Zoning Map to change the zoning district designation from the AG-1, Agriculture Zoning District to the B-1, Rural Trade Center Zoning District.**

Location: **An approximately 2.6 acre portion of a 30 acre tract in the North Half of the Northeast Quarter of the Southeast Quarter of Section 22 of Somer Township and commonly known as the farm shed at the Southwest corner of intersection of CR 2050N and CR 1600E.**

7. Staff Report
8. Other Business
9. Audience Participation with respect to matters other than cases pending before the Board
10. Adjournment

*** Administrative Hearing. Cross Examination allowed.**

CASE NO. 625-V-08

PRELIMINARY MEMORANDUM

August 22, 2008

Champaign
County
Department of

Petitioner: **Larry Ohlsson**

**PLANNING &
ZONING**

Site Area: **approx. 11,000 square feet**

Time Schedule for Development:

Immediate

Request: **Authorize the construction and use of a detached garage with a side yard of one foot in lieu of the required five feet side yard for accessory structures and a rear yard of 2 feet in lieu of the required five feet rear yard for accessory structures.**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

Prepared by: **J.R. Knight**

Associate Planner

John Hall

Zoning Administrator

Location: **Lot 123 of Windsor Park Fifth Subdivision in Section 25 of Champaign Township and commonly known as the house at 607 Park Lane Drive, Champaign.**

(217) 384-3708
FAX (217) 328-2426

BACKGROUND

The petitioner submitted Zoning Use Permit Application 165-08-01 on June 13, 2008, and while reviewing the site plan staff determined that a variance would be required for the petitioner to place the proposed shed in the desired location.

EXISTING LAND USE AND ZONING

Table 1 summarizes the land use and zoning on the subject property and adjacent to it.

Table 1. Land Use and Zoning In The Vicinity Of The Subject Property

Direction	Land Use	Zoning
Onsite	Single Family Dwelling	R-1 Single Family Dwelling
North	Single Family Dwelling	R-1 Single Family Dwelling
East	Single Family Dwelling	R-1 Single Family Dwelling
West	Single Family Dwelling	R-1 Single Family Dwelling
South	Single Family Dwelling	R-1 Single Family Dwelling

MUNICIPAL EXTRATERRITORIAL JURISDICTION

The subject property is not located within the mile and a half ETJ of a municipality with zoning. Municipalities do not have protest rights on variance cases within their mile and a half ETJ, and they are not notified of such cases.

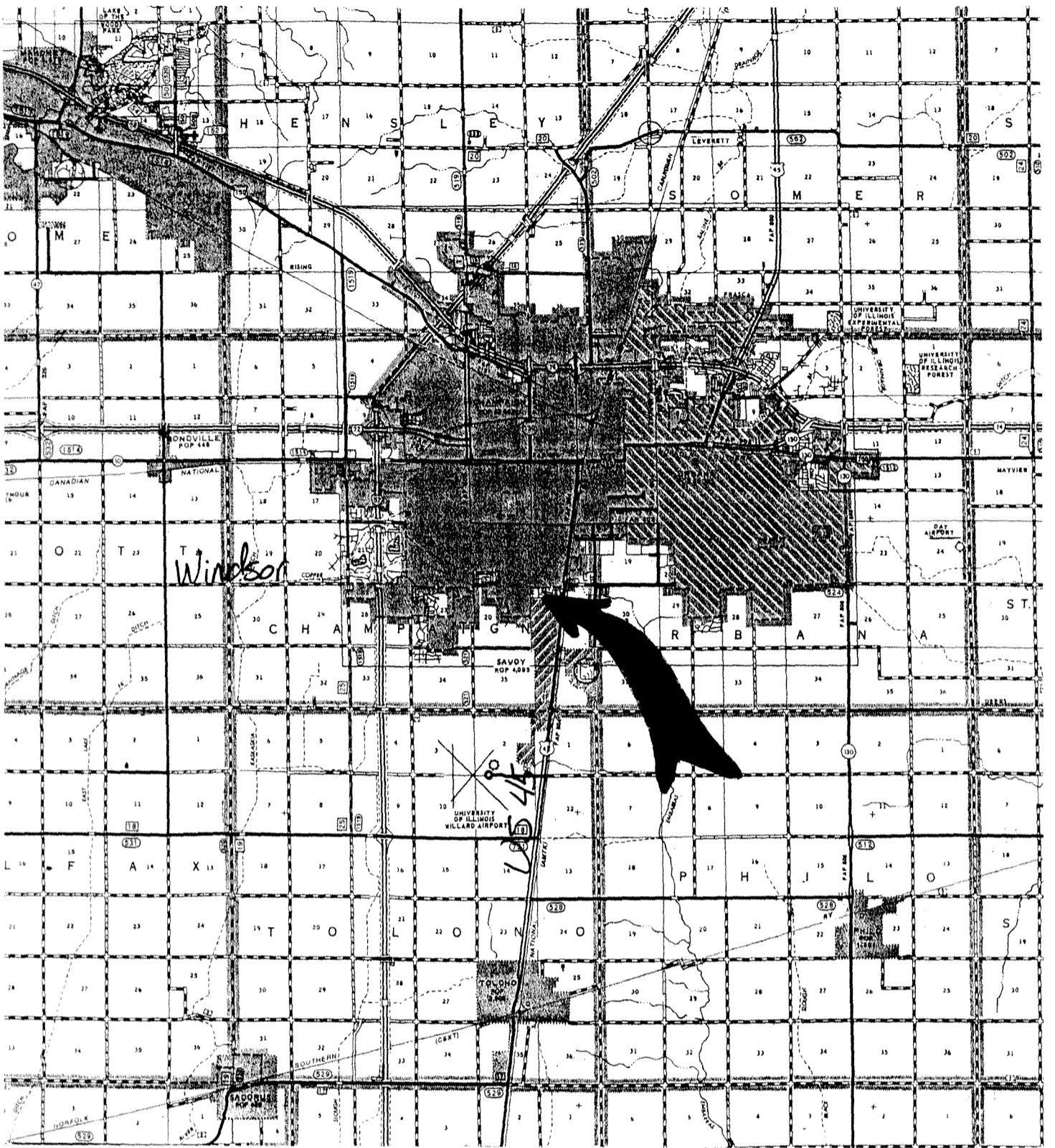
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received on June 13, 2008
- C Letter from Tim Sheridan received on June 13, 2008
- D Draft Summary of Evidence for Case 625-V-08

ATTACHMENT A. LOCATION MAP

Case 625-V-08

AUGUST 22, 2008

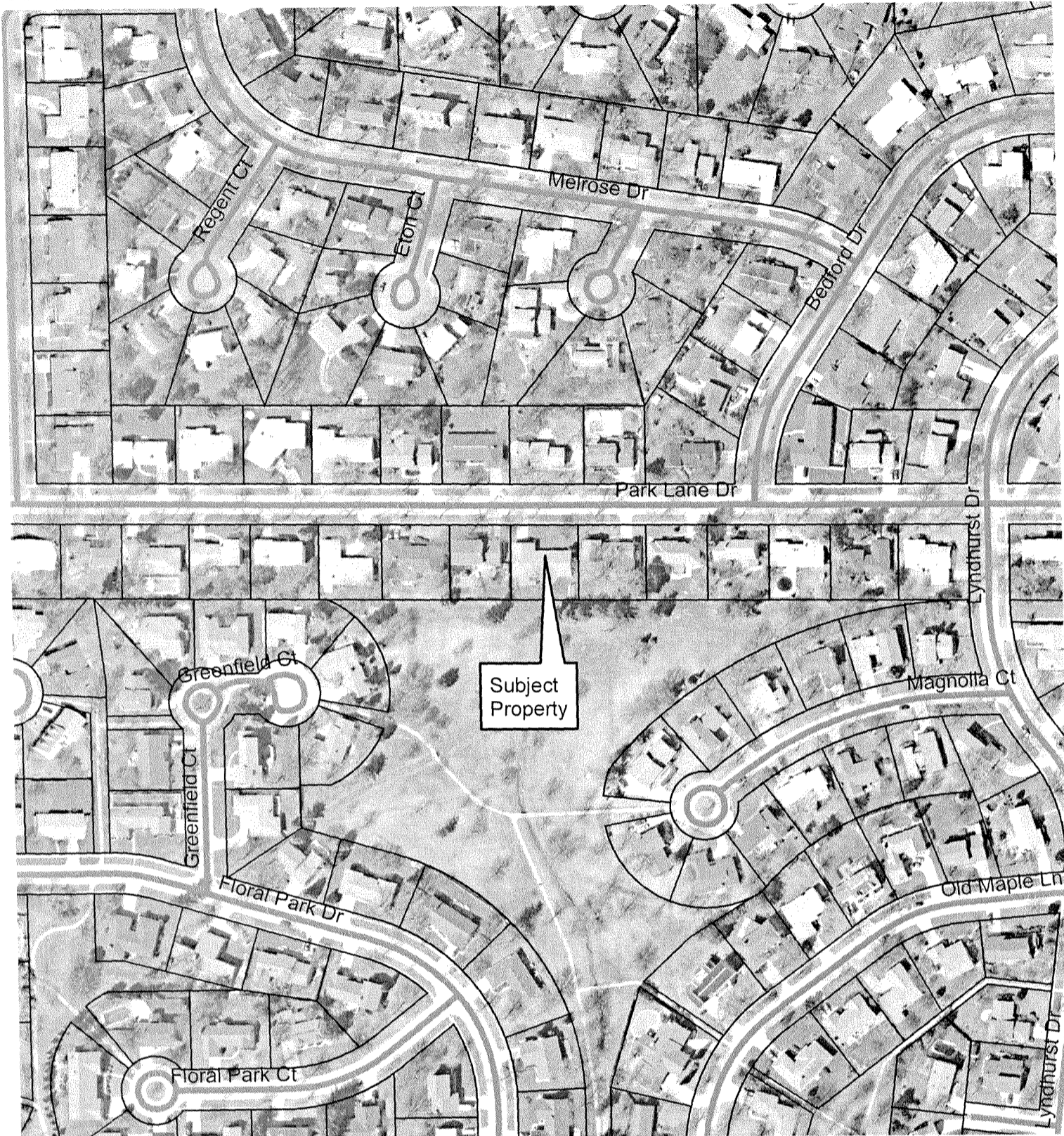


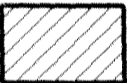





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ZONING**



ATTACHMENT A. LAND USE MAP

Case 625-V-08
AUGUST 22, 2008



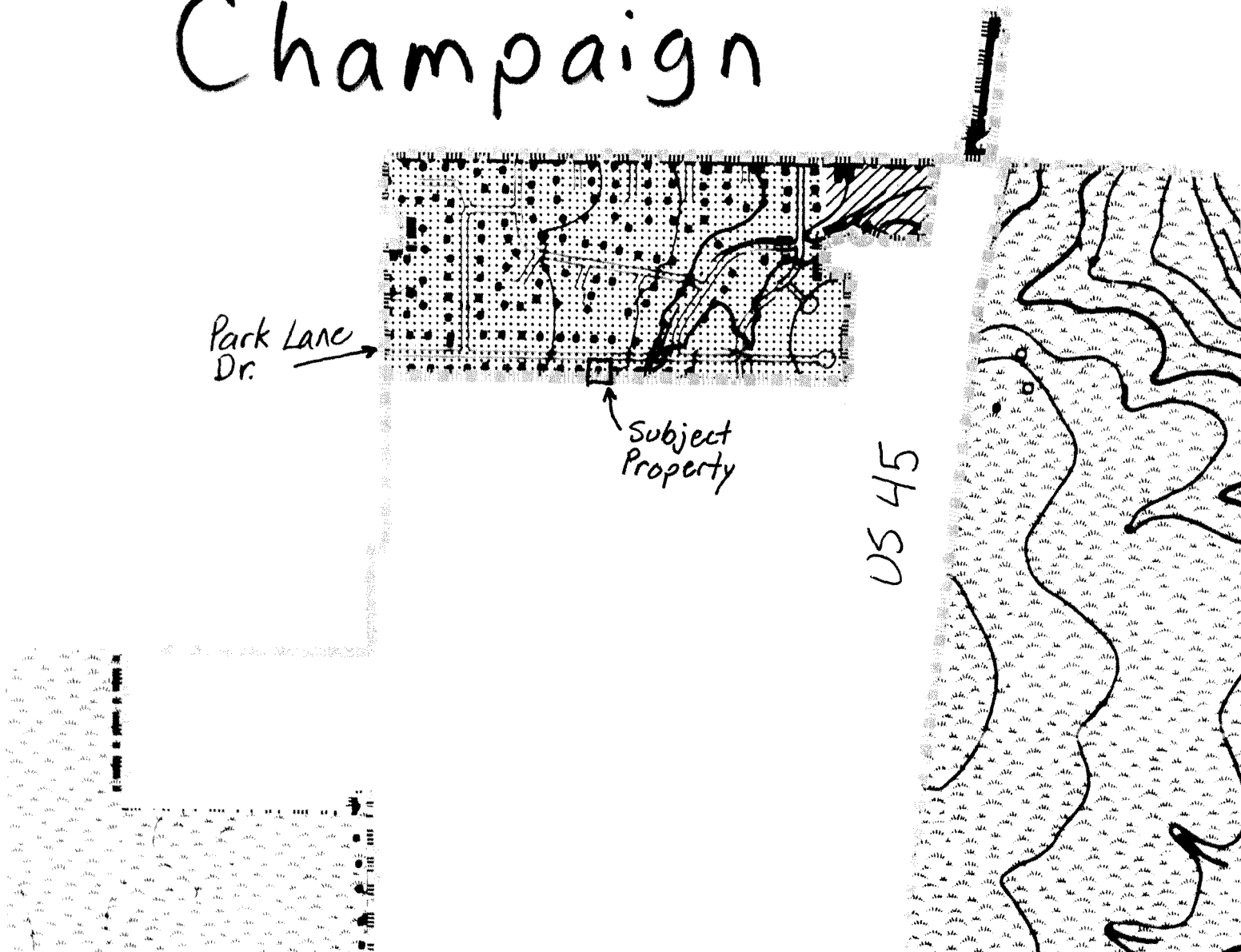
	Area of Concern	
	Single Family	
	Farmstead	



1 inch equals 200 feet

Champaign
County
Department of
**PLANNING &
ZONING**

City of Champaign



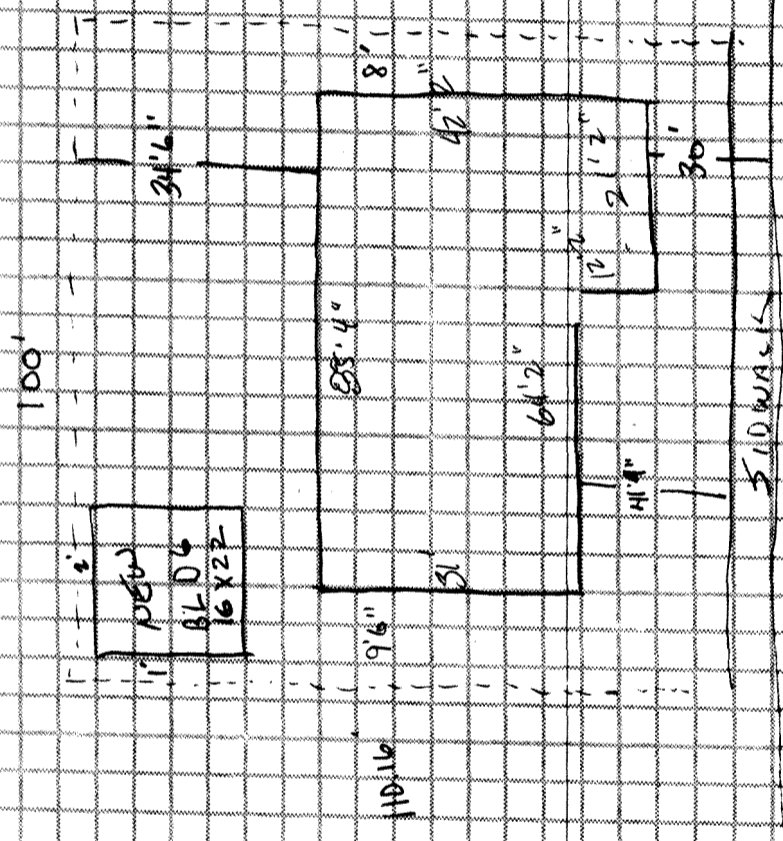
AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Trade Center	B-4 General Business	I-2 Heavy Industry

Champaign
County
Department of
**PLANNING &
ZONING**

NORTH

RECEIVED
JUN 18 2008
CHAMPAIGN CO. P & Z DEPARTMENT

COMMUNITY'S
AREA



Blair
Dunham
6/18/08

PARK CANE DRIVE

Tim Sheridan
605 Park Lane Dr.
Champaign, IL. 61820
timsheridan30@hotmail.com

To Whom It May Concern:

June 3, 2008

I am writing regarding Mr. Larry Ohlsson's plans to build a storage garage/shed on his property at 607 Park Lane Dr.

Mr. Ohlsson is my neighbor on the west side of my home. We have had discussions regarding the placement and construction of the structure in question. As I understand Mr. Ohlsson's plans (as of June 3, 2008) I have no concerns with the construction of this structure.

I do not foresee this being an issue in the future as my family just purchased the home located at 605 Park Lane dr. and have no plans to relocate.

If you have any questions, or would like any more input regarding this matter please feel free to contact me at the address (or email address) listed above.

Best wishes,



Tim Sheridan

RECEIVED
JUN 13 2008
CHAMPAIGN CO. P & Z DEPARTMENT

PRELIMINARY DRAFT

625-V-08

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: **{GRANTED / GRANTED WITH SPECIAL CONDITIONS / DENIED}**

Date: August 28, 2008

Petitioner: Larry Ohlsson

Request: Authorize the construction and use of a detached garage with a side yard of one foot in lieu of the required five feet side yard for accessory structures and a rear yard of 2 feet in lieu of the required five feet rear yard for accessory structures

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted **August 28, 2008**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner, Larry Ohlsson, owns the subject property.
2. The subject property is Lot 123 of Windsor Park Fifth Subdivision in Section 25 of Champaign Township and commonly known as the house at 607 Park Lane Drive, Champaign.
3. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Champaign. Municipalities do not have protest rights in variance cases and are not notified of such cases.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Regarding land use and zoning on the subject property and adjacent to it:
 - A. The subject property and all the property surrounding it is zoned R-1 Single Family Dwelling.
 - B. The subject property and land to north, east, and west is in use as single family dwellings.
 - C. Land to the south of the subject property is in use as commons area for the Arbours Subdivision.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Generally regarding the proposed site plan, there is an existing house and shed on the subject property. The petitioner proposes to construct a new, larger shed, and to move it closer to the side and rear property lines to preserve the view of the commons area.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES

6. Regarding specific *Zoning Ordinance* requirements relevant to this case:
- A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested variance (capitalized words are defined in the Ordinance):
- (1) "ACCESSORY BUILDING" is a BUILDING on the same LOT with the MAIN or PRINCIPAL STRUCTURE or the main or principal USE, either detached from or attached to the MAIN OR PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN OR PRINCIPAL STRUCTURE, or the main or principal USE.
 - (2) "ACCESSORY STRUCTURE" is a STRUCTURE on the same LOT with the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either DETACHED from or ATTACHED to the MAIN or PRINCIPAL STRUCTURE, subordinate to and USED for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.
 - (3) "BUILDING, MAIN or PRINCIPAL" is the BUILDING in which is conducted the main or principal USE of the LOT on which it is located.
 - (4) "BUILDING RESTRICTION LINE" is a line usually parallel to the FRONT, side, or REAR LOT LINE set so as to provide the required YARDS for a BUILDING or STRUCTURE.
 - (5) "LOT" is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
 - (6) "LOT LINES" are the lines bounding a LOT.
 - (7) "LOT LINE, FRONT" is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
 - (8) "LOT LINE, REAR" is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

- (9) "VARIANCE" is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning Board of Appeals are permitted to grant.
 - (10) "YARD" is an OPEN SPACE, other than a COURT, of uniform depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.
 - (11) "YARD, REAR" is a YARD extending the full width of a LOT and situated between the REAR LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT.
 - (12) "YARD, SIDE" is a YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.
- B. Section 7.2.2. paragraphs B and C specify the required minimum side and rear yards for detached accessory buildings or structures in the R-1, R-2, R-3, and R-4 Districts as follows:
- (1) SIDE YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any side LOT LINE.
 - (2) REAR YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any REAR LOT LINE.
- C. The Department of Planning and Zoning measures yards and setbacks to the nearest wall line of a building or structure and the nearest wall line is interpreted to include overhanging balconies, projecting window and fireplace bulkheads, and similar irregularities in the building footprint. A roof overhang is only considered if it overhangs a property line.
- D. Paragraph 9.1.9 D. of the *Zoning Ordinance* requires the ZBA to make the following findings for a variance:
- (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9C. of the *Zoning Ordinance* states that a variance from the terms of the *Champaign County Zoning Ordinance* shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
 - (a) That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district.

PRELIMINARY DRAFT

- (b) That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.
 - (c) That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
 - (d) That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
 - (e) That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
- (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9D.2.
- E. Paragraph 9.1.9.E. of the *Zoning Ordinance* authorizes the ZBA to prescribe appropriate conditions and safeguards in granting a variance.

GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

7. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
- A. The Petitioners have testified on the application that, **“The view from the rear windows would be blocked if the setback of 5 feet is enforced. Existing shed is 1 foot from property line.”**
 - B. The shed is located away from other structures on the subject property and the neighboring lot.
 - C. The rear line of the subject property backs up to the commons area for the subdivision, not another residential lot where other buildings might be constructed.

GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
- A. The Petitioners have testified on the application that, **“I would like to build a car and half garage/workshop. If I setback 5 feet from the property line it will block the view of the open area behind my house.”**
 - B. The proposed location is the only place on the subject property where the proposed building will not block the view of the commons area for the petitioner, as follows:
 - (1) Moving the shed to the West would not provide a clear line of sight unless the shed were placed in the southwest corner of the subject property.

- (2) The southwest corner of the subject property is the location of the existing patio.

GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioners have testified on the application that, **“There is an existing old shed on the lot that needs replaced. It is 1 foot off property line at this time.”**
- B. The existing house was constructed on the lot by a previous owner.

GENERALLY PERTAINING TO WHETHER OR NOT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioners have testified on the application that, **“There is currently a large shed on the location where I want to build the new garage. The shed is old and needs to be replaced.”**
- B. The Zoning Ordinance does not clearly state the considerations that underlay the side and rear yard requirements. In general, the side and rear yards are presumably intended to ensure the following:
- (1) Adequate light and air: The structure in question is an accessory structure which does not noticeably affect the amount of light and air available on the lots in this neighborhood.
- (2) Separation of structures to prevent conflagration: Structures in the rural zoning districts are generally located farther from fire protection stations than structures in the urban districts and the level of fire protection service is generally somewhat lower given the slower response time. The subject property is within the Windsor Park Fire Protection District (a part of the Savoy Fire Protection District) and the station is 1.5 road miles from the subject property.
- (3) Aesthetics may also play a part in minimum yard requirements.
- C. The proposed side yard of one foot is 20% of the required five feet for a variance of 80%. The proposed rear yard of 2 feet is 40% of the required five feet for a variance of 60%.
- D. The subject property meets all other requirements of the *Zoning Ordinance*.
- E. The requested variance is not prohibited by the *Zoning Ordinance*.

GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED VARIANCE ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE

11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
 - A. The Petitioners have testified on the application that, **“I have discussed the proposed building with my neighbors on both sides and they are completely happy with my plans.”**
 - B. The shed is located away from other structures on the subject property and the neighboring lot.
 - C. A letter was received from Tim Sheridan, a neighbor to the subject property, on June 13, 2008, indicating that he had no concerns with the construction of the proposed shed.
 - D. The Fire Protection District has received notice of this variance, but no comments have been received.
 - E. The Township Highway Commissioner has also received notice of this variance, but no comments have been received.

12. Elsewhere on the application the petitioner has testified, **“There is an existing building at the time on 1 foot off the property line.”**

DOCUMENTS OF RECORD

1. Variance application from Larry Ohlsson, received on June 13, 2008, with attachments:
2. Letter from Tim Sheridan on June 13, 2008
3. Preliminary Memorandum for Case 598-V-07, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received on June 13, 2008
 - C Letter from Tim Sheridan received on June 13, 2008
 - D Draft Summary of Evidence for Case 625-V-08

FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **625-V-08** held on **August 28, 2008**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **{DO / DO NOT}** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: _____

2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **{WILL / WILL NOT}** prevent reasonable or otherwise permitted use of the land or structure or construction because: _____

3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because: _____

4. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** in harmony with the general purpose and intent of the *Ordinance* because: _____

5. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because: _____

6. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** the minimum variation that will make possible the reasonable use of the land/structure because: _____

7. **{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW;}**

FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements of Section 9.1.9.C *{HAVE/HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **625-V-08** is hereby *{GRANTED/GRANTED WITH CONDITIONS/DENIED}* to the petitioner, **Larry Ohlsson**, to authorize **the construction and use of a detached garage with a side yard of one foot in lieu of the required five feet side yard for accessory structures and a rear yard of 2 feet in lieu of the required five feet rear yard for accessory structures.**

{SUBJECT TO THE FOLLOWING CONDITION(S):}

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

CASE NO. 630-AM-08

PRELIMINARY MEMORANDUM

August 22, 2008

Champaign
County
Department of

**PLANNING &
ZONING**

Petitioners: **Wingfield Distributors, Inc.
and Dean Wingfield, President; and
Wayne Busboom**

Request: **Amend the Zoning Map to
change the zoning district designation
from the AG-2 Agriculture Zoning
District to the B-1 General Business
Zoning District**

Site Area: **2.6 acres**

Location: **An approximately 2.6 acre
portion of a 30 acre tract in the North
Half of the Northeast Quarter of the
Southeast Quarter of Section 22 of
Somer Township and commonly
known as the farm shed at the
Southwest corner of the intersection of
CR 2050N and CR 1600E.**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

Time Schedule for Development:
Immediate

(217) 384-3708
FAX (217) 328-2426

Prepared by: **J.R. Knight**
Associate Planner
John Hall
Zoning Administrator

BACKGROUND

Co-petitioner Wayne Busboom inquired with the Department on May 1, 2008, about dividing the subject property from the existing 30 acre lot for use as a residential lot. Dean Wingfield, President of Wingfield Distributors, Inc., spoke with the Department on June 25, 2008, about the use of the subject property as a business site for Wingfield Distributors, which manufactures steel harrows for agricultural uses.

Staff determined that the proposed use could be considered Small Scale Metal Fabricating (SSMF) by the Zoning Ordinance. SSMF is authorized as a Special Use Permit in the AG-2 District but only in buildings that had been constructed by January 1, 1988. Although there is an existing building on the subject property that was constructed before January 1, 1988, the co-petitioner indicated their desire to construct a second building on the subject property which would not be authorized by the Zoning Ordinance. The proposed rezoning will allow the proposed use to be authorized on the subject property and to expand as necessary.

EXISTING LAND USE AND ZONING

Table 1 summarizes the land use and zoning on the subject property and adjacent to it.

**Table 1. Land Use and Zoning In The
Vicinity Of The Subject Property**

Direction	Land Use	Zoning
Onsite	Vacant Agricultural Building	AG-2 Agriculture
North	Farmland	AG-2 Agriculture
East	Farmland	AG-2 Agriculture
West	Farmland	AG-2 Agriculture
South	Farmland	AG-2 Agriculture

MUNICIPAL EXTRATERRITORIAL JURISDICTION

The subject property is not located within the mile and a half ETJ of a municipality with zoning. Municipalities have protest rights on all map amendment cases within their mile and a half ETJ, and as such they are notified of all such cases.

CONSIDERATIONS IN MAP AMENDMENTS

In addition to the relevant goals and policies, the following concerns are also standard considerations in any rural map amendment.

- **Street Access**
- **Traffic Conditions**
- **Natural Resource Report**
- **Flood Prone Area Designation**
- **Drainage Conditions**
- **Availability of Water and Sanitary Sewer**
- **Fire Protection**
- **Area, Height, & Placement Regulations**

POLICIES & GOALS WITHOUT CLEAR CONFORMANCE

The Draft Finding of Fact does not include any policies or goals without clear conformance.

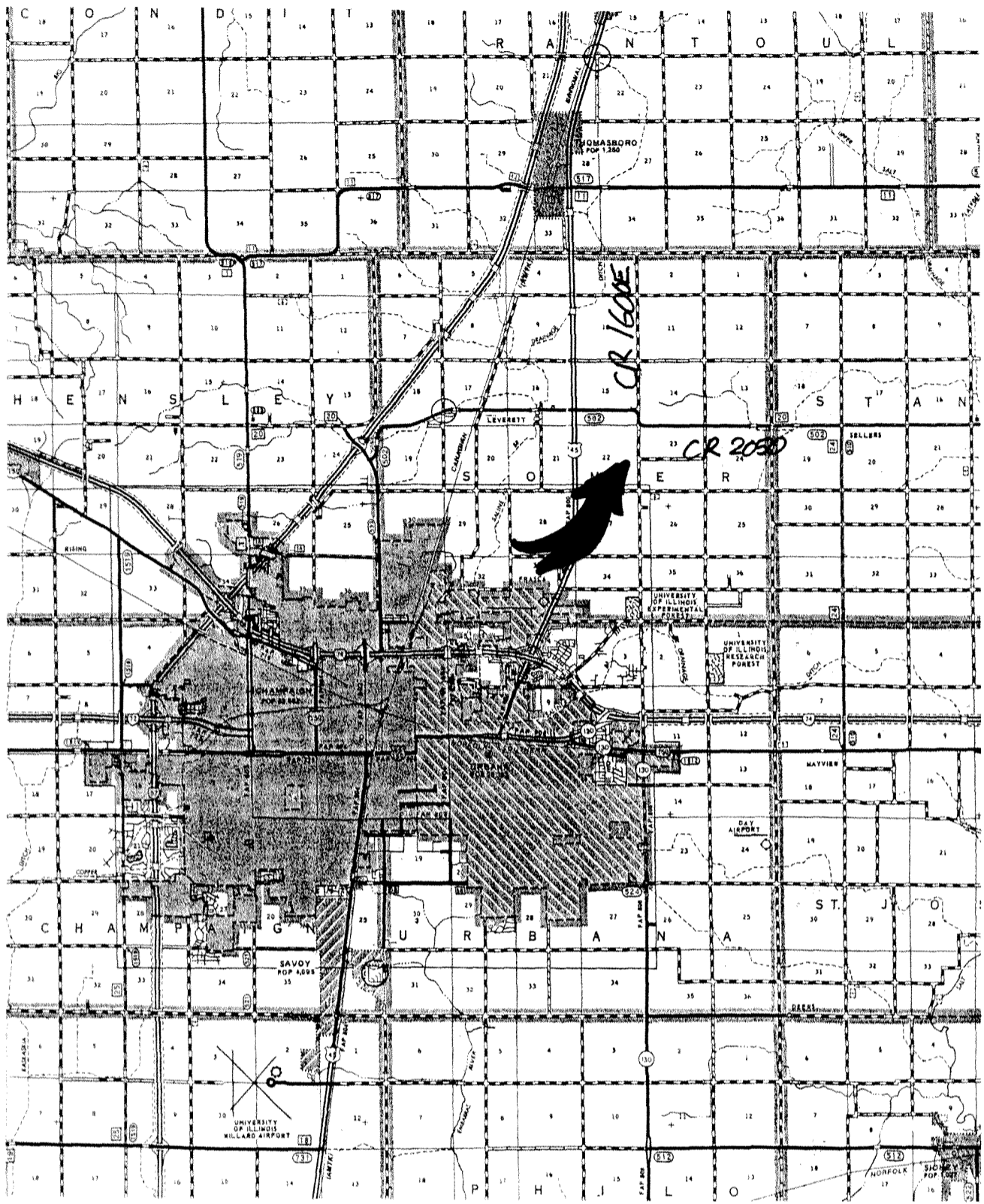
ATTACHMENTS

- A Case Maps for Case 630-AM-08 (Location, Land Use, Zoning)
 - B Section 5.2 of the *Zoning Ordinance* Table of Authorized Uses (included separately)
 - C Excerpt of www.wingfields.com
 - D Excerpt of Soil Survey of Champaign County
 - E Draft Finding of Fact for Case 622-AM-08
-

ATTACHMENT A: LOCATION MAP

Case 630-AM-08

AUGUST 22, 2008

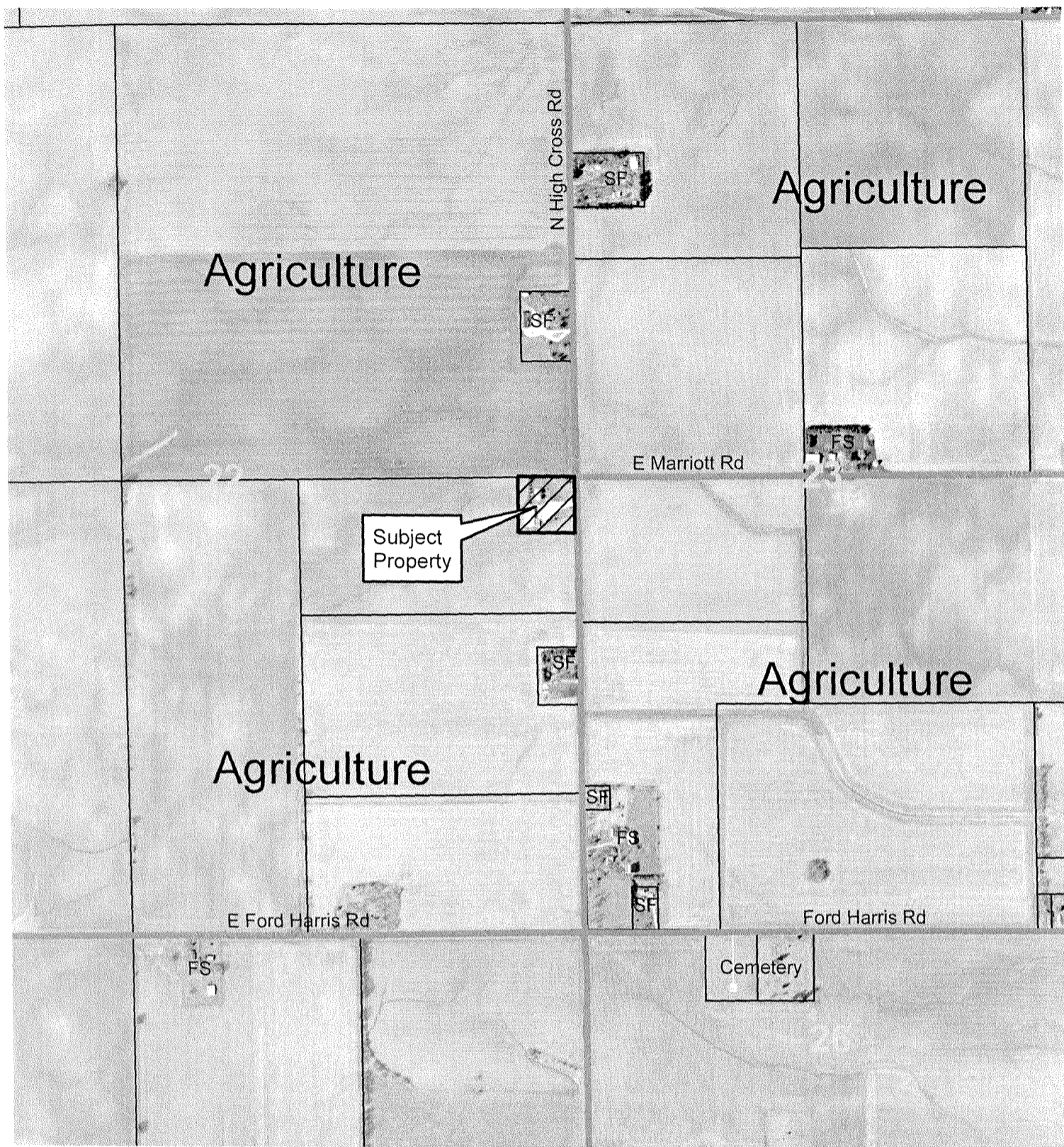




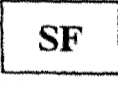
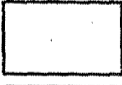
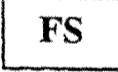

Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. LAND USE MAP

Case 630-AM-08

AUGUST 22, 2008



	Area of Concern	
	Single Family	
	Farmstead	



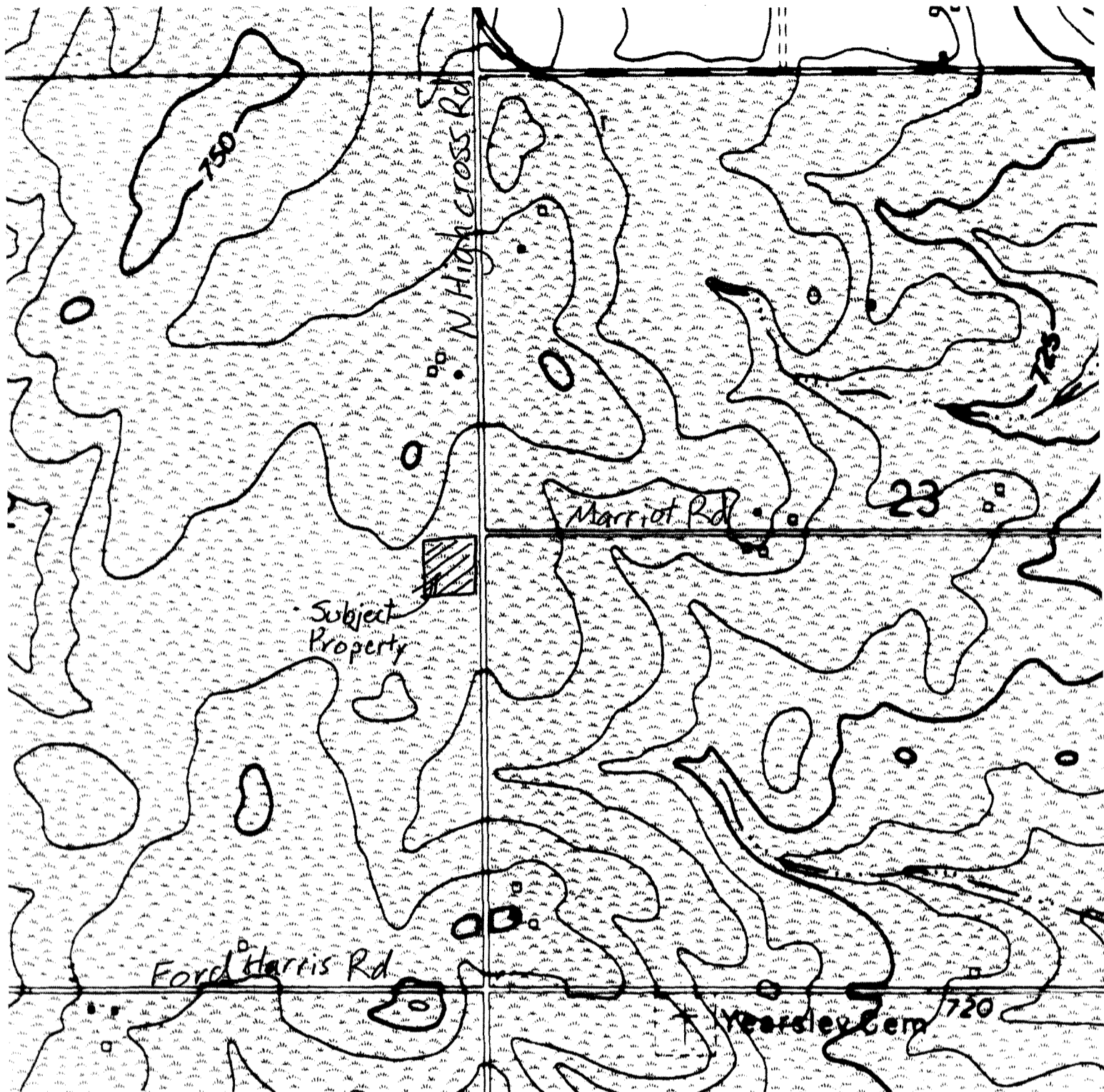
1 inch equals 800 feet

Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. ZONING MAP

Case 630-AM-08

AUGUST 22, 2008



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Trade Center	B-4 General Business	I-2 Heavy Industry	

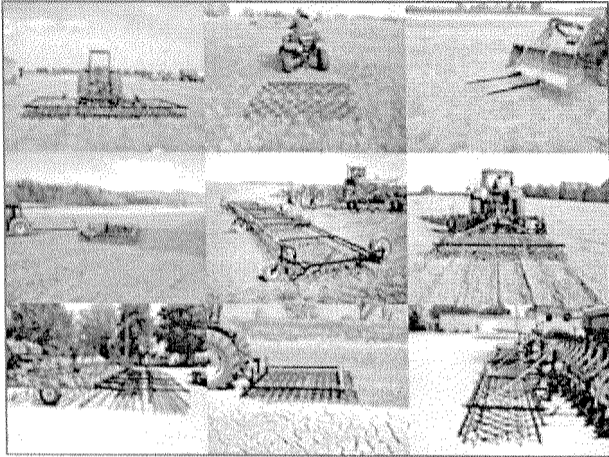
Wingfield FLEXIBLE HARROW

AMERICAN STEEL. AMERICAN LABOR. AMERICAN QUALITY.
WINGFIELD IS PROUD TO PRESENT "THE ALL-AMERICAN HARROW".



Wingfield Distributors
4712 North Cunningham Avenue
Urbana, IL 61802
(800) 637-6712

[Home](#) [Flexible Harrows](#) [Other Products](#) [About Us](#) [Email Us](#) [Order Online](#)



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www.ocalatractor.com

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NOTE: Though we have been facing increasing fuel and steel prices, we have managed to hold our price for over three years. However, starting **August 30, 2008**, we will be having a price increase to offset the increased burden placed upon us. So, if you have been on the fence about ordering a harrow, now is the time! Just place your order on or before the deadline to get your product at the lowest possible price.

Wingfield Products

Flexible Harrows

Small Harrows - 4'9" - 9' 6" wide (5' depth)

Mid-size Harrows - 8' - 12' wide (7.5' depth)

3pt. Pasture Harrow/Cart - 8' - 24' wide

Flexible Harrow Cart - 16' - 30' wide

Heavy-Duty Harrow Cart - 25' - 50' wide

Mounted Harrow - 4' - 60' wide

Drill Harrow - 10' - 30' wide

3pt. Renovators

Pasture Renovator

Arena Renovator

Other Products

Loader Bucket Forks

3pt. Driveway Scraper

3pt. Forklift

Garfield Scrapers

Replacement Parts

[Replacement Sections - 3' 3" - 14' 4" wide](#)

[Replacement Parts - Tines, Hooks, & Side Tines](#)

[Bessey Tools](#)

[Edwards Ironworker](#)

[FMB Saws](#)

Why buy a Wingfield Harrow?

Wingfield has been using and selling the flexible tine harrow (also known as a drag harrow, chain harrow, harrow mat, and field drag) for over 35 years, and have manufactured our own high-quality harrow tine over the last 15 years. We have been innovators in the field with our numerous mounting options and cart designs, and produce the largest harrow selection in the world.

Harrowing is what we do, and no one can match our quality and performance. We are an American company serving American farmers with the best products available. Please take the time to view all the information we have available on our website. We have nothing to hide with our harrow, and list the [specifications](#) to prove it!

With a flood of low quality foreign imports coming into the country, farmers are finding that paying a little extra money goes a LONG WAY to providing quality equipment that not only holds up in rough conditions but also works consistently throughout the equipment's life.

Uses for the harrow include:

Agricultural: Prepare a seedbed, mix residue, incorporate chemicals/fertilizer, warm the soil, level, break up dirt clods, use in lieu of a stalk chopper, remove weeds, improve seed to soil contact, and more...

Livestock/Horses: Maintain a riding arena/corral, seed/interseed a pasture, break up manure, dethatch, aerate, control parasites/fly, invigorate growth, and more...

Landscaping: Seed/interseed a new lawn, clean up a vacant lot, level a gravel/dirt driveway, dry and smooth infields, and more...

Professional: Seed/interseed for turf production, smooth and level a construction site, break up plugs on a golf course, maintain a racetrack, and more...

Additional Information:

[Harrow Tine](#) - The quality starts from the most basic part, the harrow tine.

[Harrow Articles](#) - These articles act as more or less a user's guide on the MANY uses for the Wingfield Harrow.

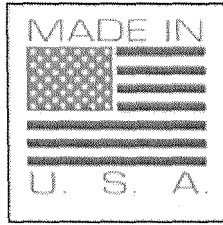
[F.A.Q.](#) - This covers many of the most frequently asked questions that we receive from talking with our customers.

[Company Information](#) - A 3rd generation family-owned business that has been in business over 60 years.

[Show Schedule](#) - Listing of the many farms shows we attend across the country.


[Links](#) - These are a few companies we recommend due to their quality products, and/or service

Customer Testimonials - We are proud of our products and service, & love to hear from satisfied customers.



Wingfield FLEXIBLE HARROW

AMERICAN STEEL. AMERICAN LABOR. AMERICAN QUALITY.
WINGFIELD IS PROUD TO PRESENT "THE ALL-AMERICAN HARROW".



Wingfield Distributors
4712 North Cunningham Avenue
Urbana, IL 61802
(800) 637-6712

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About Us

The Wingfield family is proud to have practiced the principles of conservation tillage for the past 70 years. Willard Beckenholt began his family's quest in conservation tillage as one of the first in Illinois to purchase a tractor with rubber tires in the 1930s, and the purchase of a Seaman Rotary Tiller in 1942, which eliminated the age-old practice of moldboard plowing. Willard's son-in-law Carl was so impressed with the Seaman Tiller that he became a distributor in 1946, and Wingfield Distributors became a leader in conservation tillage. Carl began selling the Graham-Hoeme Chisel Plow in 1953 to complement the Seaman Tiller.

Sadly, Carl's early death in the 1960s prompted his son to drop out of the mechanical engineering program at the University of Illinois to take over the family business and family farm. Dean had never planted an acre of corn in his life, and was interested to learn his father's methods. Carl was a staunch believer in controlling erosion, and was heavily influenced by Pulitzer Prize winning author, Louis Bromfield of Malabar Farm at Mansfield, Ohio. Bromfield advocated a system of using the Seaman Tiller to cut and mix surface residue in the top six inches of field soil, and using the Graham Chisel Plow to loosen compacted soil to a depth of fourteen inches. This practice gave Bromfield the confidence to say he would give anyone \$100 if they found standing water in his fields one half hour after a rain.

Dean spent time talking to local farmers who shared his father's practices, learned to farm, and returned to college. He finished his education at the University of Illinois with a bachelor's in agriculture, with a major in agronomy soils, and a passion to continue his family's quest to encourage conservation tillage. Dean's quest in college was to find a better way to level the soil behind the chisel plow without losing the residue cover or moisture. The only method used at that time was a rod weeder, but it was expensive and cumbersome. The rod weeder was a rotating square rod, which was hydraulic driven and mounted on the shanks of the chisel plow. This implement laid unwanted plants and roots on topsoil to die in the sun.

Dean decided to make the rod weeder easier and less expensive, and used a flexible rod and mount brackets on the back of shanks. This could be adjusted up and down to allow the soil itself to turn the rod. Thus, the tiller rod was born. Over a million feet of tiller rod was sold in the midwest. However with the advent of more conservation tillage, residue became an issue. There was build-up between the shanks of tillage tools, which left piles of residue across the field. A friend from Indiana advised Dean of a harrow which he had used to clear residue, a flexible tine imported from England. The harrow created a more classic dry mulch on the surface, and Dean and other Illinois farmers began hooking up the harrow behind discs and other finishing tools. The harrow worked coarse soil and residue to the surface, while distributing finer soil to the seed zone. The dry mulch surface stopped moisture loss in Dean's fields.

As tillage tools increased in size, the original harrow drawbars were no longer feasible. Dean found a company which would attach his flexible tine harrows to a cart. Unfortunately, this

found a company which would attach his flexible tine harrows to a cart. Unfortunately, this cart was hard to fold, and a good friend, B.G. Schleuter, offered to build Dean a cart to work properly. B.G. was a man of his word, and the flexible tine harrow cart was born. Wingfield Distributors became the largest distributor of harrows until the late 1980s, when its main supplier, Fuerst decided to sell.

After much thought, Dean decided to design and manufacture his own harrow. When designing the harrow tine, he tried many different diameters and degrees of hardness of steel before selecting the best tine material. He found that anything over 1/2" diameter collected too much trash, and mild steel, well, was mild steel, which was subject to premature wear and/or spreading apart. Dean decided to use the highest carbon steel that can be bent cold without breakage and is drawn (from 1/2" to .452) for uniform diameters for more precise bends. The result was a high-quality harrow that provides excellent residue clearance, and even wear throughout the entire section. And so the Wingfield Harrow was born.

We are proud of our product, and the evolution of Wingfield Distributors in conservation tillage stands for the quality and durability that our customers rave about. Wingfield Distributors has come a long way from Willard's initial purchases of the Seaman Rotary Tiller, but our passion for conservation tillage has never wavered. This is our 15th year in building Wingfield Harrows, and our tines and mountings have more flexibility, durability, and life than our competitors. We offer harrows and drawbars from 4' to 24', 3 point harrows from 5' to 36', mounted harrows from 4' to 60+', and two models of harrow carts from 16' to 50'. Renovator knives can be added to our heavy duty pasture harrows and a hydraulic fold is available on all 3 point harrows and harrow carts. Replacement sections will fit most makes of competitive harrow carts. Wingfield Distributors is always installing our Wingfield Harrows on other tools such as pasture aerators, 3 point discs, seeders, etc. Thanks for visiting our website, and keep us in mind for your harrowing needs.

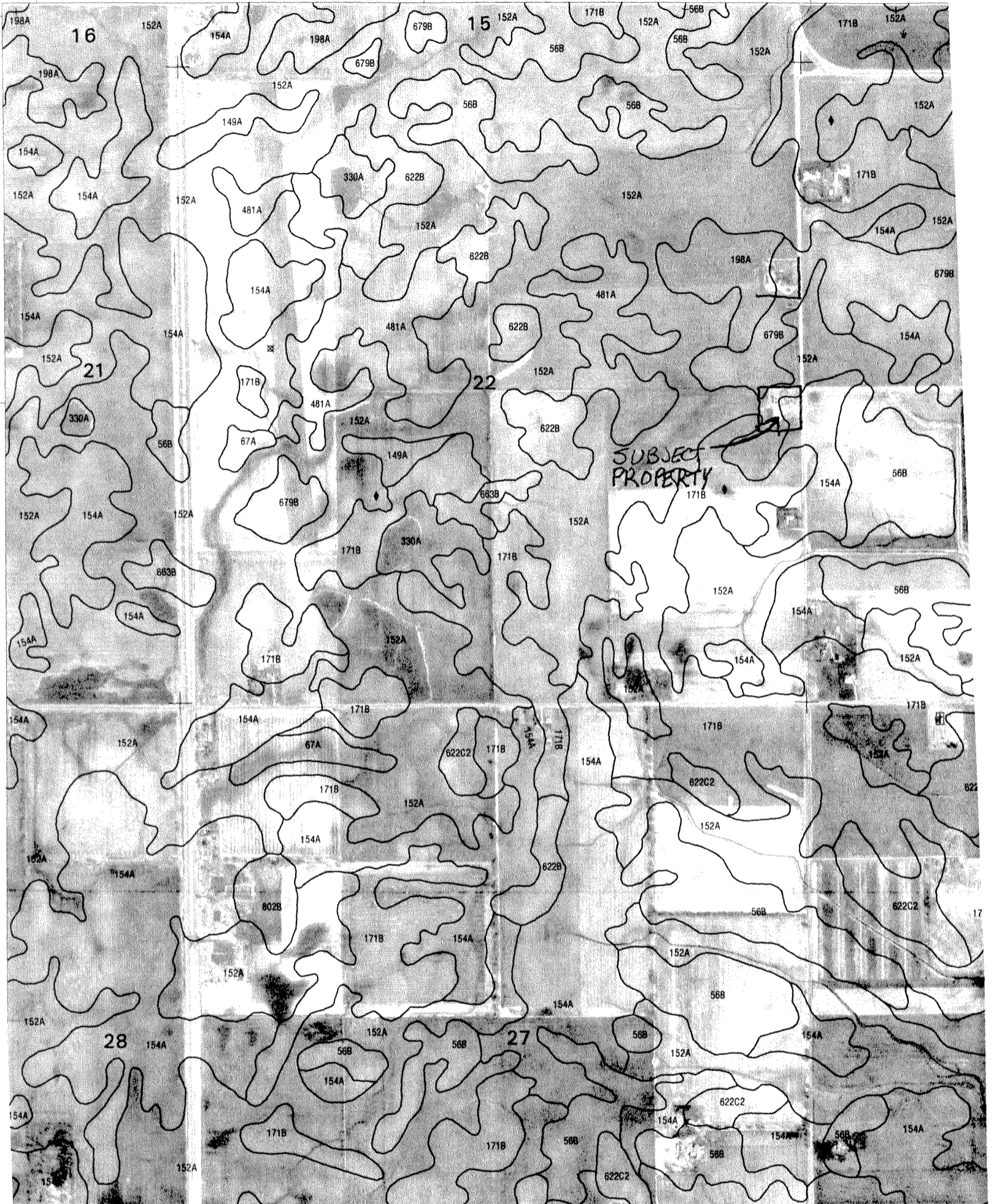
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NATURAL RESOURCES CONSERVATION SERVICE

11'15"

400

401



PRELIMINARY DRAFT

630-AM-08

**FINDING OF FACT
AND FINAL DETERMINATION
of**

Champaign County Zoning Board of Appeals

Final Determination: *{RECOMMEND ENACTMENT/RECOMMEND DENIAL}*

Date: August 28, 2008

Petitioners: Dean Wingfield and Wayne Busboom

Request: Amend the Zoning Map to change the zoning district designation from the AG-2 Agriculture Zoning District to the B-1 Rural Trade Center Zoning District

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **August 28, 2008**; the Zoning Board of Appeals of Champaign County finds that:

1. Co-petitioner, Wayne Busboom, owns the subject property. Co-petitioner Dean Wingfield owns Wingfield Distributors, Inc.
2. The subject property is an approximately 2.6 acre portion of a 30 acre tract in the North Half of the Northeast Quarter of the Southeast Quarter of Section 22 of Somer Township and commonly known as the farm shed at the Southwest corner of the intersection of CR 2050N and CR 1600E.
3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of municipality with zoning. Municipalities with zoning have protest rights on all rezonings and they are notified of such cases.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated:

“Must be zoned for farm equipment business for repairs and sales”

5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the amendment the petitioner has indicated:

“Will fill our company’s need much like John Deere Dealer Shop”

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. Land use and zoning on the subject property and in the vicinity is as follows:
 - A. The subject property is zoned AG-2 Agriculture, and is an agricultural machine shed but is not currently in use.
-

PRELIMINARY DRAFT

- B. Land in all directions from the subject property is zoned AG-2 Agriculture and is in use as farmland.
- 7. Previous zoning cases in the vicinity are the following:
 - A. Case 175-S-99 was a Special Use Permit to allow a dog training club in the AG-2 District on the north side of Ford Harris Road approximately 750 feet east of U.S. 45 that was approved with one condition by the County Board on April 20, 1999.
 - B. 261-AM-00 was a map amendment proposed to rezone 37.1 acres northeast of the intersection of Ford Harris Road and U.S. 45 from the AG-2 District to the B-4 District. The petitioner withdrew the request on February 15, 2001.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

- 8. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The AG-2 Agriculture DISTRICT is intended to prevent scattered, indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominantly vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.
 - (2) The B-1 Rural Trade Center DISTRICT is intended to provide areas for AGRICULTURAL related business services to rural residents.
 - B. Regarding the general locations of the existing and proposed zoning districts:
 - (1) The AG-2 Agriculture Zoning District was originally established in one and one half-mile bands around the county's urban centers. It is intended to provide a buffer between the urbanized area and the AG-1 District to provide for uses that may be necessary in the urban fringe. Some areas of AG-2 have disappeared as the cities and villages have expanded.
 - (2) There is very little B-1 Rural Trade Center Zoning District established in the County. There is no general trend for where it is located, however, it appears to be located in small tracts for one or two uses which serve the agricultural community.
 - C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 12 different types of uses authorized by right in the AG-2 District and there are 24 different types of uses authorized by right in the B-1 District:
 - (a) The following five uses are authorized by-right in both districts:
 - Subdivisions of three lots or less;
 - Agriculture;
 - Minor rural specialty businesses;

- Christmas tree sales lots; and
 - TEMPORARY USES.
- (b) The following six uses are authorized by-right in the B-1 District but are not authorized by any means in the AG-2 District:
- Parking garages or lots;
 - Telegraph offices;
 - Farm equipment sales and service;
 - Cold storage lockers for individual use;
 - Minor automobile repair (all indoors); and
 - Gasoline service stations.
- (c) The following 12 uses are authorized by-right in the B-1 District and may be authorized by Special Use Permit only in the AG-2 District:
- Major Rural Specialty Businesses;
 - Municipal or Government buildings;
 - Police or fire stations;
 - Libraries, museums, or galleries;
 - Parks or recreational facilities;
 - Telephone exchanges;
 - Farm chemicals and fertilizer sales with incidental storage and mixing of blended fertilizer;
 - Roadside produce sales stands;
 - Feed and grain (sales only);
 - Grain storage elevators and bins;
 - Antique sales and service; and
 - Small Scale Metal Fabricating Shops
- (2) There are 72 different types of uses authorized by Special Use Permit (SUP) in the AG-2 District and there are 10 different types of uses authorized by Special Use Permit in the B-1 District.
- (a) The following six uses may be authorized by SUP in both districts:
- Adaptive reuses of government buildings for any by-right use;
 - Electrical substations;
 - Heliport-restricted landing areas;
 - Livestock sales facilities and stockyards;
 - Slaughterhouses; and
 - Self-storage warehouses not providing heat and utilities to individual units
- (b) The following three uses may be authorized by SUP in the B-1 District but are not authorized by any means in the AG-2 District:
- Self-storage warehouses providing heat and utilities to individual units;
 - Gasoline and volatile oils storage up to 175,000 gallon capacity in the aggregate; and

PRELIMINARY DRAFT

- Liquefied Petroleum Gases Storage

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

9. The subject property is not located within the one and one-half mile extraterritorial jurisdiction (ETJ) of a municipality with zoning.

REGARDING CHAMPAIGN COUNTY LAND USE GOALS AND POLICIES

10. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies-Rural Districts (LURP) were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. The relationship of the Land Use Goals and Policies to the relevant LURP's is as follows:
 - A. Land Use Regulatory Policy 0.1.1 gives the Land Use Regulatory Policies dominance over the earlier Land Use Goals and Policies.
 - B. The Land Use Goals and Policies cannot be directly compared to the Land Use Regulatory Policies because the two sets of policies are so different. Some of the Land Use Regulatory Policies relate to specific types of land uses and relate to a particular chapter in the land use goals and policies and some of the Land Use Regulatory Policies relate to overall considerations and are similar to general land use goals and policies.

GENERALLY REGARDING POLICIES FOR COMMERCIAL LAND USE

11. There are seven commercial land use policies in the Land Use Goals and Policies, and two utilities policies (7.3 and 7.3a) which are relevant, as follows:
 - A. Four of the seven commercial land use policies are not relevant to any given rezoning, as follows:
 - (1) Policy 3.2 of the Land Use Goals and Policies states that the County Board will establish, by amendment to the Zoning Ordinance or other means, a process for reviewing petitions for new commercial land to include a determination of the need for new commercial development based on market demand.
 - (2) Policy 3.3 of the Land Use Goals and Policies states that the Environment and Land Use Committee will examine the Zoning Ordinance to institute more flexible commercial development controls such as planned unit development and transfer of development rights in order to provide a wider variety of commercial development techniques and better compatibility with non-commercial uses.

- (3) Policy 3.5 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial developments except in those areas which can be adequately served by public mass transit.
- (4) Policy 3.7 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development along arterial streets and highways if the proposals contribute to the establishment or maintenance of a strip commercial pattern. As an alternative, concentrated or nodal patterns of development may be considered when there is adequate provision for safe, controlled access to the arterial streets and highways.

B. Policy 3.1 of the Land Use Goals and Policies states that the County Board will encourage only those new commercial developments which are found to be needed to serve the demands of the residents of Champaign County and its trade area.

The proposed rezoning appears to **CONFORM** to Policy 3.1 because the proposed use will serve the agricultural community in Champaign County.

C. Regarding the adequacy of utilities and fire protection at the subject property for the proposed map amendment:

- (1) The following policies relate to adequacy of utilities and fire protection:
 - (a) Policy 3.4 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial development except in those areas where sewer, water, adequate fire protection and other utilities are readily available.
 - (b) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available. In areas without public sewer and water systems, development may occur only if it is determined that individual septic systems can be installed and maintained in a manner which will not cause contamination of aquifers and groundwater and will not cause health hazards. Requests for development should demonstrate that wastewater disposal systems, water supply, fire and police protection are adequate to meet the needs of the proposed development.
 - (c) Policy 7.3A states that new subdivisions and zoning changes should meet these (7.3 above) standards and will be considered where they are not in conflict with the goals and policies of this Plan.
- (2) Regarding the availability of water:
 - (a) There is no public water supply that could feasibly be extended to the subject property, and any development on the subject property would have to be served by a well. There is no evidence to suggest that drilling a well on the subject property would be problematic.

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- (b) Policy 7.3 states that development may only occur if it is determined that water supply systems are adequate to meet the needs of the proposed development. Any future well on the subject property must be authorized by the Champaign County Public Health Department, and, in the case of development that requires a Special Use Permit, the Zoning Board of Appeals would also review the proposed development.
 - (c) In regards to the availability of an adequate water supply system, the proposed map amendment **CONFORMS** because there is no evidence that problems with water availability exist on the subject property.
- (3) Regarding the adequacy of an onsite wastewater disposal system for the subject property:
- (a) The County Health Ordinance requires new commercial uses that generate large amounts of wastewater to connect to any public sewer system within 1,000 feet of the subject use. There is no public sewer system within 1,000 feet of the subject property, however, so any development on this property must be served by an onsite wastewater disposal system.
 - (b) According to the *Soil Survey of Champaign County* the subject property consists of both Flanagan and Drummer soil. Flanagan is a best prime farmland soil with a Medium rating for septic suitability, while Drummer is a best prime farmland soil with a Poor septic suitability rating.
 - (c) Any future septic system on the subject property must be authorized by the Champaign County Public Health District.
 - (d) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available, and that requests for development should demonstrate that wastewater disposal systems are adequate to meet the needs of the proposed development.
 - (e) In regards to the availability of an onsite wastewater disposal system, the proposed map amendment **CONFORMS** because any septic system on the subject property will be subject to review by the Champaign County Public Health District.
- (4) Regarding the adequacy of fire protection at this location for the proposed map amendment:
- (a) The subject property is located within the response area of the Thomasboro Fire Protection District. The Fire District chief has been notified of this request but no comments have been received.
 - (b) In regards to adequate fire protection, the proposed map amendment appears to **CONFORM** to Policy 3.4 because there have been no concerns raised by the Thomasboro Fire Protection District.

- (5) There is no evidence to suggest that there will be any demand for gas or electric utilities beyond what is normal for a typical use in this area; therefore, there should be no problems or costs to the public.

- D. Policy 3.6 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development not making adequate provisions for drainage and other site considerations.

The proposed rezoning appears to **CONFORM** to Policy 3.6 based on the following:

- (1) Any future construction on this property will have to meet the requirements of the *Zoning Ordinance* and the *Stormwater Management Policy*.
- (2) The subject property drains to roadside ditches along CR 1600E.
- (3) The subject property is located in Drainage District #1 of Somer Township. The drainage district was notified but no comments have received as yet.
- (4) Pursuant to Federal Emergency Management Agency Flood Insurance Rate Map Panel Number 170894-0125B, the subject property is not located within the Special Flood Hazard Area.

REGARDING POLICIES FOR AGRICULTURAL LAND USE

- 12. There are six policies related to agricultural land uses in the Land Use Goals and Policies. The agricultural land use policies are relevant because the property is proposed to be changed from the AG-2 District, as follows:
 - A. The following agricultural land use policies do not appear to be relevant to any specific map amendment:
 - (1) Policy 1.1 of the Land Use Goals and Policies states that the Environmental and Land Use Committee will study the possibility of creating several agricultural districts which would provide one or more districts for agricultural uses, only, while other districts would permit limited non-agricultural uses.
 - (2) Policy 1.3 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the Board of Appeals will work towards applying the concepts of development rights transfer, planned unit development, cluster development and special use permits to insure, when and where necessary, that development of non-agricultural uses is compatible to adjacent agricultural activities.
 - (3) Policy 1.4 of the Land Use Goals and Policies states that the Environment and Land Use Committee will examine the zoning classification of lands on the urban periphery for the possibility of rezoning lands from district classifications which encourage productive farming.

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- (4) Policy 1.5 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the County Board will encourage the development of tax assessment policies which will discourage the unnecessary conversion of agricultural land to non-agricultural uses.
 - (5) Policy 1.6 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the County Board will initiate a coordinated effort among local units of government to create uniform standards and procedures to review developments proposed for agricultural areas.
- B. Policy 1.2 of the Land Use Goals and Policies states that the Board of Appeals and the County Board will restrict non-agricultural uses to non-agricultural areas or
- i. those areas served by:
 - adequate utilities
 - transportation facilities, and
 - commercial services or
 - ii. those areas where non-agricultural uses will not be incompatible with existing agricultural uses.

The proposed map amendment **CONFORMS** to Policy 1.2 based on the following:

- (1) The proposed map amendment **CONFORMS** regarding transportation facilities because the subject property is located approximately one half-mile from County Highway 20 and approximately one and one-half road miles from US-45.
- (2) In regards to Policies 3.4, 7.3, and 7.3A and overall adequacy of utilities (See Item 11C.) the proposed map amendment **CONFORMS**.
- (3) The proposed map amendment **CONFORMS** in regards to compatibility with agriculture because the proposed use will serve the agricultural community.

REGARDING GOALS FOR COMMERCIAL LAND USES

13. The commercial land use goals are relevant because the subject property is proposed to be changed to the B-1 DISTRICT. There are four commercial land use goals as follows:
 - A. The first and fourth land use goals do not appear to be relevant to any given rezoning, as follows:
 - (1) The first commercial land use goal is provision of a sufficient amount of land designated for various types of commercial land use to serve the needs of the residents of the County.
 - (2) The fourth commercial land use goal is establishment of development procedures to promote appropriate justification for new commercial development.

B. The second commercial land use goal is as follows:

Location of commercial uses:

- i. within ready accessibility to sewer, water and other utilities as well as adequate streets and highways.
- ii. Adequate public transit will also be considered.

Overall, the proposed rezoning *ACHIEVES* this goal based on the following:

- (1) In regards to accessibility of sewer, water, and other utilities Policy 3.4, Policy 7.3, and Policy 7.3A (see Item 11C.), the proposed rezoning *ACHIEVES* this goal.
- (2) In regards to adequate streets and highways, the proposed rezoning *ACHIEVES* the second commercial land use goal based on the following:
 - (a) There is no traffic impact analysis provided for this case.
 - (b) CR 1600E is a township highway with an oil and chip pavement of 19 feet where the subject property accesses the road.
 - (c) The types of uses authorized in the B-1 District are generally similar to the types of uses authorized in the AG-2 District and so the traffic impacts of rezoning should be minimal.
- (3) In regards to adequate public transit, the proposed use will not require mass transit and so this part of the goal is not relevant.

C. The third commercial land use goal is as follows:

Commercial areas designed to promote compatibility with non-commercial uses and at the same time provide ease of access.

This goal *WILL* be achieved by the proposed rezoning, based on the following:

- (1) In regards to compatibility with non-commercial uses, the proposed map amendment *ACHIEVES* this goal because the subject property is located in a predominantly agricultural area, however, the proposed use is intended to serve the agricultural community. The establishment of Gasoline and Volatile Oils Storage (GVOS) on the subject property would be the worst case scenario with regards to compatibility with non-commercial uses. However, GVOS is only authorized by Special Use Permit in the B-1 District and with a standard condition that it be located more than 500 feet from R District, or any residential, institutional, or public assembly use. The nearest dwelling to the subject property is located approximately 700 feet to the south.
- (2) In regards to ease of access the proposed map amendment *ACHIEVES* this goal because the subject property has access to CR 1600E, and is approximately one half-mile from County Highway 20.

REGARDING GOALS FOR AGRICULTURAL LAND USES

14. The agricultural land use goals are relevant because the property is proposed to be changed from the AG-2 District, as follows:

A. The first agricultural land use goal of the Land Use Goals and Policies is as follows:

Preservation and maintenance of as much agricultural land in food and fiber production as possible, and protection of these lands from encroachment by non-agricultural uses.

Based on the proposed development the proposed map amendment **ACHIEVES** this goal because the amendment will result in the re-development of an existing farm shed property, and the proposed use will serve the agricultural community.

B. The second agricultural land use goal of the Land Use Goals and Policies is as follows:

Establishment of an agricultural land classification system based on productivity. Improvement of rural drainage systems.

This policy does not appear to be relevant to relevant to any specific map amendment.

REGARDING GENERAL LAND USE POLICIES

15. There are two general land use policies in the Land Use Goals and Policies, as follows:

A. The second land use policy is not relevant to any specific map amendment, as follows:

The County Board, the Environmental and Land Use Committee and the Board of Appeals will establish communication and coordination processes among local units of government in order to address and resolve similar or overlapping development problems.

B. The first general land use policy is as follows:

The County Board, the Environmental and Land Use Committee and the Zoning Board of Appeals will follow the policies of:

- i. encouraging new development in and near urban and village centers to preserve agricultural land and open space;
- ii. optimizing the use of water, sewer, and public transportation facilities; and reducing the need for extending road improvements and other public services.

Based on the review of the relevant commercial land use policies and goals, the proposed map amendment **CONFORMS** to this policy as follows:

- (1) **CONFORMS** in regards to preserving agricultural land and open space because the proposed rezoning will result in the re-development of an existing farm shed property, and the proposed use will serve the agricultural community.

- (2) **CONFORMS** in regards to optimizing the use of water, sewer, and public transportation facilities and other public services based on the following:
 - (a) Regarding water and sewer, the subject property must use onsite water supply and septic systems; therefore, no public water supply system or public sanitary sewer system will be overextended.
 - (b) Regarding public transportation, the subject property is the rural area, where it will not be served by the Champaign-Urbana Mass Transit District, which will keep public transportation from being overextended.
 - (c) **CONFORMS** in regards to reducing the need for extending road improvements, because the subject property is located on a Township Road near a County Highway and a Federal Highway.

REGARDING GENERAL LAND USE GOALS

16. There are five general land use goals for all land use in the Land Use Goals and Policies, as follows:
 - A. Three of the general land use goals are not relevant to the proposed map amendment for the following reasons:
 - (1) The first and fifth general land use goals are not relevant to any specific map amendment.
 - (2) The second general land use goal is so generally stated that it is difficult to evaluate the degree of achievement by the proposed rezoning.

- B. The third general land use goal is as follows:

Land uses appropriately located in terms of:

- i. utilities, public facilities,
- ii. site characteristics, and
- iii. public services.

Overall the proposed map amendment **ACHIEVES** the third general land use goal, based on the following:

- (1) In regards to utilities, based on the review of the relevant policies: Policy 3.4, Policy 7.3, Policy 7.3A (see item 11C.), and the first general land use policy (see item 15.B.) the proposed map amendment **ACHIEVES** this goal.
- (2) Regarding road improvements, the proposed map amendment **ACHIEVES** the third general land use goal because the subject property is located on a township highway near County Highway 20 and U.S. 45.
- (3) Regarding site characteristics, the proposed map amendment **ACHIEVES** this goal because of the following:
 - (a) Commercial land use policy 3.6 mentions site considerations but is not specific as to what that means other than to mention drainage.

PRELIMINARY DRAFT

- (b) There are no general policies that are specific to site characteristics, but the following considerations are relevant to site characteristics:
 - i. The subject property is located near CH 20 and US 45, north of Urbana, and any truck traffic to the subject property will only be on township roads for one half-mile.
 - ii. The subject property is not currently in use but was used as a farm shop previously.
 - iii. Two corn bins which previously existing on the subject property have since been torn down.

C. The fourth general land use goal is as follows:

Arrangement of land use patterns designed to promote mutual compatibility.

Overall the fourth general land use goal **WILL** be achieved by the proposed rezoning based on conformance or achievement of the preceding policies and goals.

GENERALLY REGARDING COMPLIANCE WITH THE LAND USE REGULATORY POLICIES—RURAL DISTRICTS

17. The LURP's were originally adopted on November 20, 2001 as part of the Rural Districts Phase of the Comprehensive Zoning Review. The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. Regarding compliance with relevant Land Use Regulatory Policies (LURP's):

- A. LURP 1.4.1 states that non-agricultural land uses will not be authorized unless they are of a type not negatively affected by agricultural activities or else are located and designed to minimized exposure to any negative affect caused by agricultural activities.

The proposed map amendment **CONFORMS** to this policy because the proposed use will not be adversely affected by surrounding agriculture because it will serve the agricultural community.

- B. LURP 1.4.2 states that non-agricultural land uses will not be authorized if they would interfere with farm operations or would damage or negatively affect the operation of agricultural drainage systems, rural roads or other agriculture-related infrastructure.

The proposed map amendment **CONFORMS** to this policy because the proposed use will serve the agricultural community, so any traffic related to the proposed use will be related to agriculture.

- C. LURP 1.5.2 states that development that requires discretionary review will not be allowed on best prime farmland unless the site is well suited, overall, for the proposed land use.

The proposed map amendment **CONFORMS** to this policy based on the following:

- (1) According to the *Soil Survey of Champaign County*, there are two types of soil on the subject property: Flanagan silt loam and Drummer silty clay loam, both of which are best prime farmland soils, which makes the subject property best prime farmland overall.
- (2) This site has already been converted out of production agriculture and contains an existing building well-suited to the purposes of the Petitioner, making the site well-suited, overall for the proposed use.

- D. LURP 1.5.3 states that development that requires discretionary review will not be allowed if the existing infrastructures, together with the improvements proposed, is inadequate to support the proposed development effectively and safely without undue public expense.

The proposed map amendment **CONFORMS** to this policy based on conformance to or achievement of Policies 3.4, 7.3, and 7.3a of the Land Use Goals and Policies; the first general land use policy; and the third general land use goal.

- E. LURP 1.5.4 states that development that requires discretionary review will not be allowed if the available public services are inadequate to support the proposed development effectively and safely without undue public expense.

The proposed map amendment **CONFORMS** to this policy because in the review of Policy 3.4 of the Land Use Goals and Policies, Thomasboro Fire Protection District was notified of this case and no comments were received.

- F. LURP 1.6.1 states that in all rural areas, businesses and other non-residential uses will be allowed if they support agriculture or involve a product or service that is provided better in a rural area than in an urban area.

The proposed map amendment **CONFORMS** to this policy because the proposed use will serve the agricultural community.

- G. LURP 1.6.2 states that on the best prime farmland, businesses and other non-residential uses will not be authorized if they take any best prime farmland out of production unless:
- i. they also serve surrounding agricultural uses or an important public need; and can not be located in an urban area or on a less productive site; or
 - ii. the uses are otherwise appropriate in a rural area and the site is very well suited to them.

The proposed map amendment **CONFORMS** to this policy because the proposed use is otherwise appropriate in a rural area and the site is very well suited to them.

DOCUMENTS OF RECORD

1. Application for Rezoning from Dean Wingfield and Wayne Busboom, received on August 4, 2008
2. Preliminary Memorandum for Case 630-AM-08, with attachments:
 - A Case Maps for Case 630-AM-08 (Location, Land Use, Zoning)
 - B Section 5.2 of the *Zoning Ordinance* Table of Authorized Uses
 - C Excerpt of Soil Survey of Champaign County
 - D Draft Finding of Fact for Case 622-AM-08

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The rezoning requested in Case 630-AM-08 should be *{ENACTED/NOT ENACTED}* by the County Board *{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS}*.

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:


Secretary to the Zoning Board of Appeals

Date

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Residential Uses															
BOARDING HOUSE						S									
DWELLING, SINGLE FAMILY													7		
DWELLING, TWO-FAMILY			S	S	S										
DWELLING, MULTI-FAMILY															
Fraternity, Sorority, or Student Cooperative															
Dormitory															
Home for the aged			S												
NURSING HOME			S												
MANUFACTURED HOME PARK								S							
HOTEL - No more than 15 LODGING UNITS	S	S	S						S				S		
HOTEL - over 15 LODGING UNITS															
TRAVEL TRAILER Camp			S												
Residential PLANNED UNIT DEVELOPMENT		S	S	S	S	S	S	S							
MANUFACTURED HOME in MANUFACTURED HOME PARK															
SUBDIVISION(s) totaling three LOTS or less	9	9	9												
SUBDIVISION(s) totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS	10	10	10												
Resource Production and Agricultural Uses															
AGRICULTURE, including customary ACCESSORY USES															
Roadside Stand Operated by Farm Operator															
RURAL SPECIALTY BUSINESS, Minor	S														
RURAL SPECIALTY BUSINESS, Major	S	S	S												
Artificial lake of 1 or more acres	S	S	S	S	S	S	S	S						S	S
Commercial greenhouse			S												
Greenhouse (not exceeding 1,000 sq.ft.)			S												
Garden Shop			S												
Plant Nursery															


 = Permitted by right


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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Mineral Extraction, Quarrying, topsoil removal and allied activities	S	S	S												S
Public and Quasi-Public Facilities															
Elementary SCHOOL, Jr. High SCHOOL, or High SCHOOL	S	S	S												
Institution of an Educational, Philanthropic or Eleemosynary Nature															
Church, Temple or church related TEMPORARY USES on church PROPERTY	S	S	S												
Municipal or GOVERNMENT BUILDING	S	S	S	S	S	S									
Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right		S	S	S	S	S	S	S	S	S	S	S	S	S	S
Penal or correctional institution		S	S												
Police station or fire station	S	S	S	S	S	S									
Library, museum or gallery	S	S	S	S	S	S									
Public park or recreational facility		S	S												
Sewage disposal plant or lagoon	S	S	S												S
PARKING GARAGE or LOT															
Private or commercial transmission and receiving towers (including antennas) over 100' in HEIGHT		S	S								S	S	S	S	S
Water Treatment Plant			S											S	S
Radio or Television Station		S	S								S			S	S
Electrical Substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Telephone Exchange	S	S	S	S	S	S	S	S							
Public Fairgrounds	S		S											S	S
HOSPITAL							S	S			S	S			
Telegraph Office															
Transportation Uses															
Railway Station															
MOTOR BUS Station			S							S					
Truck Terminal			S												
Railroad Yards and Freight Terminals			S												
AIRPORT ²			S											S	S
RESIDENTIAL AIRPORTS ²		S	S												
RESTRICTED LANDING AREAS ²		S	S											S	S

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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
HELIPORT/HELISTOPS ²			S											S	S
HELIPORT-RESTRICTED LANDING AREAS ²		S	S							S		S		S	S
Business Uses: Personal Services															
Barber Shop															
Beauty Shop															
Reducing Salon															
Dressmaking Shop															
Drycleaning ESTABLISHMENT															
Laundry and/or drycleaning pick-up															
Millinery shop															
Self-service laundry															
Shoe repair shop															
Tailor and pressing shop															
Diaper Service ESTABLISHMENT															
Clothing Repair and Storage															
Mortuary or Funeral Home		S ₁₆						S							
Medical and Dental CLINIC															
Business Uses: Agriculture															
Farm Chemicals and Fertilizer Sales including incidental storage and mixing of blended fertilizer		S	S												
Roadside Produce Sales Stand			S												
Farm Equipment Sales & Service															
Feed and Grain (sales only)			S												
Livestock Sales Facility and Stockyards		S	S						S						
Slaughter Houses		S	S						S					S	
Grain Storage Elevator and Bins		S	S												

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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Business Uses: Business, Private, Educational, and Financial Services															
Artist Studio			S							S			S		
Banks, Savings and Loan Associations															
Insurance and Real Estate Offices															
Business Office														4	
Professional Office															
Private Kindergarten or Day Care Facility				S	S	S	S	S							
Vocational, Trade or Business SCHOOL															
Business Uses: Food Sales and Service															
Meat and Fish Market															
Restaurant (indoor service only)										S					
Supermarket or Grocery Store															
Wholesale Produce Terminal															
Drive-In Restaurant															
Tavern or Night Club															
Bakery (less than 2,500 SF)															
Bakery (more than 2,500 SF)												S			
Dairy Store															
Delicatessen															
Confectionery Store															
Retail Liquor Store															
Locker, Cold Storage for Individual Use															
Business Uses: AUTOMOBILE Sales and Services															
AUTOMOBILE, Truck, Trailer and Boat Sales room (all indoors)															
AUTOMOBILE or Trailer Sales area (open lot)															
Major AUTOMOBILE Repair (all indoors)															
Minor AUTOMOBILE Repair (all indoors)										S					
Gasoline Service Station										S					
AUTOMOBILE Washing Facility															
Automotive Accessories (new)										S					
AUTOMOBILE Salvage Yard (junkyard)															

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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Business Uses: Retail Trade															
Building Material Sales (excluding concrete or asphalt mixing)															
Hardware Store															
Electrical or gas appliance Sales and Service															
Department Store															
Apparel Shop															
Shoe Store															
Jewelry Store															
Stationery-Gift Shop-Art Supplies															
Florist															
Newsstand-Bookstore															
Tobacconist															
Variety-Drygoods Store															
Music Store															
Drugstore															
Photographic Studio & Equipment Sales and Service															
Furniture Store - Office Equipment Sales															
Antique Sales and Service			S												
Used Furniture Sales and Service															
Pet Store															
Bicycle Sales and Service															
Fuel Oil, ice, coal, wood (sales only)															
Monument Sales (Excludes stone cutting)															
Pawn Shop															
Sporting Good Sales & Service															
Heating, Ventilating, Air Conditioning Sales and Service															
Lawnmower Sales and Service															


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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Business Uses: Recreational															
Amusement Park			S									S	S	S	S
Resort or Organized CAMP	S		S												
Bait Sales	S		S												
Billiard Room															
Bowling Alley															
Country club or golf course	S														
Country Club Clubhouse	S		S												
Dancing Academy or hall															
Lodge or private club	S		S												
Outdoor commercial recreational enterprise (except amusement park)	S		S												
Private Indoor Recreational Development			S			S	S								
Public CAMP or picnic area	S		S												
Riding Stable	S	S	S	S ³											
Seasonal hunting or fishing lodge	S		S												
Stadium or coliseum			S										S	S	S
THEATER, indoor															
THEATER, OUTDOOR			S												
Commercial Fishing Lake	S	S	S												
Business Uses: Miscellaneous															
Aviation sales, service or storage			S												
Cemetery or Crematory		S	S												
Pet Cemetery	S	S	S												
KENNEL	S	S	S									S			
VETERINARY HOSPITAL	S	S	S							S	12	S			
Commercial Breeding Facility															
Wholesale Business															
Warehouse										S					
Self-storage Warehouses, providing heat and utilities to individual units									S	S		S			
Self-Storage Warehouses, not providing heat and utilities to individual units			S						S	S		S			
Auction House (non-animal)															


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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Christmas Tree Sales Lot															
OFF-PREMISES SIGN within 660' of the edge of the RIGHT-OF-WAY of an interstate highway															
OFF-PREMISES SIGN beyond 660' of the edge of the RIGHT-OF-WAY of an interstate highway		S	S												
OFF-PREMISES SIGN along federal highways except interstate highways															
OFF-PREMISES SIGN															
SEXUALLY ORIENTED BUSINESSES,															
TEMPORARY USES															
Recycling of non-hazardous materials (all storage and processing indoors)												S			
LANDSCAPE WASTE PROCESSING FACILITIES			S												S
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S												
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S									S			
Industrial Uses: Food and Kindred Products															
Meat, Fish and Poultry Preparation and Packing															S
Animal and Marine Fats and Oils Manufacturing and Packaging															S
Vegetable Fats and Oils Manufacturing & Packaging															
Canning and Preserving of Vegetables & Seafood															
Grain Mill Products Manufacturing and Packaging															
Dairy Products Manufacturing, Processing and Packaging															
Confectionery Products, Manufacturing & Packaging															
Beverage (Alcoholic and Non-Alcoholic) Distilling, Manufacturing, Processing, and Bottling															
Other Food Preparations Manufacturing, Processing and Packaging															

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Industrial Uses: Textile and Apparel																
Wool, cotton, silk and man-made fiber manufacturing																
Manufacturing and Processing Wearing Apparel and Related Finished Products Manufacturing																
Miscellaneous Finished Products Manufacturing including Home Products, Canvas Products, Decorative Textiles, Luggage, Umbrellas, and Similar Products																
Industrial Uses: Primary Metal Manufacturing																
Steel Works, Blast Furnaces and the Rolling & Finishing of Ferrous Metals																S
Smelting and Refining of Non-Ferrous Metals																S
Foundries																S
Rolling, Drawing & Extrusion of Non-Ferrous Metals																S
Industrial Uses: Fabricated Metal Products																
Machinery (Except Electrical) Manufacturing																
Armaments Manufacturing (Non-Explosive)																
Electrical and Electronic Machinery, Equipment and Supplies Manufacturing																
SMALL SCALE METAL FABRICATING SHOP	S ₁₃	S ₁₃	S ₁₃													
Transportation Equipment Manufacturing																
Other Fabricated Metal Products, Including Containers, Tools, Hardware, Structural Metals Piping, Boilers and Furnaces, Machined Products, Metal Stamping, Wire Products and the Coating and Engraving of Metal Products																
Industrial Uses: Chemicals and Allied Products																
Plastics, Synthetic Resins, Synthetic Rubber Manufacturing																S
Drug Manufacturing																
Soap, Detergent, Bleaching Agents and Cleaning Preparations Manufacturing																S
Cosmetics and Toiletries Manufacturing																
Paints, Varnishes, Lacquers, Enamels, Inks, Dyes, Gum and Wood Derivatives Manufacturing																S


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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Explosives and Incendiary Products Manufacturing and Storage															S
Fertilizer Manufacturing and Bulk Storage															S
Bone Distillation and Glue Manufacturing															S
Radioactive Materials Manufacturing and Refining															S
Corrosive Acids, Chlorine, Caustic Soda, and Potash Manufacturing and Bulk Storage															S
Insecticide, Fungicide, Herbicide and Poisons Manufacturing and Bulk Storage															S
Industrial Uses: Electric Power Generating Facilities															
Coal/Oil Steam Turbine															S
Natural Gas Steam Turbine															S
Wind Turbine (less than 3 wind turbines)															S
Gas Turbine Peaker		S	S											S	S
Wind Turbine (1-3 wind turbines)		S	S											S	S
Industrial Uses: Petroleum and Rubber Products															
Petroleum Refining															S
Paving and Roofing Materials Manufacturing															S
Rubber Products Manufacturing, Including the Reclamation of Rubber															S
Linoleum and other Hard Surface Floor Coverings Manufacturing															S
Gasoline and Volatile Oils Storage up to and Including 80,000 gallon capacity in the Aggregate ⁶									S		S			S	
Gasoline and Volatile Oils Storage of greater than 80,000 gallons but no more than 175,000 gallon capacity in the Aggregate ⁶									S					S	
Gasoline and Volatile Oils Storage Facilities exceeding 175,000 gallon capacity of volatile liquid in the Aggregate ⁶															S
Fuel Ethanol Manufacturing ^{14,15}															S
Liquefied Petroleum Gases Storage ⁶									S		S			S	S
Industrial Uses: Stone, Glass and Clay Products															
Glass Products Manufacturing															
Hydraulic Cement Manufacturing															
Structural Clay Products Manufacturing															

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
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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Pottery and Related Products Manufacturing															
Concrete, Gypsum and Plaster Manufacturing															
Cut Stone and Stone Products Manufacturing															
Abrasives, Asbestos and Miscellaneous Non-Metallic Products Manufacturing															
Industrial Uses: Professional, Scientific and Controlling Devices															
Engineering, Laboratory, Scientific and Research Instruments, Manufacturing															
Mechanical Measuring and Controlling Instruments Manufacturing															
Optical Instruments and Lenses Manufacturing															
Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing															
Photographic Equipment and Supplies Manufacturing															
Watches, Clocks and Clockwork Operated Devices Manufacturing															
Industrial Uses: Printing, Publishing and Related Industries															
Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing															
Bookbinding															
Motion Picture Production Studio															
Industrial Uses: Lumber and Wood Products															
Wood Fabricating Shop and Related Activities			S												
Sawmills and Planing Mills, and related activities		S	S												
Household and Office Furniture Manufacturing															
Paper and Pulp Manufacturing															
Building Paper, Paper Containers, and Similar Products Manufacturing															

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Champaign County, Illinois
Zoning Ordinance


SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Industrial Uses: Research, Development and Prototype Manufacturing Industries															
Theoretical and Applied Research Development and Prototype Light Manufacturing of the following: Drugs, Chemicals, Food products, Rubber and Petroleum Products, Light Weight Fabricated Metal Products, Electronic and Electrical Products, Physical and Aerospace Sciences, Wood and Wood Products, Non-Electrical Machinery, Textiles, Glass and Ceramic Products															
Non-Profit or Governmental Educational and Research Agencies															
Industrial Uses: Miscellaneous Manufacturing and Industries															
Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing															
LIGHT ASSEMBLY													S		
Musical Instruments and Allied Products Manufacturing															
Office and Artists Materials Manufacturing (Except Paints, Inks, Dyes and Similar Products)															
SIGNS and Advertising Display Manufacturing															
Pre-Existing Industrial Uses (Existing Prior to October 10, 1973)		S	S												

Footnotes

1. In case a proposed principal USE is not specifically included in Section 5.2, Table of Authorized Principal USES, or elsewhere in the *Champaign County Zoning Ordinance*, the Zoning Administrator shall interpret in what DISTRICT the USE is permitted by comparing the proposed USE to the most similar USE listed in the ordinance.
2. All AIRCRAFT must land at a facility permitted under the terms of this ordinance and certified by the Illinois Division of Aeronautics. Provided, however, that nothing in this ordinance shall be construed to prohibit the landing of aircraft due to aircraft or medical emergency; landing due to other bona fide emergency at the direct order of police, fire or emergency officers; landing of agricultural aircraft pursuant to the *Illinois Highway Code* (605 ILCS 5/9-129); or landing of aircraft qualifying as Special Purpose aircraft under the *Illinois Aviation Safety Rules*, (92 IL Admin. Code, Part 14, Section 14.880).
3. Provided that the Riding Stable is located in a recorded subdivision or Planned Unit Development and is included as a part of the overall scheme of development which centers around the riding and keeping of horses, and where no less than seventy-five percent of the horses boarded are owned by residents of the subdivision or PUD, in which the riding stable is located.

 = Permitted by right

 = Permitted on individual LOTS as a SPECIAL USE

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

4. Only when located in a unified industrial development and where occupying LOTS comprising no more than 25 percent of the total LOT AREA of the development.
5. Outdoor STORAGE as an ACCESSORY USE is allowed by right when all outdoor STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Section 7.6.3.
6. These USES shall conform to the Zoning Restrictions of the DISTRICT in addition to conforming to State Regulations set forth in the *Illinois Gasoline Storage Act* (430 ILCS 15/0.01 *et seq.*) and set forth in the *Illinois Rules for the Storage, Transportation, Sale and Use of Liquefied Petroleum Gas* (41 IL Admin. Code, Part 200).
7. Permitted only in STRUCTURES existing prior to October 10, 1973 together with later additions not exceeding one-third of the floor area of the structure as it existed on that date, provided that if such structure used for SINGLE FAMILY DWELLING purposes is destroyed by fire, accident, or act of God, it shall not be reconstructed or repaired to occupy a larger or different BUILDING AREA on the LOT.
8. A Minor RURAL SPECIALTY BUSINESS must meet all of the following requirements otherwise it shall constitute a Major RURAL SPECIALTY BUSINESS:
 - A. The total area of the site occupied by any part of the business not otherwise qualifying as AGRICULTURE shall not exceed one acre;
 - B. The total sales DISPLAY area shall not exceed 2,000 sq. ft., no more than half of which may be indoors;
 - C. No business may include a food service establishment except food stores as defined by Section 5.4.6 of the *Champaign County Health Ordinance* ;
 - D. Businesses located in the CR, AG-1, or AG-2 Districts shall not ACCESS STREETS located within a recorded SUBDIVISION;
 - E. Alcoholic beverages not produced on the PREMISES shall not be sold; and
 - F. No outdoor entertainment requiring the use of sound amplification equipment shall be permitted unless a Temporary Use Permit and Entertainment and Recreation License shall have been obtained.
9. No more than three LOTS in total (in any number of subdivisions involving LOTS that are less than 35 acres in area) are allowed to be platted per parcel except as provided in Section 5.4.2.
10. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2.
11. SEXUALLY ORIENTED BUSINESSES shall not be permitted on lots located within 1,000 feet of:
 - A. another SEXUALLY ORIENTED BUSINESS;
 - B. a school, park, church or library; or
 - C. any residential zoning DISTRICT.

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

12. A VETERINARY HOSPITAL is permitted by right only if it meets all of the following requirements; otherwise it shall be permitted only with a SPECIAL USE Permit:
 - A. The VETERINARY HOSPITAL must be entirely enclosed and have no outdoor exercise areas or animal runs.
 - B. The VETERINARY HOSPITAL must not permit animals to be kept either temporarily or permanently outside the HOSPITAL BUILDINGS.
 - C. No animal shall be boarded except as incidental to providing veterinary care.
13. Permitted by Special Use Permit only if located in buildings constructed prior to January 1, 1988.
14. Only ethanol production facilities utilizing the dry mill process shall be permitted.
15. Fuel ethanol plants shall be required to install thermal oxidizers or other similar technology to remove the volatile organic compounds (VOCs) to reduce odors.
16. Mortuary or Funeral Home is only allowed in the AG-2, Agriculture Zoning District as a second principal use on the same lot as a cemetery and the lot must be under common management.