

# CHAMPAIGN COUNTY ZONING BOARD OF APPEALS NOTICE OF REGULAR MEETING

Date: **July 29, 2010**  
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 (July 15, 2010)
5. Continued Public Hearings
6. New Public Hearings

**Case 671-AM-10** Petitioner: **James Finger, President and Lisa M. Feig, Vice President,  
d.b.a Triad Shredding, Inc.**

Request: **Amend the Zoning Map to change the district designation from the AG-1  
Agriculture Zoning District to the B-4 General Business District.**

Location: **A 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of  
the Southeast Quarter of Section 33 of Harwood Township and commonly  
known as the Triad Shredding property at 2074 CR 3000N (US136), Rantoul.**

**\*Case 672-S-10** Petitioner: **James Finger, President and Lisa M. Feig, Vice President,  
d.b.a Triad Shredding, Inc.**

Request: **Authorize Triad Shredding, Inc. to do recycling of non-hazardous materials  
(confidential paper shredding and recycling) with all processing and storage  
of materials taking place indoors in the B-4 General Business Zoning District  
(the subject of Case 671-AM-10).**

Location: **A 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of  
the Southeast Quarter of Section 33 of Harwood Township and commonly  
known as the Triad Shredding property at 2074 CR 3000N (US136), Rantoul.**

7. Staff Report
8. Other Business
  - A. June, 2010 Monthly Report
9. Audience Participation with respect to matters other than cases pending before the Board
10. Adjournment

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

1 **MINUTES OF REGULAR MEETING**  
2  
3 **CHAMPAIGN COUNTY ZONING BOARD OF APPEALS**  
4 **1776 E. Washington Street**  
5 **Urbana, IL 61801**  
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7 **DATE:** July 15, 2010 **PLACE:** Lyle Shields Meeting Room  
8 **TIME:** 7:00 p.m. **1776 East Washington Street**  
9 **Urbana, IL 61802**

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11 **MEMBERS PRESENT:** Doug Bluhm, Catherine Capel, Thomas Courson, Melvin Schroeder, Eric  
12 Thorsland, Paul Palmgren  
13

14 **MEMBERS ABSENT :** Roger Miller  
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16 **STAFF PRESENT :** Lori Busboom, John Hall, J.R. Knight  
17

18 **OTHERS PRESENT :** Germaine Light, Randall Brown, John Rhoads, Mark Catron, Scott Olthoff,  
19 Sherry Schildt, Herb Schildt, Chris Doxtator, William Aceto, Brenda Rogers,  
20 Brenda Kimball, David Rogers, Joey Branson, Emily Oswald, Kerri Hurd,  
21 Jen Dillingham, Dora Grubb, John Grubb, Jeffery Branson, Thomas Martin,  
22 Randall Brown, Drew Kenna, A. Renee Pride, Kenneth Pride, Shirley Howe,  
23 Jimmy Howe, Bridget Valentine, Vivienne Bejasa, Matthew Purcell, Sabrina  
24 Purcell, Tammy Roberts, Jenna Houk, Kyle Houk, Jim Myers, Susie Wright,  
25 Lesa Brown, Michael Savage, Ken Waldrop, Carl Webber

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28 **1. Call to Order**  
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30 The meeting was called to order at 7:05 p.m.  
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32 **2. Roll Call and Declaration of Quorum**  
33

34 The roll was called and a quorum declared present with one member absent.  
35

36 **3. Correspondence**  
37

38 None  
39

40 **4. Approval of Minutes (June 17, 2010)**  
41

42 **Mr. Thorsland moved, seconded by Mr. Courson to approve the June 17, 2010, minutes as submitted.**  
43 **The motion carried by voice vote.**  
44

45 **5. Continued Public Hearing**  
46

1 Mr. Thorsland moved, seconded by Ms, Capel to rearrange the agenda and hear Cases 665-AT-10 and  
2 666-AT-10 prior to Case 668-AT-10. The motion carried by voice vote.

3  
4 Mr. Bluhm called Case 665-AT-10 and Case 666-AT-10 concurrently.

5  
6 **Case 665-AT-10 Petitioner: Zoning Administrator Request to amend the Champaign County Zoning  
7 Ordinance by revising paragraph 4.3.3G. as follows: A. increase the maximum fence height allowed  
8 in side and rear yards from six feet to eight feet for fences in Residential Zoning Districts and on  
9 residential lots in the AG-2 and AG-2 Zoning District; and B. Require all fencing that is in the front  
10 yard and that is higher than four feet tall to be at least 50% transparent in Residential Zoning  
11 Districts and on residential lots in the AG-1, AG-2, and CR Zoning Districts; and C. increase the  
12 maximum allowed height of all fencing to allow up to three inches of ground clearance.**

13  
14 **Case 666-AT-10 Petitioner: Zoning Administrator Request to amend the Champaign County Zoning  
15 Ordinance by revising Subsection 6.1 and paragraph 9.1.11D.1 to clarify that the standard conditions  
16 in Subsection 6.1 which exceed the requirements of Subsection 5.3 in either amount or kind are  
17 subject to waiver by the Zoning Board of Appeals or county Board.**

18  
19 Mr. Hall stated that staff has no new information on Case 665-AT-10 or Case 666-AT-10 therefore he  
20 requested that both cases be continued to the September 16, 2010, meeting.

21  
22 **Mr. Thorsland moved, seconded by Mr. Courson to continue Case 665-AT-10 and Case 666-AT-10 to  
23 the September 16, 2010, meeting. The motion carried by voice vote.**

24  
25 **Case 668-AT-10 Petitioner: Zoning Administrator Request to amend the Champaign County Zoning  
26 Ordinance as follows: 1. in section 3, add RESIDENTIAL RECOVERY CENTER as a defined term;  
27 and 2. In Section 4.2.1C. authorize RESIDENTIAL RECOVERY CENTER as a second principal use  
28 on a lot with a church or temple in the AG-2 District; and 3. In Section 5.2, add RESIDENTIAL  
29 RECOVERY CENTER to the Table of Authorized Principal Uses as a use allowed by Special Use  
30 Permit only, subject to standard conditions, in the AG-2 Agriculture Zoning District and indicate a  
31 new footnote; and 4. Add RESIDENTIAL RECOVER CENTER to Section 6.1.3 with standard  
32 conditions of approval, including but not limited to: (1) the property must be served by public  
33 transportation; and (2) a limit on the number of residents equal to 10% of the occupancy of the  
34 worship area of the associated church, but no more than 25; and (3) supervision by a responsible and  
35 qualified staff person, 24 hours per day, seven days per week; and (4) the use must be operated in  
36 accordance with the Alcoholism and Other Drug Abuse and Dependency Act; and 5. In Section 7.4.1,  
37 add new paragraph C.3.i indicating parking for a RESIDENTIAL RECOVERY CENTER is only  
38 required for vehicles proposed as part of the Special Use Permit application.**

39  
40 Mr. Hall distributed a Supplemental Memorandum dated July 15, 2010, to the Board for review. He said  
41 that attached to the new memorandum is a letter received from Randall Brown on July 13, 2010. Mr. Hall  
42 said that the new memorandum also recommends new evidence which should be added to the Finding of  
43 Fact although he does recommend some changes to that evidence including a reference to the testimony of

1 Mr. Joseph Coble and a summary of Mr. Brown's submitted letter. Mr. Hall stated that Mr. Brown has  
2 submitted a well written five page letter and he recommends that the Board review the letter.

3  
4 Mr. Hall gave a brief summary. He said that he found three things from Mr. Brown's letter which should be  
5 added to the Finding of Fact under Item #15 after Mr. Coble's testimony. He said that Item #9 on Page 4 of  
6 Mr. Brown's letter, the standard condition that he refers to does not specify anything other than "...served by  
7 public transportation." Mr. Hall stated that Mr. Brown's letter points out that there is no public  
8 transportation at the site that he is discussing in the evening. Mr. Hall stated that there are many areas that  
9 the Mass Transit District serves which does not have night service and the intention of the standard condition  
10 regarding public transportation is that the use be on a public transportation route. He said that Mr. Brown  
11 raised the idea that someone could challenge a use in the future when it does not have public transportation  
12 24 hours per day. Mr. Hall stated that the question for the Board is, does the use require 24/7 public  
13 transportation service or is it adequate to simply be on a transportation route during some time of the day.  
14 He said that if the Board believes that the use needs more access to public transportation then the Board will  
15 need to amend what is before them otherwise the finding is okay the way it is.

16  
17 Mr. Hall stated that regarding Item #12 from Mr. Brown's letter, the Board could add a requirement  
18 regarding the date of establishment of the local church but that date does not seem to be so directly related to  
19 land use in the same way that requiring the building to have existed when the Zoning Ordinance was  
20 adopted. He said that current conditions have been reviewed by the State's Attorney and are reasonable. Mr.  
21 Hall stated that Mr. Brown's concern about a third principal use has been mentioned in several places in his  
22 letter. Mr. Hall stated that Mr. Brown has attached to his letter a few pages from [www.lifelineconnect.org](http://www.lifelineconnect.org)  
23 which describes some of the services and fund raising activities offered. Mr. Hall said that Mr. Brown has  
24 indicated concern that the fund raising activities, performed by the residents of Lifeline Connect, are actually  
25 a third principal use on the property. Mr. Hall stated that staff is in the opinion that the activities the  
26 members of a Residential Recovery Center perform in order to support the center should be reviewed under  
27 the Special Use Permit for a Residential Recovery Center. He said that if the Board is comfortable with the  
28 fund raising activities and determines that they are consistent with the zoning district in which they are  
29 located it doesn't rise to the level of a third principal use. He said that this is an issue that the Board must be  
30 careful about in any special use permit like what has been proposed and to make sure that these activities are  
31 reasonable. He said that he will be obtaining additional information regarding the fund raising activities but  
32 based on what he knows right now the activities seem reasonable.

33  
34 Mr. Hall stated that as the Board further reviews Mr. Brown's letter they may find other things that are worth  
35 mentioning in the Finding of Fact. He explained to the audience that typically the information that go into  
36 the Finding of Fact is information that is material to the decision that the Board is making. He said that  
37 given a case where there are several multi-page letters those things have to be summarized therefore it is up  
38 to the Board to decide what needs to be included in the Finding of Fact.

39  
40 Mr. Bluhm asked the Board if there were any questions for Mr. Hall and there were none.

41  
42 Mr. Bluhm informed the audience that the witness register is very full and requested that any comments be  
43 directed to the actual text amendment and not to a particular site or use that is already in progress. He said

1 that if someone has already voiced comments that you are in agreement with then please indicate such and  
2 do not repeat those comments to the Board.

3  
4 Mr. Bluhm called Mr. Randall Brown to testify.

5  
6 Mr. Randall Brown, who resides at 2408 N. High Cross Road, Urbana, stated that again he is present tonight  
7 in opposition to the proposed amendments as described in Case 668-AT-10. He said that he is going to cut  
8 to the chase and does not want to waste too much valuable time. He said that first and very importantly, this  
9 amendment is in direct conflict with the Urbana Zoning Ordinance relative to Class II and Class III living  
10 facilities. He said that Class I applies to only 1 through 4 residents with 2 live-in attendants, Class II applies  
11 to 5 through 8 residents with 2 live-in attendants, while Class III applies to 9 through 15 residents with an  
12 undefined number of staff. He said that "Homes of Adjustment dwelling" is the closest defined use as stated  
13 by Robert Myers, City of Urbana Planning Manager, in his letter dated May 27, 2010, to Mr. J.R. Knight.  
14 He said that in Mr. Myers' letter, he states that Classes II and III are not permitted in the AG zone and with  
15 that in mind it has also been disclosed by the proponent that the Program Director and his wife already reside  
16 at the site which unto itself could be considered yet another non-compliant use thus limiting Class I  
17 occupancy to no more than 4 more individuals. He said that given that finding this amendment should be  
18 forwarded with a cap of 4 additional people.

19  
20 Mr. Brown stated that secondly and importantly, the logic of the text amendment stated in Attachment A  
21 dated April 26, 2010, is correct in that the Board is not obligated to consider the proposal further because  
22 neither the zoning Administrator or State's Attorney are convinced that the proposed singular use by the  
23 proponent is an essential part of their religious practice or service.

24  
25 Mr. Brown stated that thirdly and very importantly he would like to raise the issue of uses. He said that the  
26 proponent has disclosed the non-compliant Residential Recovery Center and that the Program Director and  
27 his wife live at the site which could also be construed as yet another non-compliant use and complaints may  
28 be forthcoming. He said that 4 complaints of non-compliant use have been filed this week with the Zoning  
29 Administrator for which the existing non-compliant Residential Recovery Center operates as an "estimated  
30 donation" business consisting of yard work, auto detailing, construction, and clean up and moving services.  
31 He said that these complaints should be considered separate from the proposed singular use of a Residential  
32 Recovery Center thus making a separate action on behalf of the residents of Champaign County for remedy.  
33 For example, there is no allowance of auto services of any kind in AG-2 and each advertised use should be  
34 examined thoroughly relative to compliance or non-compliance and appropriate action taken on behalf of  
35 each service, if necessary.

36  
37 Mr. Brown stated that he would also hope that the ZBA would take into careful consideration whether these  
38 uses are considered primary or secondary. He said that the public deserves a complete analysis on behalf of  
39 the Zoning Administrator and the ZBA relative to scale and direct mission of each use. He said that he  
40 would speculate that had the proponent truthfully disclosed all the uses on the site that it would have become  
41 clearer from the beginning that the intended uses are private and exclusionary. He said that the proponent's  
42 public webpage discloses gender exclusion in its purpose statement and copies of that public webpage were  
43 attached to the letter dated July 12, 2010, and can be found at their website: [www.lifelineconnect.org](http://www.lifelineconnect.org).

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Mr. Brown stated that he would like a clarification from the Zoning Administrator relative to truckload sales that are sponsored and held periodically at the proponent's site. He said that the duration of time comes into question based on the proponent's signage that plagues the area's intersections for two weeks at a time that reads in paraphrase, "Truckload Sale this week at 2107 N. High Cross Road." He said that the sales have been sponsored for at least the five years that he has resided in his High Cross home. He asked if these sales should be considered special uses or temporary uses.

Mr. Brown stated that fourth and finally the proponent has solicited on its website a donations program called "200 bricks for \$200,000" in order to build a new housing facility on the site. He said that there is no better assumption than placing a cart before the horse and he wants to make it clear to the proponents that he and others will resist the overall passage of this amendment at the full Board level and any further zoning matters relative to use of the site. He said that the Zoning Administrator has proposed a possible subdivision of the land because Urbana does not allow more than one principal use in AG yet the *Champaign County Zoning Ordinance* does not allow subdivision on properties of less than five acres therefore the proponent's current property does not comply as it is approximately 4.62 acres. He said that in general, this amendment appears to be a legal justice for a few select individuals yet a legal injustice to all of the people and churches of Champaign County.

Mr. Brown stated in closing that he would like to remind the Board that the entire community does not aspire to the passage of this amendment and that any testimony heard here tonight on behalf of the proponent should be considered as mere support of the vested interest of a few people vs. the entire community. He said that as he stated in his letter of July 12<sup>th</sup> if the community as a whole were presented with all the facts in this case and allowed to decide they would most likely reject it overwhelmingly. He prays that the Board will make the right decision for all of the people of Champaign County and not for a select few. He said that he would also ask any person who has the right to vote on this amendment and who has any affiliation with the proponent to abstain from voting on the forwarding of the amendment. He thanked the Board for its time.

Mr. Bluhm asked the Board if there were any questions for Mr. Brown and there were none.

Mr. Bluhm asked if staff had any questions for Mr. Brown and there were none.

Mr. Bluhm noted that it is hard to distinguish between the text amendment being a general amendment and not site specific. He said that many of the comments included in Mr. Brown's testimony would be in a very specific special use case for one use. He asked the audience to keep their comments to the text amendment and not to one specific site or existing use.

Mr. Bluhm called Ms. Germaine Light to testify.

Ms. Germaine Light, who resides 2402 N. High Cross Road, Urbana, stated that it is hard to present her comments under the parameters that have been given. She said that at the last hearing many people testified about a specific site and how their church or program helped so many people therefore it is really hard to

1 divorce a specific site from the situation. She said that she has not seen much in the way of minorities or  
2 people of color involved in the program and she would think that such a program, regardless of the location,  
3 would have to follow existing anti-discrimination laws. She said that any place that would fall under the  
4 proposed text amendment would not be able to discriminate against women, minorities or religion. She said  
5 that the website indicates that a person must join the congregation in order to be involved in the program.  
6 She said that she does believe that it is not right for any place to illegally operate for three years against the  
7 existing zoning laws and then request that a public body, elected by the taxpayers of the County, approve a  
8 text amendment to justify their operation so that their use is not illegal any more. She thanked the Board for  
9 their time.

10  
11 Mr. Bluhm asked the Board if there were any questions for Ms. Light.

12  
13 Mr. Courson stated that he did not have a question but wished to clarify that the Zoning Board of Appeals  
14 members are not elected but are appointed.

15  
16 Ms. Light apologized for her error in assuming that the ZBA is an elected public body.

17  
18 Ms. Capel stated that in addressing the difference in the text amendment and the special use permit most of  
19 the testimony that has been received is the testimony that would be given at a special use hearing. She said  
20 that the question within the text amendment is whether or not the use should be allowed at all in the AG-2  
21 district and the conditions under which a Recovery Center would offer it and not the specific conditions that  
22 are occurring on High Cross Road. She said that tonight the ZBA is only trying to determine if the use  
23 should be allowed at all in the AG-2 district and not whether or not a specific, existing Recovery Center  
24 should be allowed. She said that hopefully her explanation will provide some clarity to the audience.

25  
26 Mr. Bluhm called Mr. Chris Doxtator to testify.

27  
28 Mr. Chris Doxtator, who resides at 2107 N. High Cross Road, thanked the Board for their time and requested  
29 that the Board approve the proposed text amendment. He said that he is involved in residential recovery and  
30 in about two weeks he will be clean from alcohol for one year. He said that he is an American Indian and the  
31 last time he checked he believes that he falls under the minority category. He said that the program that he is  
32 involved in is a good program and they are drug tested on a regular weekly basis and supervised constantly.  
33 He said that for the one year that he has been in the program he has not had the desire to drink. He said that  
34 the thought has crossed his mind but he has made a conscious decision to choose not to take that drink for  
35 the sake of his family and himself. He said that the issue has been raised that the program only benefits  
36 certain individuals but in reality it not only benefits folks like himself, their families, friends and the  
37 community. He said that there have been others who have heard the resident's stories and they are brought  
38 to tears because their story brings a sense of hope to those who also have issues. He requested that the Board  
39 approve the amendment to allow these facilities in the community because they are a huge benefit to not only  
40 the residents in recovery but to the community as well.

41  
42 Mr. Bluhm asked the Board if there were any questions for Mr. Doxtator and there were none.

1 Mr. Bluhm asked if staff had any questions for Mr. Doxtator and there were none.

2

3 Mr. Bluhm called Ms. Brenda Kimball to testify.

4

5 Ms. Brenda Kimball, who resides at 1405 Youman, Rantoul, stated that she would like to see the amendment  
6 passed.

7

8 Mr. Bluhm called Mr. Scott Olthoff to testify.

9

10 Mr. Scott Olthoff, who resides at 1506 S. Smith Road, Urbana, stated that he works at Salt and Light and  
11 provides counseling and financial literacy training at places such as Restoration Ministries and the Salvation  
12 Army. He said that he welcomes programs that help men and women recover from drug and alcohol abuse.

13

14 Mr. Bluhm asked the Board if there were any questions for Mr. Olthoff and there were none.

15

16 Mr. Bluhm asked if staff had any questions for Mr. Olthoff and there were none.

17

18 Mr. Bluhm called Mr. David Rogers to testify.

19

20 Mr. David Rogers, Pastor for Apostolic Life and Executive Director for Lifeline-connect, Inc., stated that in  
21 regards to the amendment to the Zoning Ordinance concerning Residential Recovery Centers he urges the  
22 Board to pass the amendment for the following reasons: 1. as he and others have expressed in previous  
23 public hearings concerning this case they have a great need in their community for this type of social service  
24 because so many individuals and families are suffering the devastating effects of life controlling drug and  
25 alcohol problems. More and more people are in need of intensive help for recovery and restoration so they  
26 can become productive members of the community and society; and 2. Federal, state and local governments  
27 throughout the U.S.A. have allowed thousands of similar residential recovery centers in cities both in rural  
28 and metro environments and not only have they allowed them in so many locations such facilities have  
29 earned the applause of judges, mayors, governors and even Presidents of the U.S.A. For example, Teen  
30 Challenge USA has over 250 residential recovery centers in the U.S. and over 1,000 chapters in 82 countries  
31 and there are Teen Challenge residential recovery centers in Peoria, IL, Decatur, IL, and Chicago, IL. Teen  
32 Challenge is a faith based program associated with the Mission Division of the Assemblies of God Church  
33 and Teen Challenge is just one example because so many other faith based organizations have residential  
34 recovery centers throughout our land. He said that he proposes that the reason local governments have made  
35 zoning ordinance provisions for these organizations is that they recognize the positive influence these  
36 programs have in their respective cities and communities and he simply does not believe that the people in  
37 need in our fine community should be denied the services that such residential recovery centers make  
38 available; and 3. He has personally witnessed the positive results and met hundreds of people who are  
39 experiencing recovery from addictions and the majority of them have gained such success due to their  
40 enrollment in a residential recovery training center. In faith based residential recovery centers people receive  
41 the fundamental tools to assist them in changing the addiction concept in their lives. In faith based  
42 residential recovery centers people are involved in spiritual devotions and training, employment training,  
43 work projects which sometimes involve raising funds and donations in a way that is within the context of the



1 law of the IRS concerning 501C3 non-profit organizations, educational classes, recreation and physical  
2 exercise all of this focusing on their development spiritually, emotionally, physically, socially and  
3 educationally. In faith based residential recovery centers people have the opportunity for involvement in  
4 after care processes so they can continue their development and recovery/restoration experience for these  
5 basic reasons. In a faith based residential recovery center and church, such as which he is associated with, it  
6 is clearly one of the most racially diverse ministries that he has ever seen. He said that for these basic  
7 reasons faith based residential recovery centers should be regarded as much needed social service providers  
8 for this community and with that being said he urges the approval of the change in the zoning ordinance to  
9 allow the operation of residential recovery centers. He thanked the Board for their consideration of these  
10 thoughts.

11  
12 Mr. Bluhm asked the Board if there were any questions for Mr. Rogers and there were none

13  
14 Mr. Bluhm asked if staff had any questions for Mr. Rogers and there were none.

15  
16 Mr. Bluhm called Mr. Joey Branson to testify.

17  
18 Mr. Joey Branson was absent at the time that Mr. Bluhm called him to testify.

19  
20 Mr. Bluhm called Ms. Emily Oswald to testify.

21  
22 Ms. Oswald was absent at the time that Mr. Bluhm called her to testify.

23  
24 Mr. Bluhm called Ms. Kerri Hurd to testify.

25  
26 Ms. Kerri Hurd, who resides in Mansfield, stated that she is a member of the church and on a personal level  
27 she has a family member who was a former resident of the program. She said that she is in favor of approval  
28 the amendment to allow a residential recovery center in the AG-2 district.

29  
30 Mr. Bluhm asked the Board if there were any questions for Ms. Hurd and there were none.

31  
32 Mr. Bluhm asked if staff had any questions for Ms. Hurd and there were none.

33  
34 Mr. Bluhm called Ms. Jen Dillingham to testify.

35  
36 Ms. Jen Dillingham, who resides at 1602 Magnolia Drive, St. Joseph, stated that she is in favor of the  
37 amendment.

38  
39 Mr. Bluhm called Ms. Dora Grubb to testify.

40  
41 Ms. Dora Grubb, who resides at 1902 Shelly Court, Urbana, stated that her residence is located within one  
42 block from the church and she is in favor of the amendment. She said that the young men have chosen to  
43 make a choice to be in the program although she has a 39 year old son that is an alcoholic who has not made

1 that choice yet.

2  
3 Mr. Bluhm called Mr. John Grubb to testify.

4 Mr. John Grubb, who resides at 1902 Shelly Court, Urbana, stated that he is in favor of the amendment. He  
5 said that he has a concern about the debate of “them vs. us” mentality. He said that we have heard from Mr.  
6 Brown and Ms. Light and perhaps from others who are opposed and they are of course entitled to their  
7 opinion but he is concerned about the thought that we don’t want “them” or “those types of people” in our  
8 neighborhood. He said that it concerned him greatly when he heard Mr. Brown’s testimony at the previous  
9 meeting and heard many others refer to the residents as “they” or “them.” He said that these facilities are  
10 needed and as his wife already indicated his son needs a place like this to seek recovery and obtain support.  
11 He read the following statement from the 1940’s by Pastor Neimuller, “In Germany, they first came for the  
12 communists and I didn’t speak up because I wasn’t a communist and then they came for the Jew’s and I  
13 didn’t speak up because I wasn’t a Jew and then they came for the trade unionists and I didn’t speak up  
14 because I wasn’t a trade unionist and then they came for catholic’s and I didn’t speak up because I was a  
15 protestant and then they came for me but by that time no one was left to speak up.” Mr. Grubb stated that he  
16 is in attendance tonight to speak up for these men and men like these because they are not “them” or “its” but  
17 just men. He said that anyone in the room who has never made a mistake, never had a problem in their  
18 family, or never had an issue he would like to speak to after the meeting. He said that we should help each  
19 other.

20  
21 Mr. Bluhm called Mr. Jeffrey Branson to testify.

22  
23 Mr. Jeffrey Branson, who resides at 1721 Cindy Lynn, Urbana, stated that he is a successful graduate from a  
24 program like this and he has been off drugs and clean for three years. He said that he and men like him  
25 could not have made it one day on their own and it is because of facilities like this as to why he has been  
26 clean for three years and many more to come. He requested that the Board approve the amendment.

27  
28 Mr. Bluhm called Ms. Brenda Rogers to testify.

29  
30 Ms. Brenda Rogers, Administrative Director of Lifeline Connect, Inc., stated that she has visited five  
31 different facilities throughout the United States and all of them were faith based. She said that 3 of the 5  
32 were located in AG areas which were residential but more in an agricultural environment and all were  
33 approved in their communities. She said that two of the Teen Challenges had approximately 20 to 40  
34 residents and the one in California has approximately 40 residents. She said that one of the other two  
35 facilities housed 6 to 8 residents while the other housed 20 to 40. She said that this type of facility is needed  
36 and encouraged the Board to look at the need in our community to help with drug and alcohol abuse.

37  
38 Mr. Bluhm asked the Board if there were any questions for Ms. Rogers and there were none.

39  
40 Mr. Bluhm asked if staff had any questions for Ms. Rogers and there were none.

41  
42 Mr. Bluhm called Mr. Thomas Martin to testify.

1 Mr. Thomas Martin, who resides at 1721 Cindy Lynn Street, Urbana, stated that he is in favor of the  
2 amendment. He said that it is his belief that not just this community but society in general will benefit from  
3 residential recovery centers and he believes such because he was a resident of a residential recovery center  
4 and it changed his life drastically. He said that he has been clean for over 2-1/2 years and urged the Board to  
5 approve the amendment so that others can be helped.

6  
7 Mr. Bluhm called Mr. Randy Brown to testify.

8  
9 Mr. Randy Brown, who resides at 1183 CR 2300E, Sidney, thanked the Board for their patience with the  
10 audience. He said that residential programs like this make such a huge difference and urged the Board to  
11 approve the amendment so that churches have the opportunity to provide this kind of ministry to the people  
12 who need it. He said that the amendment places a maximum cap of 25 residents on the facility and he  
13 believes that it is very important that the cap stays close to that number. He said that when there is a higher  
14 cap there is a bigger spectrum of community diversity and diversity of other cultures throughout the United  
15 States. He said that such diversity creates a better recovery environment for the residents. He said that it is  
16 important that the amendment not be gender specific and he applauds the Board for not making it such  
17 because such a facility will receive calls from women who are also in need of recovery. He said that there  
18 were comments made earlier that requested assurance that recovery programs are not a business and he  
19 agrees with those comments 100%. He said that the services that are offered by the recovery center are for  
20 fund raising and if the Board is not going to allow such a service then it will have to go against every youth  
21 group in the County that has a car wash because it is the same principal. He said that one of the smallest  
22 services provided by a house for recovery is the monetary benefit because a lot of the benefit goes to the  
23 person in recovery. He said that when services are provided for a community it is by donation only and he  
24 can testify that many times the donations are very small but many times the donations are very generous. He  
25 said that what comes away from the services is that the residents that are in recovery have the essence and  
26 the feeling that they are providing a service and giving back to the community and that it is not about the  
27 money. He said that recovery programs that are utilizing their services properly are not placing a monetary  
28 amount on it and the residents in the program are providing services to the community and are able to feel  
29 that they are giving back to the community which is a big part of their recovery. He said that if the Board  
30 would study any 12 step recovery plan whether they are secular or faith based the final step is service to the  
31 community and to others therefore that is why it is important that it be allowed to remain a part of the  
32 recovery center. He encouraged the Board to approve the amendment.

33  
34 Mr. Bluhm asked the Board if there were any question for Mr. Brown and there were none.

35  
36 Mr. Bluhm asked if staff had any questions for Mr. Brown and there were none.

37  
38 **Ms. Capel moved, seconded by Mr. Thorsland to recess the meeting for a five minute break. The**  
39 **motion carried by voice vote.**

40  
41 **The meeting recessed at 7:58 p.m.**

42 **The meeting resumed at 8:07 p.m.**

1 Mr. Bluhm called Mr. Carl Webber to testify.

2

3 Mr. Carl Webber, attorney representing the Apostolic Life UPC Church and Lifeline Connect Ministry,  
4 stated that the gentlemen that are enrolled in the program are considered to be disabled. He said that his  
5 disabled daughter had trouble finding a friend in her freshman class at Centennial High School and one of  
6 the reasons why we need to have a larger number allowed for the recovery center is so that someone who is  
7 coming into the program has a greater chance of finding a connected friend. He said that approximately one-  
8 half of the residents have been there for a while and they are out and working and the other one-half are still  
9 home based. He asked the Board to imagine being disabled and walking into a freshman class, at a school  
10 where you are not familiar, and there are seven people in the room. He said that this is a scary scenario and  
11 that is one of the main reasons why they desire to increase the numbers. He said that they had originally  
12 determined that 30 residents would be an adequate number because in the AG-2 district a 15 room hotel was  
13 allowed which would house 30 people. He said that in talking with some of the local communities it  
14 appeared that they would be more satisfied with reducing the number to 25, which was the suggestion of  
15 staff. He said that allowing 25 residents would mean that probably only 20 residents will be at the facility at  
16 any given time because people come in at different times and leave at different times. He said that it is  
17 obvious that they are not going to change Mr. Randall Brown's mind and he is very accustomed to attending  
18 the ZBA hearings and hearing someone complain because the proposed use will be in their backyard but that  
19 is not the case with Mr. Brown because he lives one-quarter mile away from the facility. He said that this  
20 type of facility would be allowed in a church which is just a little further from his residence and he was in  
21 favor of such a facility therefore he was glad to take on this case. He said that it seems that Mr. Brown's  
22 letter insists that this type of facility should be located within the city limits but it has been found that these  
23 types of communities do better if they have a connection to the outdoors.

24

25 Mr. Webber stated that the MTD buses do go out into some areas through 7:00 p.m. He said that there has  
26 been some suggestion that the amendment should require that the owner be there since 1973 which appears  
27 to be placing an age limitation on the owner and not the property. He said that zoning speaks about land and  
28 land use and not the owner. He said that as he reads the Urbana Zoning Ordinance he believes that their  
29 ordinance is much broader than the amendment will be because they are completely different in approaching  
30 the same problem. He said that the churches and charitable organizations throughout the community have  
31 different fund raising activities and in their facility they don't need to raise the funds to support many of the  
32 people are out in the second half of their residency and are raising their own money but the residents who are  
33 not do have to be in a supervised system to earn some money.

34

35 Mr. Webber stated that the issue of discrimination against women is null because there are a number of  
36 programs at these types of facilities which allow both sexes. He said that the many campuses have dorms for  
37 both men and women and some have separate dorms for men and women and clearly the application would  
38 indicate if it is dorm related it would have a specific building focused for a specific gender. He said that he  
39 does not believe that such a practice would be considered discriminatory and would not be a problem in  
40 making it work right. He said that within the concept of discrimination and the Fair Housing Act an  
41 organization has to make a sufficient effort to address the discrimination and if there is sufficient reason such  
42 as all men in a dorm system. He said that if someone wants to rent an apartment and they are quadriplegic  
43 and have no one to help them in case of a fire it would not be discriminatory to not rent them the apartment.

1 He said that there was a suggestion about the fact that this is a private facility and not a public facility and  
2 that it should be addressed as such. He said that he provided the Board with a lengthy quote from an Ohio  
3 case that is very interesting which indicates that when that kind of suggestion was made the quote was  
4 convinced that such purposes and methods serve to confer a public benefit, utility or advantage and  
5 accordingly qualifies it as a public use... He said that since the folks who testified first in opposition have  
6 left it is obvious that everyone else is in favor of the amendment.  
7

8 Ms. Capel stated that Supplemental Memorandum dated July 9, 2010, indicates that the City of Champaign  
9 will possibly protest the text amendment.  
10

11 Mr. Webber stated that the letter from the City of Champaign was written before he wrote them a letter and  
12 he believes that they may reconsider. He said that the McKinley Foundation on the University of Illinois  
13 campus that is a Presbyterian facility is one lot which has not been divided. He said that on that lot the  
14 Foundation built an 8-story dormitory and one might suggest that an 8-story dormitory is bit big to be an  
15 accessory use to a church of a modest size but not so in Champaign. He said that the City of Champaign  
16 indicated that the 8-story building, because it encouraged people of the Presbyterian faith to have counseling  
17 within the Presbyterian organization, was an accessory use to the McKinley Foundation. He said that he was  
18 told that under the Illinois law as a zoning interpretation relating to a religious entity it must be interpreted  
19 very broadly. He said that interpreting as an accessory use it would prove difficult for the City of  
20 Champaign to have the McKinley Foundation next to an 8-story building on the same platted site and  
21 suggest that the recovery center can only have 16 residents and the only difference is that the recovery center  
22 has disabled people and that is discrimination.  
23

24 Mr. Bluhm asked the Board if there were any questions for Mr. Webber and there were none.  
25

26 Mr. Bluhm asked if staff had any questions for Mr. Webber.  
27

28 Mr. Hall asked Mr. Webber to indicate his thoughts regarding new paragraph 7.4.1 C.3.i..  
29

30 Mr. Webber asked Mr. Hall to clarify.  
31

32 Mr. Hall stated that 7.4.1.C.3.i., indicates that parking spaces for a residential recovery center shall only be  
33 required for the number of vehicles proposed to be authorized in the Special Use Permit application. He  
34 said that it makes it clear that the petitioner has to propose that as part of their application and the Board  
35 would consider whether it is acceptable or not.  
36

37 Mr. Webber stated that by suggesting parking spaces they would be implying the availability of vehicles. He  
38 said that the Board is either going to accept the package or not therefore if it is left open and it causes some  
39 people to be more in favor of the change then his clients would find it more acceptable but in one particular  
40 case that he can think of he believes that there would be a request for at least some automobiles. He said that  
41 as people move into the second phase of the program they may be working at Wal-Mart and need  
42 transportation to get there. He said that he does not mind having to show the Board that this request needs to  
43 be made but he should discuss this with his client.

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Mr. Webber stated that after checking with his client they are willing to accept the responsibility.

Mr. Bluhm called Tammy Roberts to testify.

Ms. Tammy Roberts, who resides at 4210 E. Airport Road, Urbana, stated that she has lived in an agricultural area for 16 years and with respect to criminal risk she does not see a problem. She said that within a two mile radius of the vicinity there are 8 names on the sex offender registry. She said that if someone lived around the corner on Clifton Drive and reviewed the number of police calls and the amount of crime it would be obvious that the agricultural area is not exempt from criminal risk. She said that the facility has been a model program and she drives past it 15 times per day and she has never seen a policeman on the site except for the time when they set a speed trap. She said that she is in favor of the amendment.

Mr. Webber stated that there was a suggestion that the current recovery center was operating illegally and quietly and now they are trying to make it legal. He said that there has been communication with the Planning and Zoning office for years about the facility in trying to address the question and there has been a very strong opinion that the recovery center is an accessory use and that it does not need anything. He said that there has been a suggestion that the facility has to be required under various federal acts and rather than bring an issue up where there were no complaints or problems and there was a complete argument that the facility was completely legal. He said that it was only when the facility intended to expand did it need to be addressed.

Mr. Bluhm asked the audience if anyone desired to sign the witness register to present testimony regarding this case and there was no one.

Mr. Bluhm closed the witness register.

Mr. Hall stated that he wanted to make sure that the Board has reviewed the new parking requirement and that the Board is comfortable with it. He said that it really isn't a requirement per say in the way it establishes a sub-requirement and only makes it clear that it is up to whatever the Board approves as part of any Special Use Permit.

Mr. Bluhm asked Mr. Hall if there could be a variance for the church building which did not exist prior to 1973.

Mr. Hall stated that staff followed the Board's direction which was to make it a standard condition which allows a waiver and the Board can see what that direction generated from the City of Champaign's letter. He said that currently he believes that the Board's direction will generate a municipal protest but if it does it will be very clear why the municipality is protesting and if the County Board cannot over-ride the protest they can easily decide to make it a requirement rather than a standard condition. He said that if the Board is still comfortable with it as a standard condition then that is how it should be kept.

**Finding of Fact for Case 668-AT-10:**

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Mr. Hall recommended that a new Item #15.E be added to indicate the following: Mr. Randall Brown submitted a letter dated July 12, 2010, in which he raised the following concerns; (1) whether public transportation should be available 24 hours or for only limited hours; and (2) whether the church should have been organized and in operation in Champaign County on October 10, 1973, in addition to the building having predominately existed on October 10, 1973; and (3) whether fund raising activities at a residential recovery center will constitute a third principal use.

Mr. Hall stated that a new Item #15.F should be added to indicate the following: Mr. Joseph Coble, who resides at 2412 N. High Cross Road, Urbana, testified at the June 17, 2010, public hearing that he does not understand why the County would be willing to use its good farmland so that people could rescue themselves and he is concerned about the affect of such uses on surrounding property values and is opposed to the amendment.

Mr. Hall stated that there were some new speakers at tonight's meeting and it is up to the Board whether to include their testimony in the Finding of Fact.

Mr. Bluhm asked the Board if there was any new evidence received tonight that should be added to the Finding of Fact.

Mr. Bluhm stated that the testimony regarding the more diversity that is had the better chance people have for recovery. He said that having diversity gives the resident a better opportunity to befriend someone who has similar issues and to have a better chance for recovery.

Mr. Thorsland stated that several people mentioned that such facilities appear to do better in a less urban environment.

Mr. Hall stated that Mr. Bluhm's recommendation should be added as new Item #14.D.(13) as follows: Randy Brown testified at the July 15, 2010, public hearing that a larger number of residents in a residential recovery center provide greater diversity and a better recovery environment.

Mr. Thorsland stated that Brenda Rogers and Tammy Roberts mentioned that the less urban more agricultural environment appears to be more successful.

Mr. Hall stated that a new Item #14.D(14) should read as follows: Brenda Rogers and Tammy Roberts testified at the July 15, 2010, public hearing that an AG location seems to lead to a better result with the recovery programs. Brenda Rogers further testified that she had observed this while visiting 3 of 5 recovery centers across the country.

Mr. Hall stated that the following should be added to the Documents of Record: #8: written comments by Randall Brown received on July 15, 2010; and #9: letter from Carl Webber submitted on July 15, 2010; and #10: Supplemental Memorandum dated July 15, 2010 with attachments; and #11: written comments by David Rogers submitted on July 15, 2010.

1  
2 Mr. Hall stated that staff talked to the City of Urbana staff a lot and they wouldn't indicate whether they  
3 would recommend protest or not but County staff had answered all of their questions. He said that he can  
4 not tell the Board how likely a protest is from the City of Urbana but regarding the City of Champaign the  
5 letter that went to their Plan Commission was not discussed at all and was pulled from the agenda. He said  
6 that Rob Kowalski, Assistant Planning Director was out this week and he was not able to obtain any further  
7 information from Mr. Kowalski therefore at this time he has no idea what the municipal staffs are thinking.  
8 He said that County staff has detailed the staff's and the Board's thinking as much as possible and forwarded  
9 it to the municipal staffs and we will just wait to see what they think. He said that he cannot think of a  
10 previous text amendment that has had this much coordination.

11  
12 Mr. Bluhm informed the Board that as they review the Finding of Fact they will see that staff has  
13 recommended ACHIEVES, GENERALLY ACHIEVES, and CONFORMS to all of the LRMP goals. He  
14 said that he did not find one goal that required the Board's clarification.

15  
16 Mr. Hall stated that staff recommended that all of the goals either ACHIEVES or CONFORMS although one  
17 was indicated as GENERALLY ACHIEVES. He said that he believes that staff did achieve coordination but  
18 it can be proven that this is not the same as the municipal ordinances.

19  
20 Mr. Bluhm asked the Board if there were changes that the Board would like to make to the recommendations  
21 made by staff and there were none.

22  
23 **Mr. Thorsland moved, seconded by Ms. Capel to approve staff's recommendations on all items**  
24 **included in the Finding of Fact for Case 668-AT-10. The motion carried by voice vote.**

25  
26 Mr. Bluhm asked the Board to indicate their preference for the parking requirement.

27  
28 Mr. Thorsland stated that it is best to address the parking on a case by case basis. He said that with all of the  
29 discussions with the City of Urbana and the City of Champaign it would have been thought that we would  
30 have had better luck in avoiding a municipal protest if the number of residents was averaged at 16 with a  
31 maximum of 25 with the average being determined by those who stay more than one year.

32  
33 Mr. Bluhm stated that this would make it way too complicated. He asked Mr. Thorsland how staff would be  
34 able to track numbers.

35  
36 Mr. Thorsland stated that he is more comfortable with a maximum of 25 residents. He said that Mr. Hall has  
37 had many more discussions with the municipalities and it appears that they would like to see the number of  
38 16 to be in the amendment somewhere.

39  
40 Mr. Hall stated that he understands the municipality's position but the basis for that number is not related to  
41 the issues that they are rising in a residential recovery center.

42  
43 Mr. Thorsland stated that he is willing to go with a straight 25 as the maximum.



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Mr. Bluhm noted that the County Board can change the number if they so desire.

Mr. Hall stated that the maximum may be 16 before all is said and done.

Mr. Bluhm stated that Item #13.B(3) indicates that more information regarding the Administrative Code requirements will be available at the meeting and #13.C also indicates that further information will be available at the meeting.

Mr. Hall stated that the information for Item #13.B(3) is included in Item #1 of Attachment B of the Supplemental Memorandum dated July 15, 2010. He said that the information for #13.C was not received to date.

Mr. Knight stated that the person that he was attempting to contact regarding #13.C did not return his call.

Mr. Bluhm stated that Item #13.C should be stricken.

**Ms. Capel moved, seconded by Mr. Palmgren to adopt the Summary of Evidence, Documents of Record and Finding of Fact as amended. The motion carried by voice vote.**

**Mr. Schroeder moved, seconded by Mr. Palmgren to close the public hearing for Case 668-AT-10. The motion carried by voice vote.**

Mr. Bluhm informed Mr. Hall that one Board member is absent from tonight's meeting therefore it is at his discretion to either continue Case 668-AT-10 until a full Board is present or request that the present Board move forward to the Final Determination. He informed Mr. Hall that four affirmative votes are required for approval.

Mr. Hall requested that the present Board move forward to the Final Determination.

**Final Determination for Case 668-AT-10:**

**Mr. Thorsland moved, seconded by Mr. Palmgren that 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 Zoning Ordinance Amendment requested in Case 668-AT-10 should BE ENACTED by the County Board in the form attached hereto.**

The roll was called:

<b>Capel-yes</b>	<b>Courson-yes</b>	<b>Palmgren-yes</b>
<b>Schroeder-yes</b>	<b>Thorsland-yes</b>	<b>Bluhm-yes</b>
<b>Miller-absent</b>		

1 Mr. Hall stated that the text amendment will be forwarded to the Champaign County Board Committee of  
2 the Whole at their August meeting.

3  
4 **6. New Public Hearings**

5  
6 None

7  
8 **7. Staff Report**

9 **A. June 2010 Monthly Report**

10  
11 None

12  
13 **8. Other Business**

14  
15 Mr. Bluhm stated that he will not be present at the July 29<sup>th</sup> meeting and Mr. Thorsland will not be present at  
16 the August 12<sup>th</sup> meeting. He said that there is only one case scheduled for the August 12<sup>th</sup> meeting therefore  
17 due to the County's financial situation it has been decided that one case is not enough to justify a meeting.  
18 He said that Case 673-V-10, Carl Parkinson will be moved to the August 26<sup>th</sup> meeting and will be heard first.

19  
20 **Mr. Thorsland moved, seconded Mr. Courson to cancel the August 12<sup>th</sup> meeting and to move Case**  
21 **673-V-10, Carl Parkinson to the August 26<sup>th</sup> meeting and to be heard first. The motion carried by**  
22 **voice vote.**

23  
24 Mr. Palmgren stated that it is possible that he will also not be present at the July 29<sup>th</sup> meeting.

25  
26 Mr. Hall requested that Mr. Palmgren contact staff to confirm his attendance to the July 29<sup>th</sup> meeting.

27  
28 Mr. Schroeder stated that he may be on vacation during the July 29<sup>th</sup> meeting.

29  
30 Mr. Bluhm requested that the Board contact staff as soon as possible regarding their attendance to the July  
31 29<sup>th</sup> meeting.

32  
33 Mr. Hall stated that the LRMP Booklets and CD's have been distributed to the Board. He said that he  
34 believes that the LRMP is a great document.

35  
36 Mr. Thorsland stated that he did attend many of the meetings and he is fairly happy with the final product.

37  
38 **9. Audience Participation with respect to matters other than cases pending before the Board**

39  
40 None

41  
42 **10. Adjournment**

43 The meeting adjourned at 8:55 p.m.

**ZBA**

**DRAFT**

**SUBJECT TO APPROVAL**

**DRAFT**

**7/15/10**

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Respectfully submitted

Secretary of Zoning Board of Appeals

# CASE NO. 671-AM-10

## PRELIMINARY MEMORANDUM

Champaign County, Illinois  
July 23, 2010

Department of  
Petitioners: **James Finger, President,**  
**and Lisa M. Feig, Vice President,**  
**b.a. Triad Shredding Corp.**



Site Area: **approx. 4.35 acres**

Brookings  
Administrative Center  
1776 E. Washington Street  
Urbana, Illinois 61802  
Time Schedule for Development:  
**Immediate**

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

Request: **Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District.**

Location: **A 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.**

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### BACKGROUND

Triad Shredding Corp. recently began looking for a property to expand their business. Co-petitioner, Jim Finger lives one-half mile to the east of the subject property and became aware that it would meet their needs with the proper zoning approvals. The petitioners were told that it may be difficult to obtain a rezoning and Special Use Permit on the subject property but they chose to purchase the property and apply for a rezoning and a related Special Use Permit in related Zoning Case 672-S-10.

### 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	AG-2 Agriculture
North	Farmland	AG-1 Agriculture
East	Farmland	AG-2 Agriculture
West	Single Family Dwellings and Accessory Storage	AG-2 Agriculture
South	Farmland	AG-1 Agriculture

### 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**

#### **CONFORMANCE WITH RELEVANT GOALS AND POLICIES**

The staff recommendation is that the proposed rezoning appears to conform to all relevant Goal 4 Agriculture policies. That conformance is principally determined by the fact that even though this is best prime farmland, this property has apparently not been in agricultural production since 1988 and a portion of the property has been in business use since long before zoning was adopted on October 10, 1973. There are also active enforcement cases regarding unauthorized business use of the property in recent years before the property was recently purchased by Triad Shredding.

Since the request is for B-4 General Business zoning the proposed rezoning has also been reviewed for conformance with Goal 5 Urban Land Use policies and overall achievement of Goal 5. The staff evaluation of Goal 5 policies is not yet complete but it is anticipated that after a careful evaluation the staff recommendation will be that the proposed rezoning will conform to all relevant Goal 5 policies and achieve Goal 5.

#### **PROPOSED CONDITIONS OF APPROVAL**

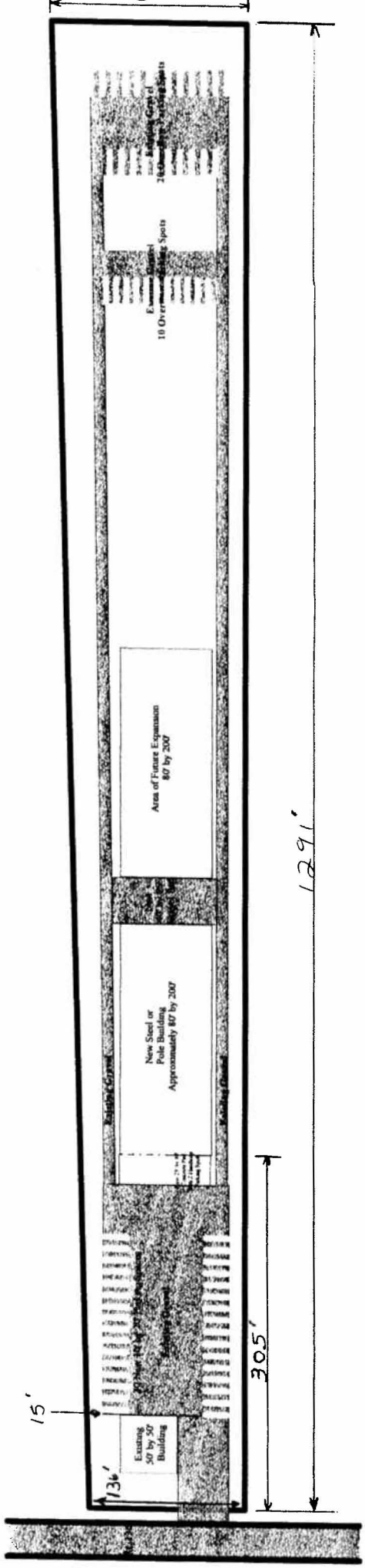
Even if the proposed rezoning achieves both Goal 4 and Goal 5 and all other relevant goals, a blanket rezoning of this property to B-4 should include the following conditions:

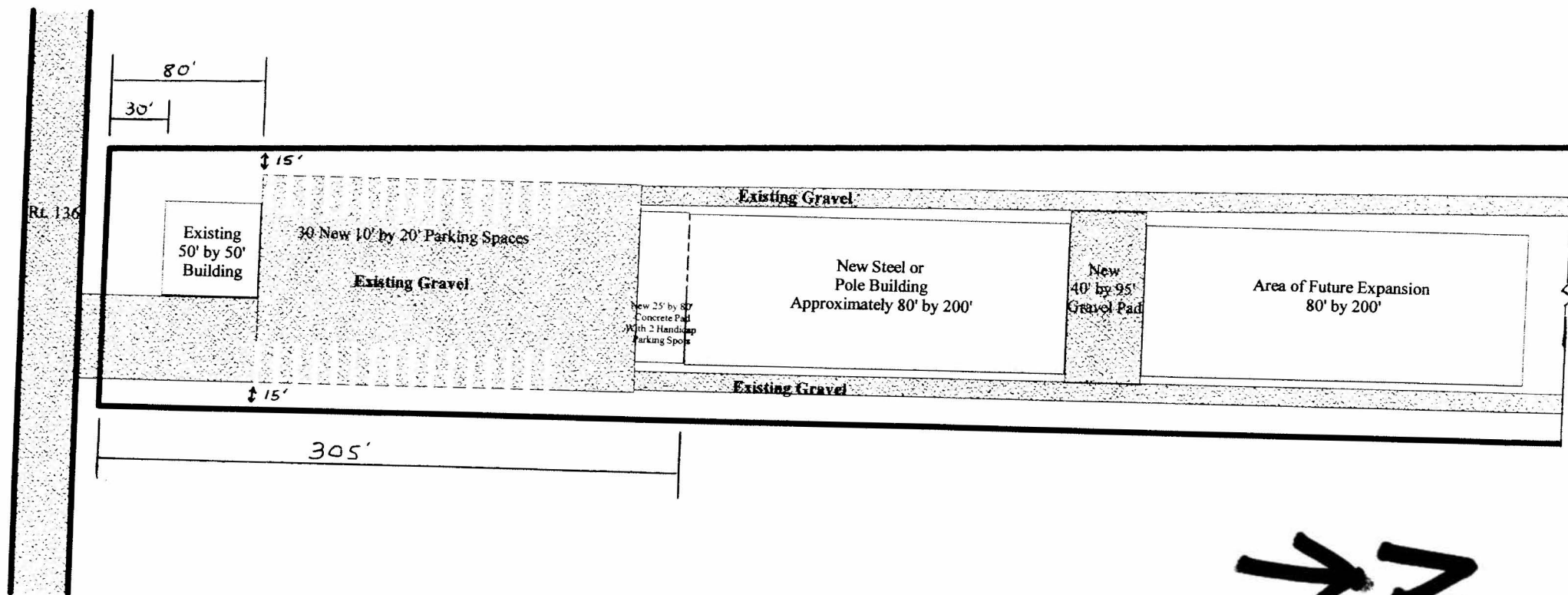
1. No business use of the subject property shall generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.
  2. If the Zoning Ordinance is amended to allow recycling of non- hazardous materials in the AG-2 District at similar locations, the zoning district designation of the subject property shall revert back to AG-2 without a need for any additional public hearing provided the Zoning Administrator notifies the owners in writing.
  3. The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:
    - a. The proposed use will not generate more wastewater than a three bedroom dwelling; and
    - b. The owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities.
  4. The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.
-

- 
3. The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:
- a. Any floor drain must have been approved by the Illinois Plumbing Code Inspector.
  - b. If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.

#### ATTACHMENTS

- A Site Plan for subject property
  - B Letter from James Finger and Lisa Feig
  - C Triad Shredding List of References
  - D Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
  - E Letter from Gary Hardin, dated May 27, 2010
  - F Letter from Darrell Brandt, dated June 8, 2010
  - G Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
  - H 1972 Supervisor of Assessments aerial photograph of subject property
  - I 1988 Supervisor of Assessments aerial photograph of subject property
  - J 2008 GIS Consortium aerial photograph of subject property
  - K Excerpt from FEMA Flood Insurance Rate Map Community Panel No. 170894 0075 B
  - L IDOT Map showing Average Annual Daily Traffic
  - M Preliminary Draft Finding of Fact for Case 671-AM-10
  - N Petitioner photographs of subject property (included separately)
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# TRIAD SHREDDING

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www.triadshredding.com

PO Box 423  
Rantoul, IL 61866  
217.893.4113

June 2010

To: Champaign County Department of Planning and Zoning

RE: Petition for Zoning amendment and Special Use application for  
2074 CR 3000 N, Rantoul, IL 61866

Triad Shredding has purchased a parcel of property east of Rantoul on Route 136. This property consists of 4.35 acres, which formerly housed a small meat processing plant and was most recently utilized as a residence. At this juncture, Triad intends to refurbish or demolish the existing building on the property. If the building is refurbished, renovation will rectify any existing zoning violations. Triad Shredding Corp plans to construct an 80 x 150 steel building on the property to locate its confidential material destruction business.

### Background of Triad Shredding

Triad Shredding is family owned and operated by siblings Jim Finger and Lisa Feig, both lifetime residents of Rantoul. The Triad operations have been located in the Rantoul Business Center, on the former Chanute Air Force Base, since the company was founded in 2002. Triad Shredding has found the Village of Rantoul to be very accommodating and a very good landlord, but as the business has grown it is time to build a facility. Triad's business is to pick up, shred and bale confidential materials from clientele. Triad then brokers and ships those paper bales to various recyclers who re-pulp the shredded paper. The Triad operation is strictly a "inside the facility" type of business. Because of the confidential nature of the business and the strict adherence to industry standards all materials that come into the building must remain stored inside prior to processing. Once processed the baled by-product remains stored inside until the material is shipped via enclosed van type semi-trailers.

Presently Triad employs 3 Full Time and 5 Part Time employees. Triad services clients in an approximate 100 mile radius which includes such communities as Champaign-Urbana, Peoria, Springfield, Decatur, Mattoon-Charleston, Danville and Watseka. Triad anticipates future growth with a new facility will generate a workforce of less than a dozen employees. Considering the fact we have a small workforce, we have currently planned a portion of our mandated parking spaces on the front of our property; the back of the lot would then be available for additional parking, to utilize existing non-pervious ground.

Triad Shredding's operational hours are Monday thru Friday 8am- 6pm. Triad anticipates our hours will be transparent with our neighbors that are zoned AG-1. On a normal business day, traffic would consist of less than 2-4 small box trucks leaving/entering the facility. The business currently generates enough bales that we ship approximately three semi loads per month to recyclers. We cannot emphasize enough that this is not a typical trash or recycling

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# TRIAD SHREDDING

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www.triadshredding.com

PO Box 423  
Rantoul, IL 61866  
217.893.4113

business. Our product is brought into our facility in our enclosed box truck and remains inside until it is delivered to the recycler. It is our intent that our new facility will have an enclosed loading dock area to further insure there is no chance of outdoor residue. Additionally, this will provide a more confidential transfer of product for our clientele.

Naturally, Triad Shredding is excited to have the opportunity and looks forward to building a new state of the art document destruction facility in Champaign County. As owners of Triad Shredding and lifelong county residents, it is our goal and desires to better utilize an under-developed piece of Champaign County commercial property. When Triad Shredding was founded, we developed our slogan, 'Customized Service at a Competitive Price'. In order to provide that competitive price, we have made changes internally to adapt to our ever-increasing volume. As our equipment has grown, the new facility will ensure the space we need to provide service to our customers more efficiently. Thus, providing job security for our staff and continuing our taxable revenues. Triad Shredding is humbled by the letters of reference enclosed with our applications provided by some of our business partners.

Triad Shredding is grateful to the Champaign County Board of Planning and Zoning for all consideration to this application. Triad hopes to continue to be a successful and responsible corporate citizen of Champaign County. Thank you for your time to review our zoning request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James Finger', written over a printed name and title.

James Finger  
President

A handwritten signature in black ink, appearing to read 'Lisa Feig', written over a printed name and title.

Lisa Feig  
Vice-President

 **Triad Shredding**  
**List of References**

**Accounting and Insurance Firms**

Nelson & Associates  
Connie Nelson, CPA  
Jim Nelson, Country Companies  
Rantoul/ 217-892-4887

RSM McGladrey  
Jane Kelly, Office Administrator  
Champaign/ 217-398-9400

State Farm Agency in Gilman  
Mike Mansfield  
Gilman/ 815-265-4505

**Corporation**

McLane Midwest  
Bill Westpahl, HR Manager  
Danville/ 217-477-7556

**Data Filming & Storage**

HOV Services, Inc.  
*formerly Lason Systems, Inc.*  
Cheryl Williams, Records Manager  
Rantoul/ 217-893-1515

**Financial Institutions**

Central Illinois Bank  
Jim Singleton, Facilities Manager  
Monticello/ 217-762-3700

Community Plus Federal Credit Union  
*formerly Credit Union Plus*  
Michael Daugherty, CPA, President/Manager  
Rantoul/ 217-893-8201

Gifford State Bank  
Michael Boe, VP Operations/ IS  
Gifford/ 217-568-7311

The First Trust & Savings Bank  
Kerry Bell, President  
Watseka/ 815-432-2494

**Government**

Comptroller of the Currency  
Mary Ann Riggle  
Champaign/ 217-352-9930

**Health Care Facilities & Counseling**

Allison & Lawyer Counseling Services  
Tonya Lawyer, Co-Owner  
Champaign/ 217-352-5533

Ford-Iroquois Public Health Department  
Cary Hartman  
Watseka/ 815-432-2483

LeaderShape Inc.  
Kim Harden, Manager, Office Administration  
Champaign/ 217-351-6200

Illini Eyecare  
Dr. Curtis E. Johnson, OD  
Champaign/ 217-351-6110

**Legal Firms**

Bartell & Barickman  
Jason Bartell, attorney at law  
Champaign/ 217-352-7951

McCarthy, Rowden & Baker  
Teresa Garrett  
Decatur/ 217-428-4323

Rawles, O'Byrne, Stanko, Kepley &  
Jefferson, PC  
Rose Lanter  
Champaign/ 217-352-7661

**Municipalities**

Champaign County State's Attorney –Child  
Support Enforcement Division  
Susan McGrath, Sr Asst to the State's Atty  
Urbana/ 217-384-3850

Rantoul Police Department  
Chief Paul Farber  
Rantoul/ 217-893-0988

**Please Note:**

**Triad Shredding** is an Accredited Business  
of the Better Business Bureau since 2007.

**University of Illinois** List of References and  
vendor number available upon request.

Revised 12/2009



## University of Illinois List of References

### Foundation

Raymond K Cunningham Jr., CRM, CA, CDIA+, CIPP

Office/ 217-244-0658

### McKinley Health Center

Janis M Phillips

Office/ 217-244-4722

### Veterinary Teaching Hospital

Kathy Ellis, Health Information Manager

Office/ 217-333-1988

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**UI Vendor # 01499658**

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June 17, 2010

Champaign County Zoning Board,

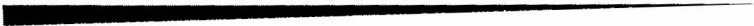
I am writing this letter in regards to our relationship with Triad Shredding.

They have been a Chamber member from the start of their business. We moved into the Rantoul Business Center last September which Triad Shredding has their office now; they are located two hallways away from our office. During our tenure here we have never heard their equipment running. In fact, I never know when they are here. They run a very professional business. We have watched their business grow year after year and will miss them here at the Rantoul Business Center.

Sincerely,

A handwritten signature in cursive script that reads "Sue Campbell".

Sue Campbell  
Rantoul Area Chamber of Commerce  
601 S. Century Blvd. Suite 1408  
Rantoul, IL 61866  
217-893-3323  
217-893-3325 Fax  
email: [office@rantoulchamber.com](mailto:office@rantoulchamber.com)  
Website [www.rantoulchamber.com](http://www.rantoulchamber.com)





May 27, 2010

Champaign County Zoning Board

I am writing this letter in regards to our relationship with Triad Shredding.

We moved our office to the Rantoul Business Center over three years ago. Triad Shredding was an established business in the building when we arrived. They immediately became helpful and friendly. During our tenure here we have known them to run a clean and quiet operation. I have never heard a negative comment about their business, or its employees, from anyone in the building, or in the community. Jim and Lisa have always been very professional in all that they do. They have always been more than willing to help out whenever we needed assistance.

They will be missed in the Rantoul Business Center, and we wish them well in establishing a new location for their business.

Sincerely,

Gary Hardin

Hayden's Athletic  
Gary Hardin  
601 South Century Boulevard  
Rantoul, IL 61866

Phone 217-893-1950  
Fax 217-893-1953  
E-Mail [ghardin@haydens.com](mailto:ghardin@haydens.com)  
Website [www.haydens.com](http://www.haydens.com)

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June 8, 2010

Champaign County Zoning Board

I am writing in regard to Triad Shredding, Inc., specifically to address any concerns you may have relating to the proposed relocation of their operation. Although we just recently relocated our office to Champaign for member convenience reasons, I was one of the first business to rent office space in the Rantoul Business Center. Our office was adjacent to Triad Shredding and we passed by their operations bay frequently each day; we have always experienced a courteous, quiet and clean operation. I have known Jim and Lisa since 1985 and I have seen them grow personally and professionally; I can assure you that they will be a valued and professional addition to their new location.

If you have any questions or concerns, please don't hesitate to call me.

Sincerely,




Darrell Brandt,  
Financial Consultant

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***Main offices: Appleton, Wisconsin, and Minneapolis, Minnesota • Thrivent.com***

Securities and investment advisory services are offered through **Thrivent Investment Management Inc.**, 625 Fourth Ave. S., Minneapolis, MN 55415, 800-847-4836, a FINRA and SIPC member and a wholly owned subsidiary of Thrivent Financial for Lutherans. Thrivent Financial representatives are registered representatives of Thrivent Investment Management Inc. They are also licensed insurance agents of Thrivent Financial.





*Village of  
Rantoul*

601 S. Century  
PO Box 38  
Rantoul, Ill 61866

Phone 217.893.9955  
Fax 217.893.3970

June 11, 2010

TO: Champaign County Zoning Board  
REGARDING: Triad Shredding relocation to new site

Triad Shredding has recently informed us that they will be leaving our building and that they have plans for expanding their business and moving to a new location. They have been our tenant at the Rantoul Business Center since 2002.

They lease both office space and production areas from us with most work being done inside the building. There have been no compatibility issues with the Triad Shredding operation and other tenants of our building, which is leased primarily as professional office and research lab space.

Lisa, Jim, and their staff have always been a positive presence at the Business Center. They will be missed.

It has been a pleasure to work with a growing company through these past years, especially one with a "green" component to their operation.

All of us at the Village of Rantoul hope for their continued success.

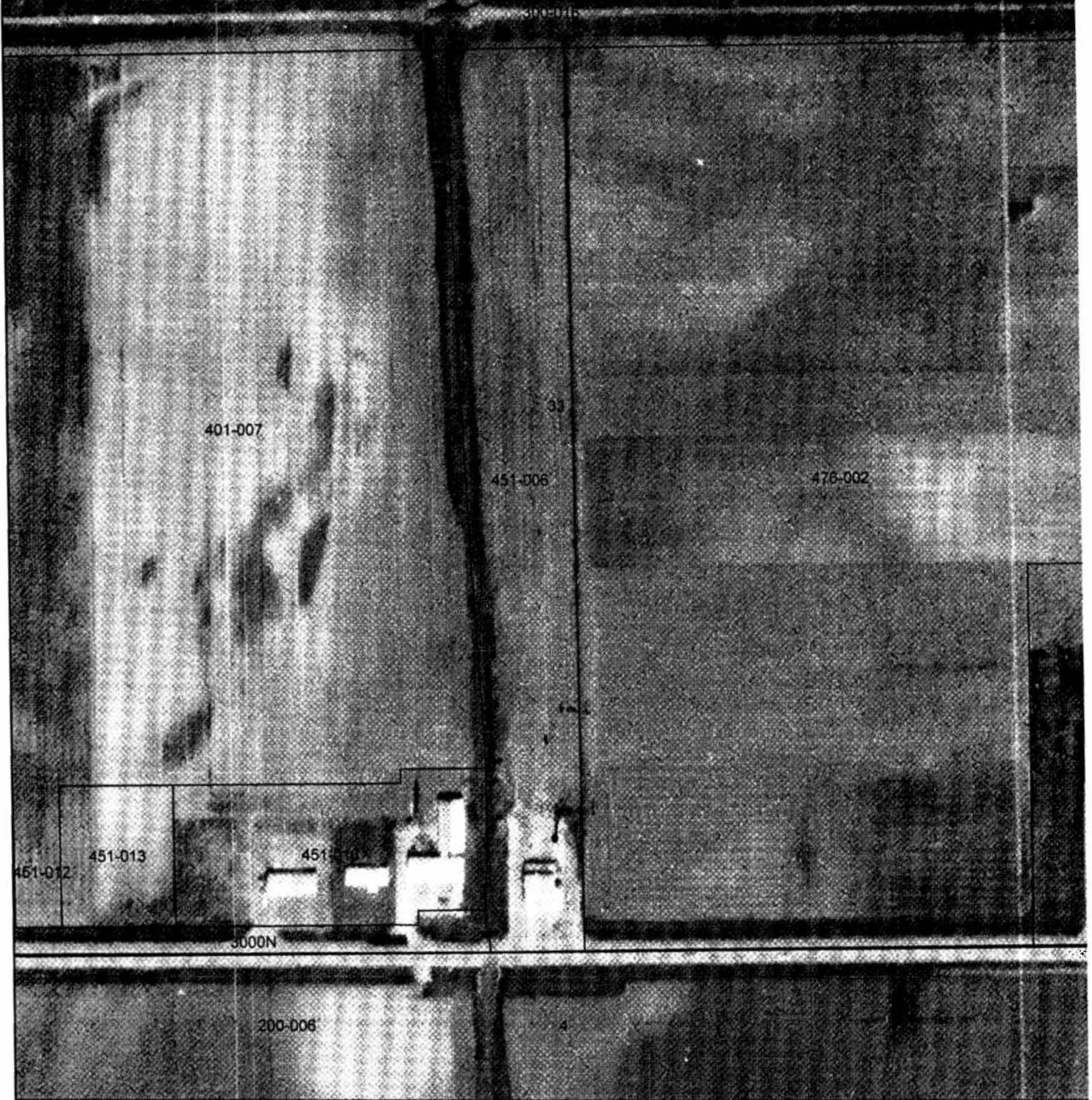
Respectfully,

Martin Ablinger  
Economic Development Office  
Village of Rantoul, Illinois

Martin Ablinger, AIA  
Architect  
Economic Development  
601 S. Century  
Rantoul, IL 61866  
217/893-9955 x 102  
FAX: 217/893-3970



# 1972 Supervisor of Assessment Aerial Photograph



## DISCLAIMER:

This map was prepared by the Champaign County GIS Consortium (CCGIS) using the best available data. This map and its underlying data is intended to be used as a general index to land related information and is not intended for detailed, site-specific analysis. CCGISC does not warranty or guarantee the accuracy of this information for any purpose.

1 inch = 200 feet



A Program of the Champaign County Regional Planning Commission

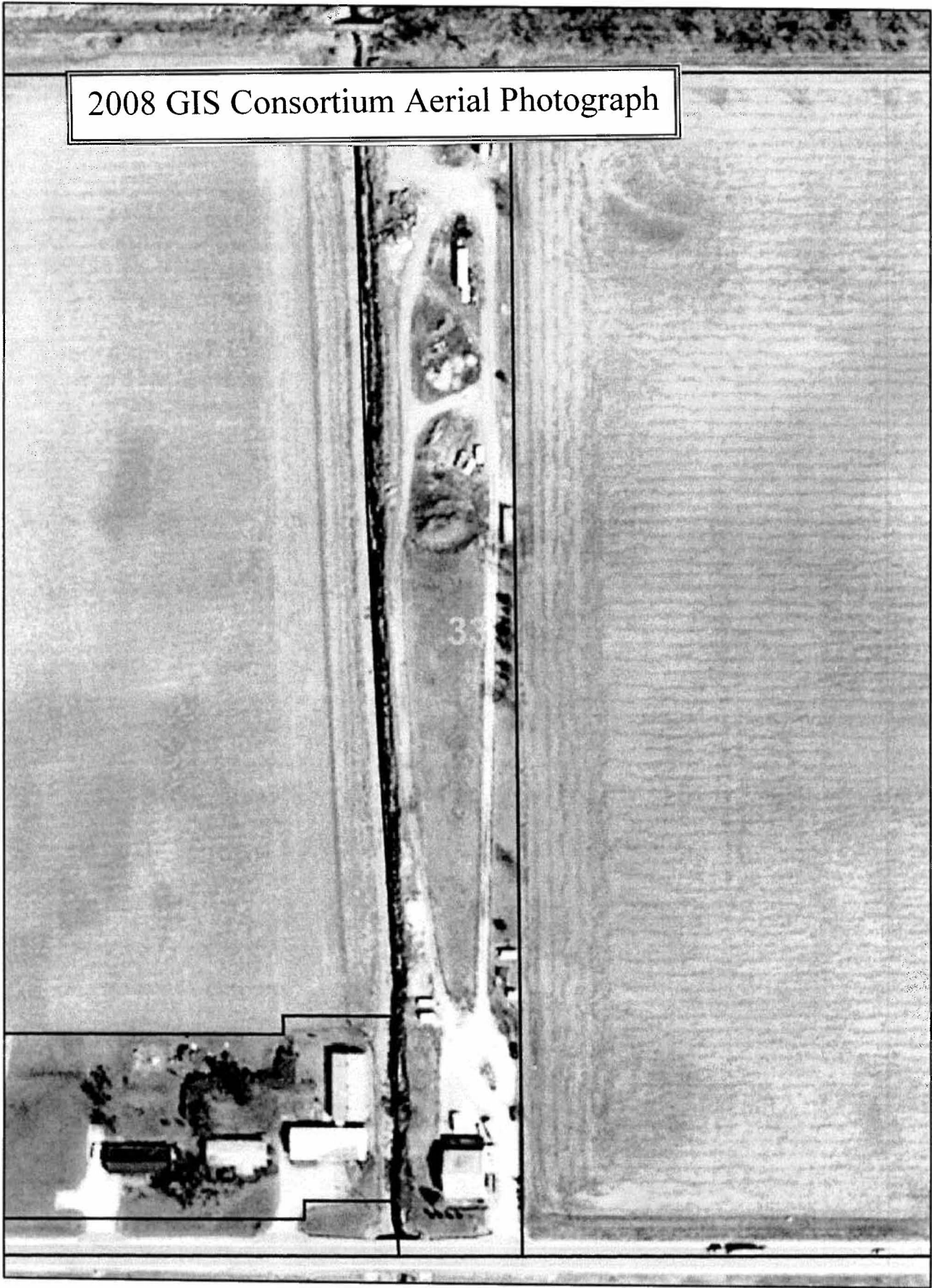
1988 Supervisor of Assessment Aerial Photograph

451

*East Orange*

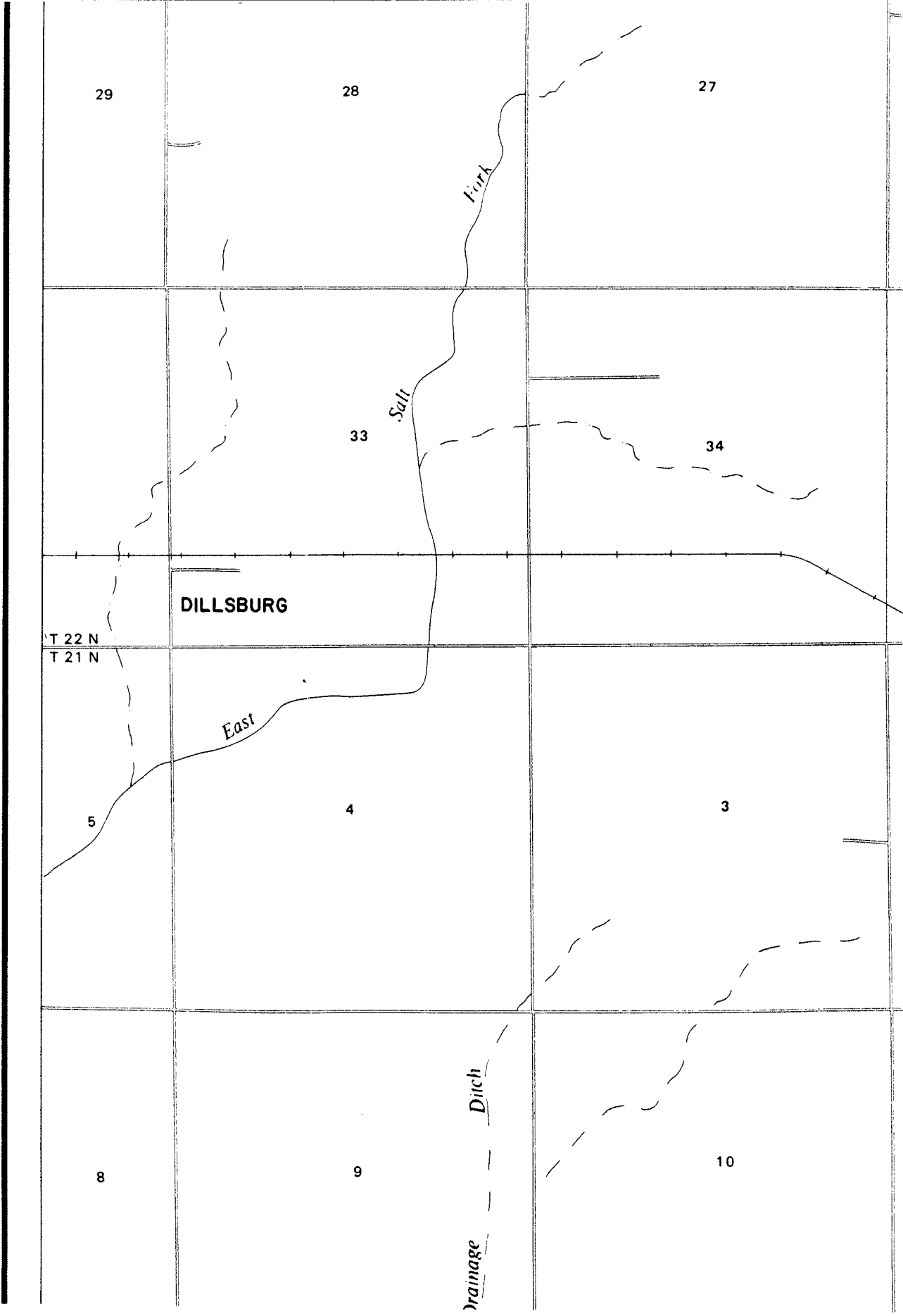


2008 GIS Consortium Aerial Photograph



1 in = 150 ft

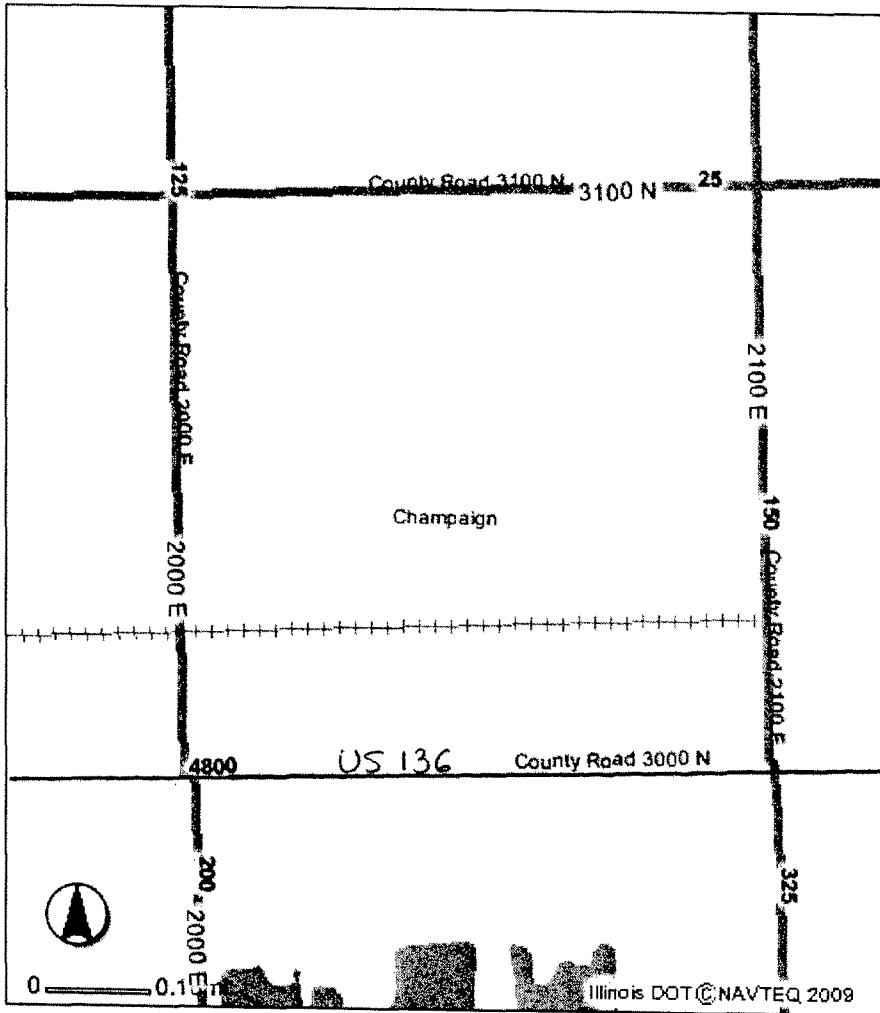
Excerpt from FEMA Flood Insurance Rate Map  
Panel No. 170894 0075 B





# Illinois Department of Transportation

Send to printer



Date: 7/23/2010

All rights reserved. Use subject to License/Copyright  
 Illinois Department of Transportation  
 2300 S. Dirksen Pky  
 Springfield, IL 62764

**PRELIMINARY DRAFT**

**671-AM-10**

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

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

Date: July 23, 2010

Petitioner: James Finger, President, and Lisa M. Feig, Vice President, d.b.a. Triad Shredding Corp.

Request: Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District

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**FINDING OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 29, 2010**, the Zoning Board of Appeals of Champaign County finds that:

- \*1. The petitioners' business, Triad Shredding Corp, owns the subject property.
- \*2. The subject property is a 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.
- \*3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of municipality with zoning.
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:

**“We intend to rectify current zoning violations as well as construct a new building for our shredding operations.”**
5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning the petitioner has included a letter, which indicates they intend to build a facility to expand their existing business, and they will possibly refurbish an existing building on the site.

**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 proposed to be used as a new facility for Triad Shredding in related Zoning Case 672-S-10.

\*Same evidence as in related Zoning Case 672-S-10

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- B. Land on the east and west of the subject property is zoned AG-2 Agriculture. Land on the west is in use as two storage buildings, and land on the east is in use as agriculture.
  - C. Land to the north of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
  - D. Land to the south of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
7. There have been no zoning cases in the vicinity of the subject property.

**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 predominately 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-4, General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
  - B. Regarding the general locations of the existing and proposed zoning districts:
    - (1) The AG-2 District is generally a belt that surrounds the larger municipalities and villages.
    - (2) There is no easy generalization to describe where the B-4 General Business Zoning District was originally established except to say that with a few large exceptions it does not occur very often outside of the fringe of urbanized areas. There has been a trend in recent years to change B-3 zoned areas to B-4.
  - 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 115 different types of uses authorized by right in the B-4 District:
      - (a) The following 6 uses are authorized by-right in both districts:
        - SUBDIVISION totaling three or fewer lots; and
        - AGRICULTURE, including customary ACCESSORY USES; and
        - Minor RURAL SPECIALTY BUSINESS; and
        - Plant Nursery; and
        - Christmas Tree Sales Lot; and
        - TEMPORARY USES

\*Same evidence as in related Zoning Case 672-S-10

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- (b) The following 28 uses are authorized by-right in the B-4 District but may only be authorized by Special Use Permit in the AG-2 District:
- HOTEL with no more than 15 LODGING UNITS; and
  - Major RURAL SPECIALTY BUSINESS; and
  - Commercial greenhouse; and
  - Greenhouse (not exceeding 1,000 sq.ft.); and
  - Garden Shop; and
  - Church, Temple or church related TEMPORARY USES on church PROPERTY; and
  - Municipal or GOVERNMENT BUILDING; and
  - Police station or fire station; and
  - Library, museum or gallery; and
  - Public park or recreational facility; and
  - Radio or television station; and
  - Telephone exchange; and
  - MOTOR BUS Station; and
  - Truck Terminal; and
  - Roadside Produce Sales Stand; and
  - Feed and Grain (sales only); and
  - Artist Studio; and
  - Antique Sales and Service; and
  - Bait Sales; and
  - Lodge or private club; and
  - Outdoor commercial recreational enterprise (except amusement park); and
  - Private Indoor Recreational Development; and
  - Commercial Fishing Lake; and
  - VETERINARY HOSPITAL; and
  - Self-Storage Warehouses, not providing heat and utilities to individual units; and
  - Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS; and
  - SMALL SCALE METAL FABRICATING SHOP
- (c) There are 81 uses that are authorized by-right in the B-4 District but are not authorized by any means in the AG-2 District. They are summarized either by specific use or by types of uses, as follows:
- HOTEL with over 15 LODGING UNITS; and
  - Institution of an Educational, Philanthropic, or Eleemosynary Nature; and
  - PARKING GARAGE or LOT; and
  - Telegraph Office; and
  - Personal Service Types of Uses; and

\*Same evidence as in related Zoning Case 672-S-10

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**PRELIMINARY DRAFT**

- Farm Equipment Sales and Service; and
  - Business, Private, Educational, and Financial Services Types of Uses; and
  - Food Sales and Service Types of Uses; and
  - AUTOMOBILE Sales and Service Types of Uses; and
  - Retail Trade Types of Uses; and
  - Billiard Room; and
  - Bowling Alley; and
  - Dancing academy or hall; and
  - Indoor THEATER; and
  - Wholesale Business; and
  - Warehouse; and
  - Self-storage Warehouses, providing heat and utilities to individual units; and
  - Auction House (non-animal); and
  - OFF-PREMISES SIGN; and
  - SEXUALLY ORIENTED BUSINESS
- (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-4 District.
- (a) The following 6 uses may be authorized by SUP in both districts:
- Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right; and
  - Private or commercial transmission and receiving towers (including antennas) over 100' in HEIGHT; and
  - Electrical Substation; and
  - HELIPORT-RESTRICTED LANDING AREA; and
  - Amusement Park; and
  - KENNEL
- (b) The following four uses may be authorized by SUP in the B-4 District but are not authorized by any means in the AG-2 District:
- HOSPITAL; and
  - Bakery (more than 2,500 SF); and
  - Recycling of non-hazardous materials (all storage and processing indoors) (Note: this is the proposed use in related Zoning Case 672-S-10); and
  - LIGHT ASSEMBLY

**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.

\*Same evidence as in related Zoning Case 672-S-10

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**GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES**

10. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for rezoning land under the *Champaign County Zoning Ordinance*, as follows:
- A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable.
  - B. The LRMP defines Goals, Objectives, and Policies as follows:
    - (1) Goal: an ideal future condition to which the community aspires
    - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
    - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
  - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”
  - D. LRMP Objective 1.1 is entitled “Guidance on Land Resource Management Decisions”, and states, “Champaign County will consult the LRMP that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.”
  - E. Goal 1 of the LRMP is relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions (see Item 6.D. above), but is otherwise not relevant to the proposed rezoning. The Goals for Governmental Coordination (Goal 2), Prosperity (Goal 3), and Cultural Amenities (Goal 10) and their subsidiary Objectives and Policies also do not appear to be relevant to the proposed rezoning.

**REGARDING LRMP GOAL 4 AGRICULTURE**

11. LRMP Goal 4 is entitled “Agriculture” and is relevant to the proposed rezoning because the proposed rezoning includes land currently zoned AG-2 and proposed to be zoned B-4. Goal 4 states, “Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.”

\*Same evidence as in related Zoning Case 672-S-10

**PRELIMINARY DRAFT**

The proposed rezoning *{ACHIEVES}* Goal 4 because of the following:

- A. Goal 4 includes nine subsidiary Objectives. Objectives 4.4, 4.5, 4.6, 4.7, 4.8, and 4.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 4.1 is entitled “Agricultural Land Fragmentation and Conservation” and states, “Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.”

The proposed rezoning *{ACHIEVES}* Objective 4.1 because of the following:

- (1) Objective 4.1 includes nine subsidiary policies. Policies 4.1.2, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9 do not appear to be relevant to the proposed rezoning.
- (2) Policy 4.1.1 states, “Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.”

The proposed rezoning *{CONFORMS}* to Policy 4.1.1 because the subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.

- (3) Policy 4.1.3 is, “The by right development allowance is intended to ensure legitimate economic use of all property. The County understands that continued agricultural use alone constitutes a reasonable economic use of best prime farmland and the by right development allowance alone does not require accommodating non-farm development beyond the by right development allowance on such land.”

The proposed rezoning *{CONFORMS / DOES NOT CONFORM}* to Policy 4.1.3. *{Staff narrative will be available at the meeting}*

- (4) Policy 4.1.6 is as follows:

Provided that the use, design, site and location are consistent with County policies regarding:

- i. Suitability of the site for the proposed use;
- ii. Adequacy of infrastructure and public services for the proposed use;
- iii. Minimizing conflict with agriculture;
- iv. Minimizing the conversion of farmland; and
- v. Minimizing the disturbance of natural areas; then
  - a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to

\*Same evidence as in related Zoning Case 672-S-10

residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

- b) On best prime farmland, the County may authorize non-residential discretionary development; or
- c) The County may authorize discretionary review development on tracts consisting of other than best prime farmland.

The proposed rezoning *{CONFORMS}* to Policy 4.1.6 because of the following:

- (a) The proposed use requires a Special Use Permit in the B-4 General Business District, which allows consideration of site suitability, adequacy of public infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas as part of the criterion regarding, “injurious to public health, safety, and welfare.”
- (b) The subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.

- C. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each discretionary review development will not interfere with agricultural operations.”

The proposed rezoning *{ACHIEVES}* Objective 4.2 because of the following:

- (1) Policy 4.2.1 states, “The County may authorize a proposed business or other non-residential discretionary review development in a rural area if the proposed development supports agriculture or involves a product or service that is provided better in a rural area than in an urban area.”

The proposed rezoning *{CONFORMS}* to Policy 4.2.1 because the proposed use is a business that can operate out of a rural location, and can make productive use of this vacant property.

- (2) Policy 4.2.2 is, as follows:

The County may authorize discretionary review development in a rural area if the proposed development:

- a. Is a type that does not negatively affect agricultural activities; or
- b. Is located and designed to minimize exposure to any negative effect caused by agricultural activities; and
- c. Will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.

**PRELIMINARY DRAFT**

The proposed rezoning *{CONFORMS}* to Policy 4.2.2 because of the following:

- (a) The proposed use will take place entirely indoors, will not create a significant traffic impact on US 136.
  - (b) The proposed use will not interfere with agricultural activities or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.
  - (c) The proposed use will have minimal exposure to any negative effect cause by agricultural activities.
- (3) Policy 4.2.3 does not appear to be relevant to the proposed rezoning.
- (4) Policy 4.2.4 states, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”

The proposed rezoning *{CONFORMS}* to Policy 4.2.4 because the proposed use requires a Special Use Permit in the B-4 District, which will allow for consideration of any necessary buffering.

- D. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states, “Champaign County will require that each discretionary review development is located on a suitable site.”

The proposed rezoning *{ACHIEVES}* Objective 4.3 because of the following:

- (1) Policy 4.3.1 does not appear to be relevant to the proposed rezoning.

The proposed rezoning *{CONFORMS}* to Policy 4.3.1 because the proposed use requires a Special Use Permit in the B-4 General Business District, which allows consideration of site suitability as part of the criterion regarding, “injurious to public health, safety, and welfare.”

- (2) Policy 4.3.2 states, “On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.

The proposed rezoning *{CONFORMS}* to Policy 4.3.1 because the proposed use requires a Special Use Permit in the B-4 General Business District, which allows consideration of site suitability as part of the criterion regarding, “injurious to public health, safety, and welfare.”

- (3) Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.”

The proposed rezoning *{CONFORMS}* to Policy 4.3.3 because the subject property is located 2.8 miles from the Gifford Fire Protection District Station.

- (4) Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”

The proposed rezoning *{CONFORMS}* to Policy 4.3.4 because the subject property has access to US 136.

- (5) Policy 4.3.5 is as follows:

On best prime farmland, the County will authorize a business or other non-residential use only if:

- a. it also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or
- b. the use is otherwise appropriate in a rural area and the site is very well suited to it.

The proposed rezoning *{CONFORMS / DOES NOT CONFORM}* to Policy 4.3.5. *{Staff narrative will be available at the meeting.}*

**REGARDING LRMP GOAL 5 URBAN LAND USE**

12. LRMP Goal 5 is entitled “Urban Land Use” and is relevant to the proposed rezoning because the subject property is proposed to be rezoned B-4 General Business. Goal 5 states, “Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.”

The proposed amendment *{ACHIEVES / DOES NOT ACHIEVE}* Goal 5 because of the following:

- A. Objective 5.1 is entitled “Population Growth and Economic Development” and states “Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new urban development in or adjacent to existing population centers.”

The proposed rezoning *{ACHIEVES / DOES NOT ACHIEVE}* Objective 5.1 because of the following:

- (1) Objective 5.1 includes nine subsidiary policies. Policies 5.1.2, 5.1.3, 5.1.4, 5.1.7, 5.1.8, and 5.1.9 do not appear to be relevant to the proposed amendment.

**PRELIMINARY DRAFT**

- (2) Policy 5.1.1 is “The County will encourage new urban development to occur within the boundaries of incorporated municipalities.

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.1.1. *{Staff narrative will be available at the meeting.}*

- (3) Policy 5.1.5 states, “The County will encourage urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.1.5. *{Staff narrative will be available at the meeting.}*

- (4) Policy 5.1.6 is, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed urban development.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.1.2. *{Staff narrative will be available at the meeting.}*

- B. Objective 5.2 is entitled, “Natural Resources Stewardship” and states, “When new urban development is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources.”

The proposed amendment **{ACHIEVES}** Objective 5.2 because of the following:

- (1) Policy 5.2.1 is, “The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.2.1. *{Staff narrative will be available at the meeting.}*

- (2) Policy 5.2.2 is as follows:

The County will:

- a. ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and
- b. encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.2.2. *{Staff narrative will be available at the meeting.}*

- (3) Policy 5.2.3 is as follows:

The County will:

- a. require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.2.3. *{Staff narrative will be available at the meeting.}*

- C. Objective 5.3 is entitled “Adequate Public Infrastructure and Services” and states, “Champaign County will oppose proposed new urban development unless adequate utilities, infrastructure, and public services are provided.”

The proposed amendment **{ACHIEVES}** Objective 5.3 because of the following:

- (1) Policy 5.3.1 is as follows:

The County will:

- a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 5.3.1 *{Staff narrative will be available at the meeting.}*

- (2) Policy 5.3.2 does not appear to be relevant to the proposed rezoning.

- (3) Policy 5.3.3 does not appear to be relevant to the proposed rezoning.

**REGARDING LRMP GOAL 6 PUBLIC HEALTH AND SAFETY**

13. LRMP Goal 6 is entitled “Public Health and Public Safety” and is relevant to the proposed rezoning. Goal 6 states, “Champaign County will ensure protection of the public health and public safety in land resource management decisions.”

The proposed rezoning **{ACHIEVES}** Goal 6 because of the following:

\*Same evidence as in related Zoning Case 672-S-10



**PRELIMINARY DRAFT**

- A. Goal 6 includes four subsidiary Objectives. Objectives 6.2, 6.3, and 6.4 do not appear to be relevant to the proposed rezoning.
- B. Objective 6.1 is entitled “Protect Public Health and Safety” and states, “Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”

The proposed rezoning *{ACHIEVES}* Objective 6.1 because of the following:

- (1) Policy 6.1.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 6.1.2 states, “The County will ensure that the proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.”

The proposed rezoning *{CONFORMS / DOES NOT CONFORM}* to Policy 6.1.2 because of the following:

- (a) The County Health Department should be notified of any development, by-right or otherwise, on the subject property to ensure that a proper wastewater treatment system is in place before any construction occurs.
- (b) The proposed use is not of a type to require processing of large amounts of wastewater.
- (3) Policy 6.1.3 states, “The County will seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.”

The proposed rezoning *{CONFORMS}* to Policy 6.1.3 because the proposed use requires a Special Use Permit in the B-4 General Business District, which requires that the use meet the standard condition for all Special Use Permits regarding outdoor lighting on the subject property.

- (4) Policy 6.1.4 states, “The County will seek to abate blight and to prevent and rectify improper dumping.”

The proposed rezoning *{CONFORMS}* to Policy 6.1.4 because the proposed rezoning will allow the petitioners to make economic use of the subject property and clean up existing zoning violations on the subject property, as well as stopping improper dumping that has occurred on the subject property.

**REGARDING LRMP GOAL 7 TRANSPORTATION**

\*Same evidence as in related Zoning Case 672-S-10

13. LRMP Goal 7 is entitled “Transportation” and is relevant to the proposed rezoning because the subject property accesses US 136. Goal 7 states, “Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.”

The proposed rezoning *{ACHIEVES}* Goal 7 because of the following:

- A. Goal 7 includes two subsidiary Objectives. Objective 7.2 does not appear to be relevant to the proposed rezoning.
- B. Objective 7.1 is entitled “Traffic Impact Analyses” and states, “Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.”

The proposed rezoning *{ACHIEVES}* Objective 7.1 because of the following:

- (1) Policy 7.1.1 states, “The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation.”

The proposed rezoning *{CONFORMS}* to Policy 7.1.1 because the petitioners have testified that the proposed use will not generate a large amount of traffic.

**REGARDING LRMP GOAL 8 NATURAL RESOURCES**

14. LRMP Goal 8 is entitled, “Natural Resources” and is relevant to the proposed rezoning. Goal 8 states, “Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.”

The proposed rezoning *{ACHIEVES / DOES NOT ACHIEVE}* Goal 8 because of the following:

- A. Goal 8 includes nine subsidiary Objectives. Objectives 8.3, 8.6, 8.7, 8.8, and 8.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 8.1 states, “Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.”

The proposed rezoning *{ACHIEVES / DOES NOT ACHIEVE}* Objective 8.1 because of the following:

- (1) Objective 8.1 has nine subsidiary Policies. Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, and 8.1.6 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.1.1 states, “The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user.”

The proposed rezoning *{CONFORMS / DOES NOT CONFORM}* to Policy 8.1.1. *{Staff narrative will be available at the meeting.}*

\*Same evidence as in related Zoning Case 672-S-10

**PRELIMINARY DRAFT**

- (3) Policy 8.1.7 states, “The County will ensure that existing and new developments do not pollute the groundwater supply.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.1.7. *{Staff narrative will be available at the meeting.}*

- (4) Policy 8.1.8 states, “The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.1.8. *{Staff narrative will be available at the meeting.}*

- (5) Policy 8.1.9 states, “The County will work to ensure the remediation of contaminated land or groundwater and the elimination of potential contamination pathways.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.1.9. *{Staff narrative will be available at the meeting.}*

- C. Objective 8.2 states, “Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.”

The proposed rezoning **{ACHIEVES / DOES NOT ACHIEVE}** Objective 8.2 because of the following:

- (1) Objective 8.2 has one subsidiary Policy.
- (2) Policy 8.2.1 states, “The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. Best prime farmland is that comprised of soils that have a Relative Value of at least 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the LESA.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.2.1. *{Staff narrative will be available at the meeting.}*

- D. Objective 8.4 states, “Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation.”

The proposed rezoning **{ACHIEVES / DOES NOT ACHIEVE}** Objective 8.4 because of the following:

- (1) Objective 8.4 has six subsidiary Policies. Policies 8.4.1, 8.4.3, 8.4.4, 8.4.5, and 8.4.6 do not appear to be relevant to the proposed rezoning.

- (2) Policy 8.4.2 states, “The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.1.1. *{Staff narrative will be available at the meeting.}*

- E. Objective 8.5 states, “Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.”

The proposed rezoning **{ACHIEVES / DOES NOT ACHIEVE}** Objective 8.5 because of the following:

- (1) Objective 8.5 has five subsidiary Policies. Policies 8.5.1, 8.5.3, 8.5.4, and 8.5.5 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.5.2 states, “The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 8.5.2. *{Staff narrative will be available at the meeting.}*

- 15. LRMP Goal 9 is entitled, “Energy Conservation” and is relevant to the proposed rezoning. Goal 9 states, “Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.”

The proposed rezoning **{ACHIEVES / DOES NOT ACHIEVE}** Goal 9 because of the following:

- A. Goal 9 includes five subsidiary Objectives. Objectives 9.2, 9.3, and 9.5 do not appear to be relevant to the proposed rezoning.
- B. Objective 9.1 states, “Champaign County will seek to reduce the discharge of greenhouse gases.”

The proposed rezoning **{ACHIEVES / DOES NOT ACHIEVE}** Objective 9.1 because of the following:

- (1) Objective 9.1 has three subsidiary Policies. Policy 9.1.3 does not appear to be relevant to the proposed rezoning.
- (2) Policy 9.1.1 states, “The County will promote land use patterns, site design standards and land management practices that minimize the discharge of greenhouse gases.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 9.1.1. *{Staff narrative will be available at the meeting.}*

**PRELIMINARY DRAFT**

- (3) Policy 9.1.2 states, “The County will promote energy efficient building design standards.”

The proposed rezoning **{CONFORMS / DOES NOT CONFORM}** to Policy 9.1.2. *{Staff narrative will be available at the meeting.}*

- C. Objective 9.4 states, “Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.”

**DOCUMENTS OF RECORD**

1. Application for rezoning submitted by James Finger and Lisa Feig on June 21, 2010, with attachments:
  - A Letter from James Finger and Lisa Feig
  - B Triad Shredding List of References
  - C Petitioner photographs of subject property
  - D Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
  - E Letter from Gary Hardin, dated May 27, 2010
  - F Letter from Darrell Brandt, dated June 8, 2010
  - G Letter from Martin Ablinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
  
2. Preliminary Memorandum for Case 671-AM-10, dated July 23, 2010, with attachments:
  - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning)
  - B Site Plan for subject property
  - C Letter from James Finger and Lisa Feig
  - D Triad Shredding List of References
  - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
  - F Letter from Gary Hardin, dated May 27, 2010
  - G Letter from Darrell Brandt, dated June 8, 2010
  - H Letter from Martin Ablinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
  - I 1972 Supervisor of Assessments aerial photograph of subject property
  - J 1988 Supervisor of Assessments aerial photograph of subject property
  - K 2008 GIS Consortium aerial photograph of subject property
  - L Excerpt from FEMA Flood Insurance Rate Map Community Panel No. 170894 0075 B
  - M IDOT Map showing Average Annual Daily Traffic
  - N Preliminary Draft Finding of Fact for Case 671-AM-10
  - O Petitioner photographs of subject property (included separately)
  
3. All materials for related Zoning Case 672-S-10

\*Same evidence as in related Zoning Case 672-S-10

**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 671-AM-10** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

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

SIGNED:

Doug Bluhm, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

# CASE NO. 672-S-10

## PRELIMINARY MEMORANDUM

Champaign County, Illinois  
July 23, 2010

Department of  
Petitioners: **James Finger, President,**  
**and Lisa M. Feig, Vice President,**  
**J.B.A. Triad Shredding Corp.**



Site Area: **approx. 4.35 acres**

Request: **Authorize Triad Shredding to do recycling of non-hazardous materials (confidential paper shredding and recycling) with all processing and storage of materials taking place indoors in the B-4 General Business Zoning District (the subject of Case 671-AM-10).**

Brookings  
Administrative Center  
1776 E. Washington Street  
Urbana, Illinois 61802  
Time Schedule for Development:  
**Immediate**

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

Location: **A 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.**

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### BACKGROUND

For all case Background and Supplemental Materials please see the Preliminary Memorandum for related Zoning Case 671-AM-10. See that memo for other related attachments

### STORMWATER MANAGEMENT AND ONSITE WASTEWATER DISPOSAL

Staff does not recommend the Board take final action on this Case until the petitioners have demonstrated that they will be able to meet the requirements of the Champaign County *Stormwater Management Policy* and the proposed stormwater detention areas are indicated on the site plan.

Also, there is no indication of the location of an existing or any proposed onsite wastewater disposal system on the current site plan.

The Preliminary Memorandum for related Zoning Case 671-AM-10 includes a proposed special condition that restricts the amount of wastewater load a business use on the subject property would be allowed to generate and a proposed special condition that requires a letter from the Champaign County Health Department certifying that the proposed use meets the previous condition and has located the onsite wastewater disposal system in the most appropriate location on the subject property.

### ATTACHMENT

A Preliminary Draft Summary of Evidence for Case 672-S-10



***PRELIMINARY DRAFT***

**672-S-10**

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

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

Date: July 23, 2010

Petitioners: James Finger, President, and Lisa M. Feig, Vice President, d.b.a. Triad Shredding Corp

Request: Authorize Triad Shredding to do recycling of non-hazardous materials (confidential paper shredding and recycling) with all processing and storage of materials taking place indoors in the B-4 General Business Zoning District (the subject of Case 671-AM-10)

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**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 29, 2010**, the Zoning Board of Appeals of Champaign County finds that:

- \*1. The petitioners' business, Triad Shredding Corp, recently purchased the subject property.
- \*2. The subject property is a 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.
- \*3. The subject property is not located within the one-and-one-half mile extraterritorial jurisdiction (ETJ) of a municipality with zoning. However, Triad Shredding has been located in the Rantoul Business Center since 2002, and the petitioners submitted a letter of support for the proposed use from the Village of Rantoul, dated June 11, 2010.

***GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY***

- \*4. Land use and zoning on the subject property and in the vicinity are as follows:
  - A. The subject property is zoned AG-2 Agriculture and is proposed to be rezoned to B-4 General Business in related Zoning Case 671-AM-10.
  - B. Land on the east and west of the subject property is zoned AG-2 Agriculture. Land on the west is in use as two storage buildings, and land on the east is in use as agriculture.
  - C. Land to the north of the subject property is zoned AG-1 Agriculture and is in use as row crop agriculture.

**PRELIMINARY DRAFT**

- D. Land to the south of the subject property is zoned AG-1 Agriculture and is in use as row crop agriculture.

**GENERALLY REGARDING THE PROPOSED SPECIAL USE**

- 5. Regarding the site plan and operations of the proposed non-hazardous materials recycling (confidential material destruction & recycling):
  - A. The subject property is a 4.35 acre lot that is 1,291 feet deep, 136 feet at its south end, and 169 feet wide at its north end.
  - B. There is an existing nonconforming building which predates the adoption of the Zoning Ordinance on October 10, 1973. The existing building is 50 feet by 50 feet and is 30 feet from the front property line.
  - C. The petitioners are proposing to construct a new steel or pole building that will be approximately 80 feet by 200 feet 305 feet from the front property line.
  - D. There is another building indicated as an “Area of Future Expansion” that is also 80 feet by 200 feet and will be 345 feet from the front property line.
  - E. There is existing gravel on the south and north ends of the property, connected by drives that extend down the east and west sides of the property. Both areas of gravel are indicated as being used for parking.
  - F. In a letter included with their application the petitioners indicated the following regarding Triad Shredding’s operations:
    - (1) Triad’s business is to pick up, shred and bale confidential materials from clientele.
    - (2) Triad then brokers and ships those paper bales to various recyclers who re-pulp the shredded paper.
    - (3) The Triad operation is strictly a “inside the facility” type of business. Because of the confidential nature of the business and the strict adherence to industry standards all materials that come into the building must remain stored inside prior to processing.
    - (4) Once processed the baled by-product remains stored inside until the material is shipped via enclosed van type semi-trailers.
    - (5) Triad Shredding’s operational hours are Monday thru Friday 8am- 6pm. Triad anticipates our hours will be transparent with our neighbors that are zoned AG-1.

**GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS**

- 6. Regarding authorization for non-hazardous materials recycling (all indoors) as a Special Use in the B-4 General Business Zoning District in the *Zoning Ordinance*:

- A. Section 5.2 authorizes non-hazardous materials recycling (all indoors) as a Special Use only in the B-4 Zoning District, and by-right in the I-1 and I-2 Zoning Districts.
- B. Subsection 6.1 contains standard conditions that apply to all SPECIAL USES, standard conditions that may apply to all SPECIAL USES, and standard conditions for specific types of SPECIAL USES. Relevant requirements from Subsection 6.1 are as follows:
  - (1) Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
    - (a) All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
    - (b) No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
    - (c) Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.
    - (d) The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
    - (e) The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
    - (f) There is no indication of outdoor lighting on the site plan.
  - (2) Subsection 6.1.3 indicates there are no standard conditions for non-hazardous materials recycling (all indoors).
- C. Paragraph 9.1.11.D.1. states that a proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Waivers of standard conditions are subject to findings (1) that the waiver is in accordance with the general purpose and intent of the ordinance and (2) will not be injurious to the neighborhood or to the public health, safety, and welfare.
- D. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (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.

**PRELIMINARY DRAFT**

- (2) "ESTABLISHMENT" is a business, retail, office, or commercial USE. When used in the singular this term shall be construed to mean a single USE, BUILDING, STRUCTURE, or PREMISES of one of the types here noted.
  - (3) "SPECIAL CONDITION" is a condition for the establishment of the SPECIAL USE.
  - (4) "SPECIAL USE" is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- F. Section 9.1.11 requires that a Special Use Permit shall not be granted by the Zoning Board of Appeals unless the public hearing record and written application demonstrate the following:
- (1) That the Special Use is necessary for the public convenience at that location;
  - (2) That the Special Use is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare;
  - (3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
  - (4) That the Special Use is in harmony with the general purpose and intent of this ordinance.
  - (5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
- G. Paragraph 9.1.11.D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.

**GENERALLY REGARDING WHETHER THE SPECIAL USE IS NECESSARY FOR THE PUBLIC CONVENIENCE AT THIS LOCATION**

7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
  - A. The Petitioners included a letter with their application that addressed the criteria for Special Use Permit approval. The following are relevant excerpts from that letter regarding this criteria:
    - (1) Triad Shredding is family owned and operated by siblings Jim Finger and Lisa Feig, both lifetime residents of Rantoul.
    - (2) The Triad operations have been located in the Rantoul Business Center, on the former Chanute Air Force Base, since the company was founded in 2002.

- (3) Triad Shredding has found the Village of Rantoul to be very accommodating and a very good landlord, but as the business has grown it is time to build a facility.
  - (4) Naturally, Triad Shredding is excited to have the opportunity and looks forward to building a new state of the art document destruction facility in Champaign County.
  - (5) As owners of Triad Shredding and lifelong county residents, it is our goal and desires to better utilize an under-developed piece of Champaign County commercial property.
  - (6) As our equipment has grown, the new facility will ensure the space we need to provide service to our customers more efficiently.
- B. The proposed use is an existing business that wants to use the subject property to grow the business.
  - C. Co-petitioner Jim Finger lives approximately one-half mile to the east of the subject property.
  - D. The subject property is located on US 136, a State highway, where any traffic impact from the proposed use will be minor.
  - E. Triad Shredding serves businesses within a 100 mile radius, including businesses in the communities of Champaign-Urbana, Peoria, Springfield, Decatur, Mattoon-Charleston, Danville, and Watseka, and the subject property is centrally located.

**GENERALLY REGARDING WHETHER THE SPECIAL USE WILL BE INJURIOUS TO THE DISTRICT OR OTHERWISE INJURIOUS TO THE PUBLIC WELFARE**

8. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:
  - A. The Petitioners included a letter with their application that addressed the criteria for Special Use Permit approval. The following are relevant excerpts from that letter regarding this criteria:
    - (1) On a normal business day, traffic would consist of less than 2-4 small box trucks leaving/entering the facility. The business currently generates enough bales that we ship approximately three semi loads per month to recyclers.
    - (2) We cannot emphasize enough that this is not a typical trash or recycling business. Our product is brought into our facility in our enclosed box truck and remains inside until it is delivered to the recycler.
    - (3) It is our intent that our new facility will have an enclosed loading dock area to further insure there is no chance of outdoor residue. Additionally, this will provide a more confidential transfer of product for our clientele.

**PRELIMINARY DRAFT**

- B. Regarding surface drainage, the subject property is located adjacent to the Dillsburg Special Drainage District Ditch and drains to the ditch.
- C. The subject property is accessed from US 136 (CR 3000N) on the south side of the property. Regarding the general traffic conditions on US 136 (CR 3000N) at this location and the level of existing traffic and the likely increase from the proposed Special Use:
  - (1) The Illinois Department of Transportation (IDOT) measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). The AADT of North Lincoln Avenue was last measured in 2009, and is 4800 where it passes the subject property. The Average Daily Truck Count where US 136 (CR 3000N) passes the subject property is 500.
  - (2) The Township Highway Commissioner and IDOT have been notified of this case, but no comments have been received as yet.
  - (3) The traffic impact from non-hazardous materials recycling is unclear. However, the petitioners have testified that normal business traffic would consist of less than 2-4 box trucks and approximately three semi loads per month.
- D. Regarding fire protection of the subject property, the subject property is within the protection area of the Gifford Fire Protection District and is located approximately 2.8 road miles from the fire station. The Fire Protection District Chief has been notified of this request, but no comments have been received at this time.
- E. The subject property is not located within a Special Flood Hazard Area, as indicated by Flood Insurance Rate Map Panel 170894 0075 B.
- F. Regarding outdoor lighting on the subject property, there is no indication of outdoor lighting on the site plan.
- G. Regarding subsurface drainage, the subject property does not appear to contain any agricultural field tile.
- H. The hours of operation of the proposed Special Use Permit are described in the attached letter as Monday through Friday 8 AM to 6 PM.
- I. Regarding wastewater treatment and disposal on the subject property, there is no indication of an existing septic system on the site plan. See the condition for related Zoning Case 671-AM-10.
- J. Regarding parking for proposed Special Use, see Item 9.B.(2)
- K. Regarding life safety considerations related to the proposed Special Use:
  - (1) Champaign County has not adopted a building code. Life safety considerations are considered to a limited extent in Champaign County land use regulation as follows:

- (a) The Office of the State Fire Marshal has adopted the Code for Safety to Life from Fire in Buildings and Structures as published by the National Fire Protection Association (NFPA 101) 2000 edition, Life Safety Code, as the code for Fire Prevention and Safety as modified by the Fire Prevention and Safety Rules, 41 Ill. Adm Code 100, that applies to all localities in the State of Illinois.
- (b) The Office of the State Fire Marshal is authorized to enforce the Fire Prevention and Safety Rules and the code for Fire Prevention and Safety and will inspect buildings based upon requests of state and local government, complaints from the public, or other reasons stated in the Fire Prevention and Safety Rules, subject to available resources.
- (c) The Office of the State Fire Marshal currently provides a free building plan review process subject to available resources and subject to submission of plans prepared by a licensed architect, professional engineer, or professional designer that are accompanied by the proper Office of State Fire Marshal Plan Submittal Form.
- (d) Compliance with the code for Fire Prevention and Safety is mandatory for all relevant structures anywhere in the State of Illinois whether or not the Office of the State Fire Marshal reviews the specific building plans.
- (e) Compliance with the Office of the State Fire Marshal's code for Fire Prevention and Safety is not required as part of the review and approval of Zoning Use Permit Applications.
- (f) The Illinois Environmental Barriers Act (IEBA) requires the submittal of a set of building plans and certification by a licensed architect that the specific construction complies with the Illinois Accessibility Code for all construction projects worth \$50,000 or more and requires that compliance with the Illinois Accessibility Code be verified for all Zoning Use Permit Applications for those aspects of the construction for which the Zoning Use Permit is required. There is no information regarding the cost of the pole barn that is used to house the farm dinners in inclement weather, so it is unclear if that will trigger the requirements of the IEBA.
- (g) The Illinois Accessibility Code incorporates building safety provisions very similar to those of the code for Fire Prevention and Safety.
- (h) The certification by an Illinois licensed architect that is required for all construction projects worth \$50,000 or more should include all aspects of compliance with the Illinois Accessibility Code including building safety provisions very similar to those of the code for Fire Prevention and Safety.

**PRELIMINARY DRAFT**

- (i) When there is no certification required by an Illinois licensed architect, the only aspects of construction that are reviewed for Zoning Use Permits and which relate to aspects of the Illinois Accessibility Code are the number and general location of required building exits.
  - (j) Verification of compliance with the Illinois Accessibility Code applies only to exterior areas. With respect to interiors, it means simply checking that the required numbers of building exits are provided and that they have the required exterior configuration. This means that other aspects of building design and construction necessary to provide a safe means of egress from all parts of the building are not checked.
  - (k) The proposed site plan does not indicate numbers of exits for the proposed buildings.
- L. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

**GENERALLY REGARDING WHETHER THE SPECIAL USE CONFORMS TO APPLICABLE REGULATIONS AND STANDARDS AND PRESERVES THE ESSENTIAL CHARACTER OF THE DISTRICT**

9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conform to all applicable regulations and standards and preserve the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
- A. The Petitioners included a letter with their application that addressed the criteria for Special Use Permit approval. The following are relevant excerpts from that letter regarding this criteria:
    - (1) Triad intends to refurbish or demolish the existing building on the property. If the building is refurbished, renovation will rectify any existing zoning violations.
    - (2) Triad anticipates our hours will be transparent with our neighbors that are zoned AG-2.
  - B. Regarding compliance with the *Zoning Ordinance*:
    - (1) Non-hazardous materials recycling (all indoors) is authorized by Special Use Permit only in the B-4 General Business Zoning District.
    - (2) Regarding parking on the subject property:
      - (a) Paragraph 7.4.1 C.3.e requires that commercial ESTABLISHMENTS without a specific parking standard must provide 1 parking space for every 200 square feet of floor area or portion thereof. Based on the area of the proposed buildings the petitioner's would be required to provide 160 parking spaces. The proposed site plan indicates a total of 60 paved parking spaces. However, there appears to be



enough area on the subject property to provide the rest of the required parking on unpaved ground.

- (c) Based on the petitioner's testimony the proposed use will operate more like an industrial use than a commercial use with regards to parking. Under the parking standard for industrial uses in paragraph 7.4.1 D.1. the petitioners would be required to provide four parking spaces.
  - (d) A staff parking analysis based on an aerial photograph of the subject property will be available at the meeting.
- (3) There are no standard conditions for recycling of non-hazardous materials with all processing and storage taking place indoors.

C. Regarding compliance with the *Stormwater Management Policy*:

- (1) Regarding the requirement of stormwater detention, the proposed building will be greater than 10,000 square feet in area which will trigger the need for stormwater detention. The proposed use should not be approved until the Board can be sure that detention can be accommodated on the subject property.
- (2) Regarding the requirement to protect agricultural field tile, there does not appear to be any field tile on the subject property.

D. Regarding the Special Flood Hazard Areas Ordinance and Subdivision Regulations:

- (1) The subject property is not located in the Special Flood Hazard Area.
- (2) The subject property conforms to the Subdivision Regulations.

E. Regarding the requirement that the Special Use preserve the essential character of the B-4 General Business Zoning District, the proposed use is non-hazardous materials recycling (all indoors), which is a business use.

F. The proposed Special Use must comply with the Illinois Accessibility Code which is not a County ordinance or policy and the County cannot provide any flexibility regarding that Code. A Zoning Use Permit cannot be issued for any part of the proposed Special Use until full compliance with the Illinois Accessibility Code has been indicated in drawings. There are two accessible parking spaces indicated on the site plan.

**GENERALLY REGARDING WHETHER THE SPECIAL USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE**

10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use is in harmony with the general intent and purpose of the Ordinance:

*PRELIMINARY DRAFT*

- A. Non-hazardous materials recycling (all indoors) may be authorized in the B-4 General Business Zoning District as a Special Use provided all other zoning requirements and standard conditions are met or waived.
- B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
- (1) Subsection 5.1.14 of the Ordinance states the general intent of the B-4 General Business District and states as follows (capitalized words are defined in the Ordinance):  
  
The B-4, General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
  - (2) The types of uses authorized in the B-4 District are in fact the types of uses that have been determined to be acceptable in the B-4 District. Uses authorized by Special Use Permit are acceptable uses in the district provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.
- C. Regarding whether the proposed Special Use Permit is in harmony with the general purpose of the Zoning Ordinance:
- (1) Paragraph 2 .0 (a) of the Ordinance states that one purpose of the Ordinance is securing adequate light, pure air, and safety from fire and other dangers.
    - (a) This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.
  - (2) Paragraph 2.0 (b) of the Ordinance states that one purpose of the Ordinance is conserving the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.
    - (a) In regards to the value of nearby properties, it is unclear what impact the proposed SUP will have on the value of nearby properties.
    - (b) With regard to the value of the subject property, it is unclear what effect the proposed rezoning and Special Use Permit will have on the value of the subject property.
  - (3) Paragraph 2.0 (c) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding congestion in the public STREETS.

The subject property should not generate enough traffic to create congestion on US 136. However, there should be no parking related to the proposed SUP in the public right-of-way.

- (4) Paragraph 2.0 (d) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding the hazards to persons and damage to PROPERTY resulting from the accumulation of runoff from storm or flood waters.

The proposed use has not demonstrated compliance with the *Champaign County Stormwater Management Policy*, but it is outside of the Special Flood Hazard Area.

- (5) Paragraph 2.0 (e) of the Ordinance states that one purpose of the Ordinance is promoting the public health, safety, comfort, morals, and general welfare.
- (a) In regards to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
- (b) In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
- (6) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits.

- (7) Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use

**PRELIMINARY DRAFT**

Permit and adjacent uses, and that the special conditions adequately mitigate nonconforming conditions. There are no special conditions proposed at this time.

- (8) Paragraph 2.0 (m) of the Ordinance states that one purpose of the Ordinance is preventing additions to and alteration or remodeling of existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The petitioners have indicated that they may refurbish the existing building on the subject property, which did exist on the date of the adoption of the Zoning Ordinance. However, they have indicated that they intend to follow all zoning requirements when doing so.

- (9) Paragraph 2.0 (n) of the Ordinance states that one purpose of the Ordinance is protecting the most productive AGRICULTURAL lands from haphazard and unplanned intrusions of urban USES.

The subject property is located in the B-4 General Business District, and is a business use.

- (10) Paragraph 2.0 (o) of the Ordinance states that one purpose of the Ordinance is protecting natural features such as forested areas and watercourses.

The subject property does not contain any natural features and there are no natural features in the vicinity of the subject property.

- (11) Paragraph 2.0 (p) of the Ordinance states that one purpose of the Ordinance is encouraging the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The subject property is located in the B-4 General Business District, and is a business use.

- (12) Paragraph 2.0 (q) of the Ordinance states that one purpose of the Ordinance is encouraging the preservation of AGRICULTURAL belts surrounding urban areas, to retain the AGRICULTURAL nature of the COUNTY, and the individual character of existing communities.

The subject property is located in the B-4 General Business District, and is a business use.

**GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE**

11. The proposed Special Use is not an existing NONCONFORMING USE because it is not an existing use. The Petitioner did not include any relevant testimony on the application.

***GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL***

12. No special conditions of approval are proposed at this time.

**DOCUMENTS OF RECORD**

1. Special Use Permit Application from Jim Finger and Lisa M. Feig received on June 21, 2010, with attachments:
  - A Site plan for subject property
  - B Letter from James Finger and Lisa Feig
  - C Triad Shredding List of References
  - D Petitioner photographs of subject property
  - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
  - F Letter from Gary Hardin, dated May 27, 2010
  - G Letter from Darrell Brandt, dated June 8, 2010
  - H Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
  
2. Preliminary Memorandum for Case 672-S-10, with attachments:
  - A Preliminary Draft Summary of Evidence for Case 672-S-10

**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case 672-S-10 held on July 29, 2010, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN {IS / IS NOT}}* necessary for the public convenience at this location because: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
2. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL NOT / WILL}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
  - a. The street has *{ADEQUATE / INADEQUATE}* traffic capacity and the entrance location has *{ADEQUATE / INADEQUATE}* visibility.
  - b. Emergency services availability is *{ADEQUATE / INADEQUATE}* *{because'}*: \_\_\_\_\_  
 \_\_\_\_\_
  - c. The Special Use will be designed to *{CONFORM / NOT CONFORM}* to all relevant County ordinances and codes.
  - d. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses *{because'}*: \_\_\_\_\_  
 \_\_\_\_\_
  - e. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE}* *{because'}*: \_\_\_\_\_  
 \_\_\_\_\_
  - f. Public safety will be *{ADEQUATE / INADEQUATE}* *{because'}*: \_\_\_\_\_  
 \_\_\_\_\_
  - h. The provisions for parking will be *{ADEQUATE / INADEQUATE}* *{because'}*: \_\_\_\_\_  
 \_\_\_\_\_
  - i. *(Note the Board may include other relevant considerations as necessary or desirable in each case.)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
- 3a. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* *{DOES / DOES NOT}* conform to the applicable regulations and standards of the DISTRICT in which it is located.

1. The Board may include additional justification if so desired, but it is not necessary.

**PRELIMINARY DRAFT**

- 3b. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located because:
  - a. The Special Use will be designed to ***{CONFORM / NOT CONFORM}*** to all relevant County ordinances and codes.
  - b. The Special Use ***{WILL / WILL NOT}*** be compatible with adjacent uses.
  - c. Public safety will be ***{ADEQUATE / INADEQUATE}***.
  
4. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}*** in harmony with the general purpose and intent of the Ordinance because
  - a. The Special Use is authorized in the District.
  - b. The requested Special Use Permit ***{IS/ IS NOT}*** necessary for the public convenience at this location.
  - c. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}*** is so designed, located, and proposed to be operated so that it **WILL NOT** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare.
  - d. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} DOES*** preserve the essential character of the DISTRICT in which it is located.
  
5. The requested Special Use ***{IS/ IS NOT}*** an existing nonconforming use.
  
6. ***{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 9.1.11B. *{HAVE / HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, determines that:

The Special Use requested in Case 672-S-10 is hereby *{ GRANTED / GRANTED WITH SPECIAL CONDITIONS / DENIED }* to the petitioners **James Finger, President, and Lisa M. Feig, Vice President, d.b.a. Triad Shredding Corp** to authorize **Triad Shredding to do recycling of non-hazardous materials (confidential paper shredding and recycling) with all processing and storage of materials taking place indoors in the B-4 General Business Zoning District (the subject of related Zoning Case 671-AM-10).**

*{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:

Doug Bluhm, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

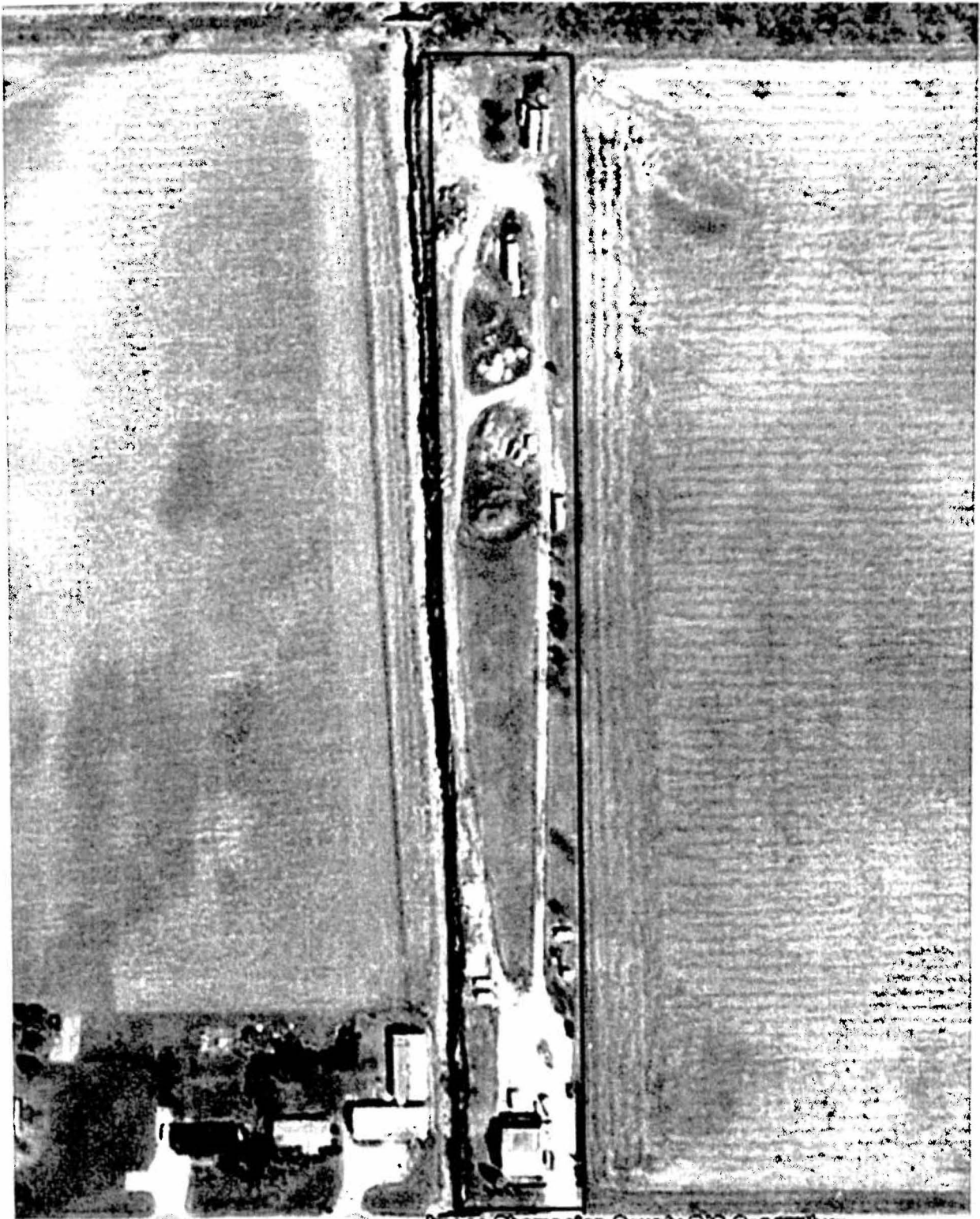


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