

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS NOTICE OF REGULAR MEETING

Date: **June 16, 2011**
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 (May 26, 2011)
5. Continued Public Hearings
6. New Public Hearings

**Note: The full ZBA packet is now available
on-line at: co.champaign.il.us.**

Case 687-AM-11 Petitioner: **Dr. Phillip Jones and Sarabeth Jones**

**Request: Amend the Zoning Map to change the zoning district designation
from CR Conservation-Recreation to AG-1 Agriculture.**

**Location: An approximately 12.69 acre tract of land that is located in the North
Half of the South Half of the Northeast Quarter of Section 27 of
Crittenden Township and located on the west side of Illinois Route 130
(CR 1600E) and 1,328 feet south of the intersection of Illinois Route 130
and CR 200N and County Highway 16 and commonly known as the
property at 175N CR 1600E, Villa Grove.**

***Case 688-S-11** Petitioner: **Dr. Phillip Jones and Sarabeth Jones**

**Request: Authorize the construction and use of a "Heliport-Restricted Landing
Area" as a Special Use on land that is proposed to be rezoned to the
AG-1 Agriculture from the current CR Conservation-Recreation Zoning
District in related zoning case 687-AM-11; and with a waiver of Special
Use standard condition required by Section 6.1 that requires a runway
safety area to be located entirely on the lot.**

**Location: An approximately 12.69 acre tract of land that is located in the North
Half of the south Half of the Northeast Quarter of Section 27 of
Crittenden Township and located on the west side of Illinois Route 130
(CR 1600E) and 1,328 feet south of the intersection of Illinois Route 130
and CR 200N and County Highway 16 and commonly known as the
property at 175N CR 1600E, Villa Grove.**

Case 689-AM-11 Petitioner: **Charles T. and Shelly Sollers**

**Request: Amend the Zoning Map to allow for the establishment and use of 1 single
family residential lot in the CR Conservation-Recreation Zoning District by
adding the Rural Residential Overlay (RRO) Zoning District.**

**Location: An approximately 6 acre tract of land that is located in the West half of
the North Half of the Northeast Quarter of Section 27 of Crittenden
Township and that is located approximately one-half mile west of the
intersection of County Highway 16 and Illinois Route 130 and located
on the south side of County Highway 16 (CR 200N).**

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS
NOTICE OF REGULAR MEETING
JUNE 16, 2011
PAGE 2

Case 690-AM-11 Petitioner: **Dr. Phillip Jones and Benjamin Shadwick**

Request: **Amend the Zoning Map to allow for the establishment and use of 1 single family residential lot in the CR Conservation-Recreation Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Location: **An approximately 5.3 acre tract of land that is located in the West Half of the North Half of the Northeast Quarter of Section 27 of Crittenden Township and that is located approximately 2,000 feet west of the intersection of County Highway 16 and Illinois Route 130 and located on the south side of County Highway 16 (CR 200N).**

7. Staff Report
May, 2011 Monthly Report
8. Other Business
9. Audience Participation with respect to matters other than cases pending before the Board
10. Adjournment

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

CASE NO. 687-AM-11

PRELIMINARY MEMORANDUM

Champaign June 10, 2011

County

Department of Petitioners:



Philip W. and Sarabeth F. Jones
175N CR1600E
Villa Grove, IL

Site Area:

Approx. 12.69 acres

Brookens

Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

Time Schedule for Development:

Immediate

(217) 384-3708 Prepared by:

John Hall

Zoning Administrator

Request: Amend the Zoning Map to change the zoning district designation from CR Conservation Recreation to AG-1 Agriculture.

Location: An approximately 12.69 acre tract of land that is located in the North Half of the South Half of the Northeast Quarter of Section 27 of Crittenden Township and located on the west side of Illinois Route 130 (CR1600E) and 1,328 feet south of the intersection of Illinois Route 130 and CR 200N and County Highway 16 and commonly known as the property at 175N CR1600E, Villa Grove.

BACKGROUND

The petitioners have requested this map amendment because they propose to establish a Heliport-Restricted Landing Area (HLRA) on property adjacent to their residential/ agricultural property and both properties are located in the CR Conservation Recreation Zoning District but the Zoning Ordinance does not authorize any type of RLA in the CR District. The subject property proposed to be rezoned to the AG-1 District is currently bordered by the AG-1 District on the east side.

For additional Background information please see the Preliminary Memorandum for the related Zoning Case 687-AM-11 which is the special use permit for the proposed Heliport- Restricted Landing Area.

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**

However, the proposed rezoning is from one rural district to another and there is little to no difference on the above considerations between the two districts. There are substantial differences between the purpose and intent of the two rural districts, however, and the land uses that are authorized within each.

PURPOSE AND INTENT OF THE TWO DISTRICTS

The CR District is a rural district and is similar to the AG-1 District in many respects except that the uses authorized in the CR District are uses intended to be compatible with the intent of the zoning district. Subsection 5.1.3 of the Ordinance states the intent of the CR District as follows:

The CR Conservation-Recreation DISTRICT is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the COUNTY.

The following are land uses authorized in the AG-1 District (by special use permit) and some of the concerns related to the typical location in the CR District:

- Wind farm because of wildlife concerns related to the revolving blades and the residential character of most of the CR District.
- Gas turbine peaker because of the possible loss of wildlife habitat and the residential character of most of the CR District.
- Contractor facilities because of the associated traffic; the possible loss of wildlife habitat; possible concerns of contaminants; and the residential character of most of the CR District.
- Agriculture related business such as farm chemical & fertilizer sales because of the possible loss of wildlife habitat; concerns about possible surface water contamination; and the residential character of most of the CR District.
- Restricted Landing Areas because of the need for clear runway approach zones that are problematic in forested area and possible safety hazards posed by waterfowl.

The staff evaluation of goals and policies is not yet complete and much evidence has yet to be added to the Finding of Fact. It is anticipated that the real task of evaluating the effects of the proposed rezoning on the achievement of goals and policies will relate to considering the basic incompatibility between the runway approach zones of the proposed Restricted Landing Area (RLA) that must be kept free of obstructions and the forested area west of the proposed RLA.

Likewise, the purpose and intent of the AG-1 District is as follows:

The AG-1 Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.

The Natural Resource Report indicates that the subject property has an LE of 84 so the soils are not considered by Champaign County to be best prime farmland.

CONFORMANCE WITH RELEVANT GOALS AND POLICIES

The staff evaluation of Goal 8 policies is not yet complete and additional evidence will be available at the public hearing.

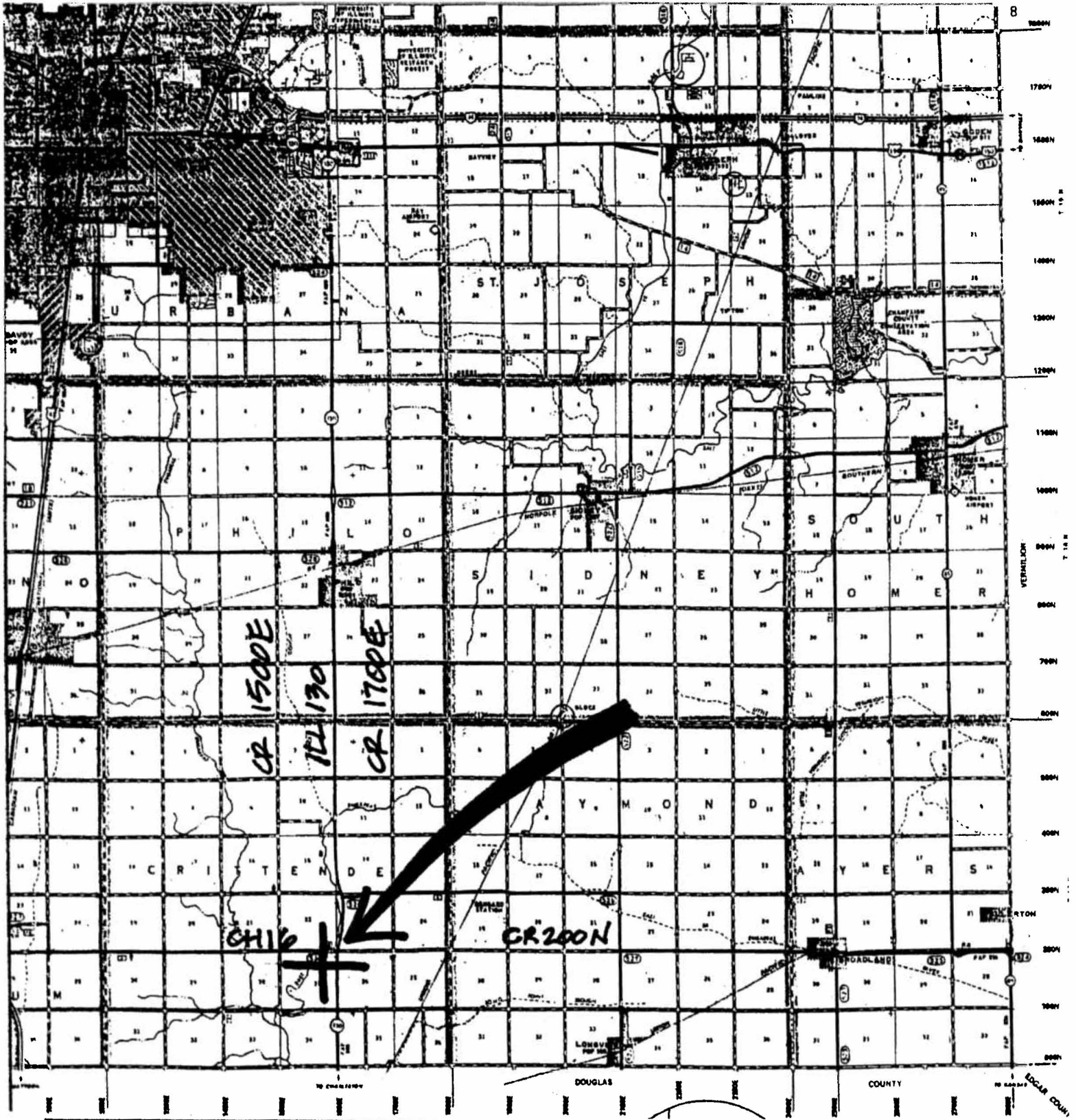
ATTACHMENTS

- A Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use , Zoning)
- B Land Parcel Description prepared by F. Wayne Ward
- C Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011
- D Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
- E Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
- F Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
- G Preliminary Finding of Fact for Case 687-AM-11

Attachment A Location Map

Cases 687-AM-11 & 688-S-11

JUNE 9, 2011

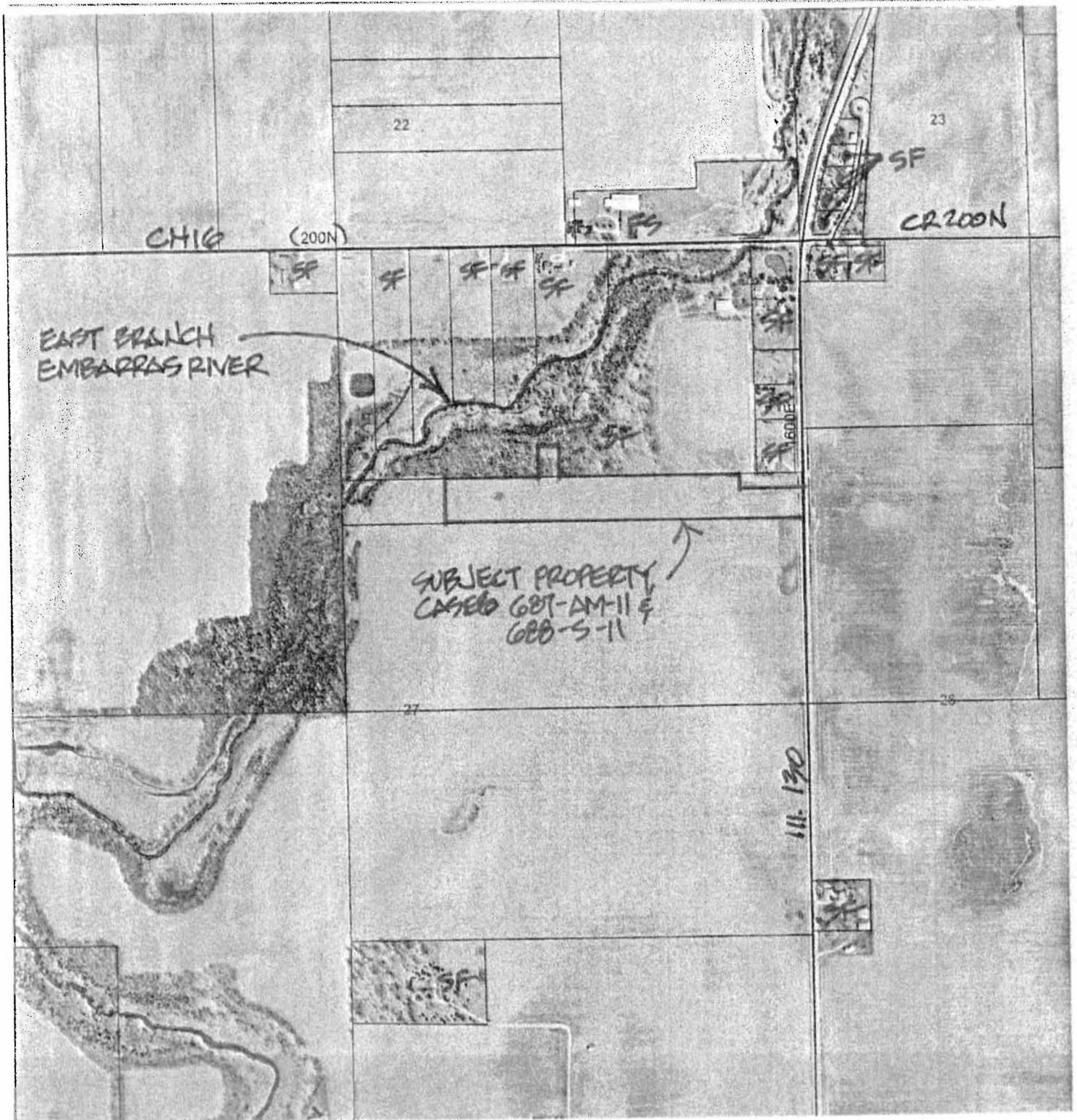


Clatsop
County
Department of
**PLANNING &
ZONING**

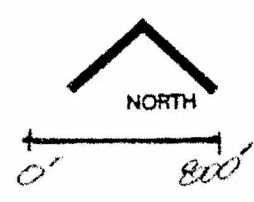
Attachment A Land Use Map

Cases 687-AM-11 & 688-S-11

JUNE 9, 2011



SF	Single Family	
FS	Farmstead	

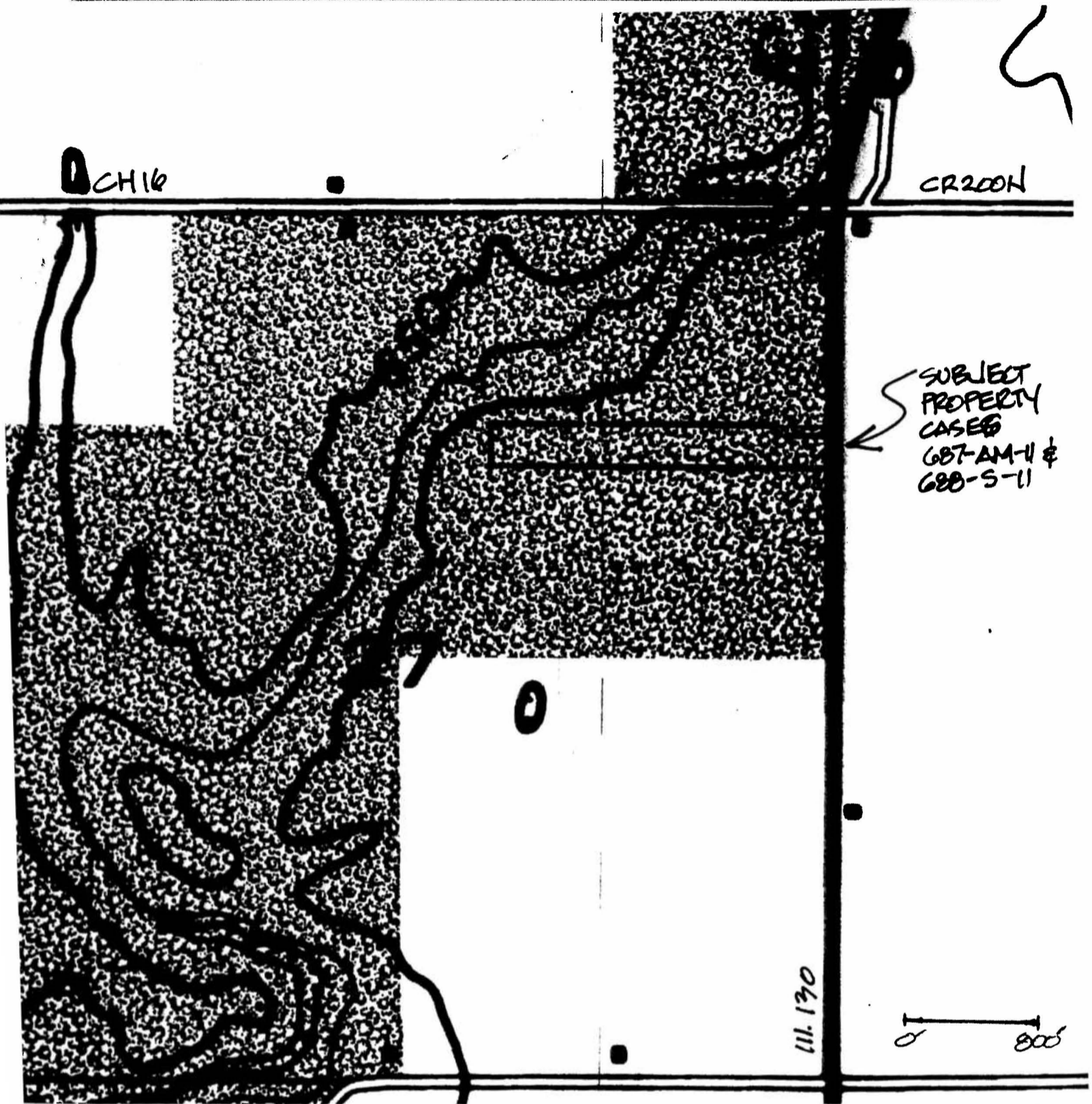


Champaign
County
Department of
**PLANNING &
ZONING**

Attachment A Zoning Map

Cases 687-AM-11 & 688-S-11

JUNE 9, 2011



CR200N

SUBJECT
PROPERTY
CASES
687-AM-11 &
688-S-11

111.130



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



Champaign
County
Department of
**PLANNING &
ZONING**

PREPARED FOR PHILLIP JONES
PARCEL PLAT AND DESCRIPTION
LOCATED IN NE1/4, SECT. 27, T17N, R9E, 3rd PM

NE CORNER, SECT. 27,
T17N, R9E, 3rd PM

CHAMPAIGN CO. P & Z DEPARTMENT

APR 29 2011

RECEIVED

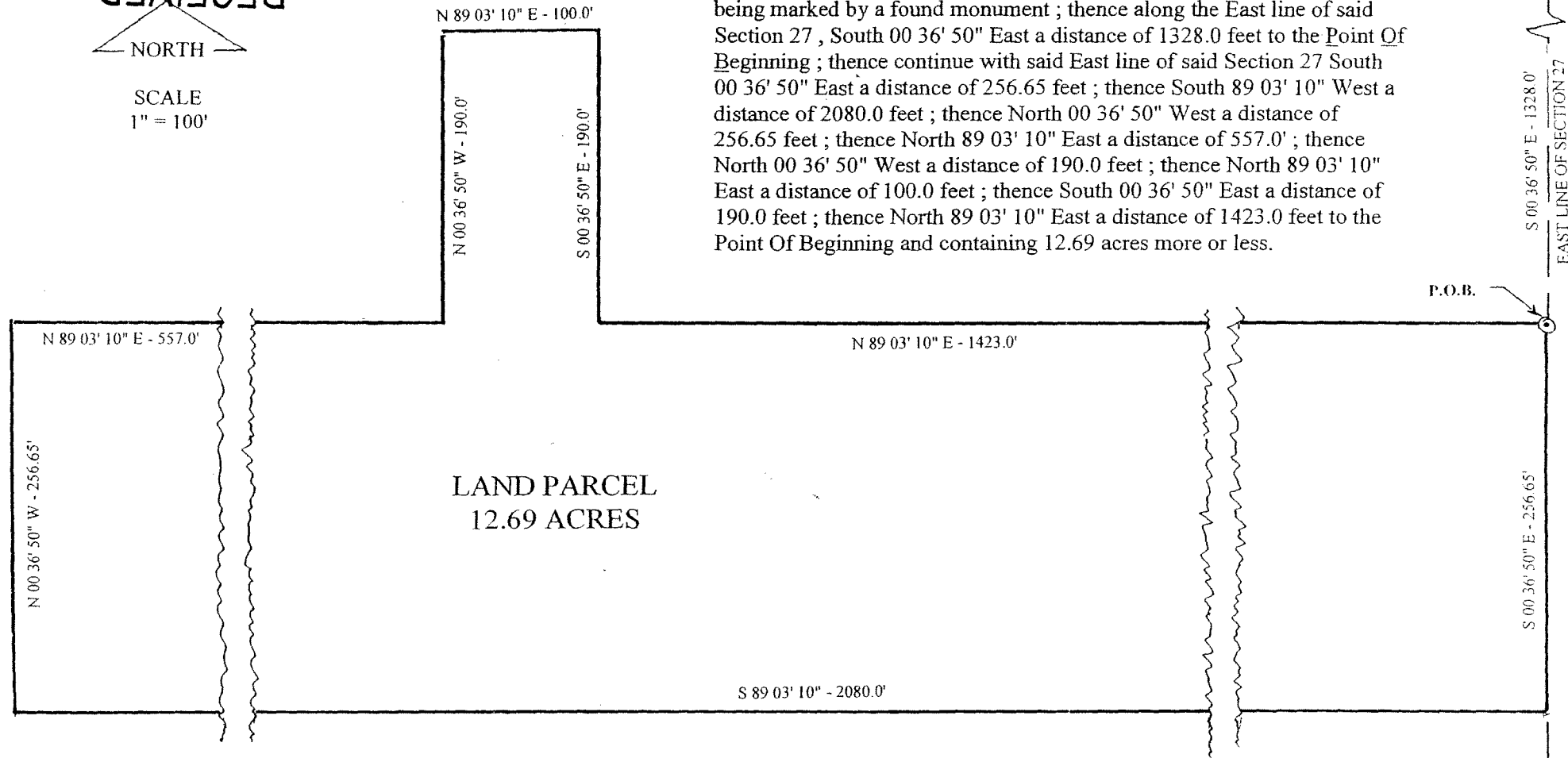


SCALE
1" = 100'

LAND PARCEL DESCRIPTION

Part of the Northeast Quarter of Section 27, Township 17 North, Range 9 East of the Third Principal Meridian, located in Champaign County, Illinois, being more particularly described as follows:

Commence at the Northeast Corner of said Section 27, said corner being marked by a found monument; thence along the East line of said Section 27, South 00 36' 50" East a distance of 1328.0 feet to the Point Of Beginning; thence continue with said East line of said Section 27 South 00 36' 50" East a distance of 256.65 feet; thence South 89 03' 10" West a distance of 2080.0 feet; thence North 00 36' 50" West a distance of 256.65 feet; thence North 89 03' 10" East a distance of 557.0'; thence North 00 36' 50" West a distance of 190.0 feet; thence North 89 03' 10" East a distance of 100.0 feet; thence South 00 36' 50" East a distance of 190.0 feet; thence North 89 03' 10" East a distance of 1423.0 feet to the Point Of Beginning and containing 12.69 acres more or less.



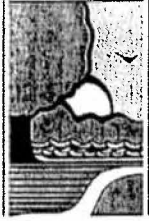
LAND PARCEL
12.69 ACRES

F. Wayne Ward
F. WAYNE WARD P.E. NO. 062-027405

MARCH 1, 2011
DATE

RECEIVED

APR 29 2011



Illinois Department of
Natural Resources

CHAMPAIGN CO. P & Z DEPARTMENT

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

March 03, 2011

Elitsa Dimitrova
Alan Singleton
2001 S 1st St #209
Champaign, IL 61820

Re: Rezoning

Project Number(s): 1109346

County: Champaign

Dear Applicant:


This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

Provided all applicable federal, state and local environmental, laws, regulations and ordinances are complied with, adverse impacts to listed state resources does not seem likely.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Rick Pietruszka 
Division of Ecosystems and Environment
217-785-5500



Applicant: Alan Singleton
Contact: Elitsa Dimitrova
Address: 2001 S 1st St #209
Champaign, IL 61820

IDNR Project #: 1109346
Date: 03/02/2011

Project: Rezoning
Address: Approximately 180 N. 1600 East Road, Villa Grove

Description: Rezoning to Ag-1

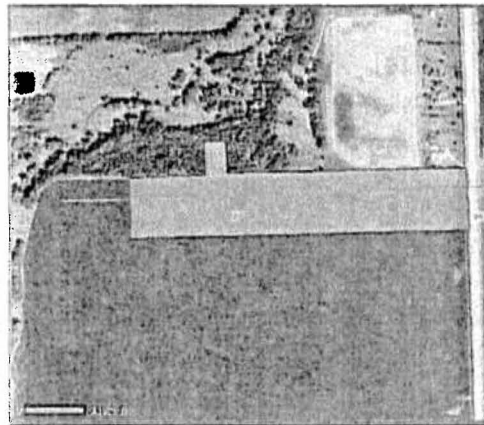
Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Little Spectaclecase (*Villosa lienosa*)

An IDNR staff member will evaluate this information and contact you within 30 days to request additional information or to terminate consultation if adverse effects are unlikely.



Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Champaign

Township, Range, Section:

17N, 9E, 26 17N, 9E, 27

COVER LETTER TO ILLINOIS HISTORIC PRESERVATION EVALUATION

Applicant will not be conducting activities that are likely to disturb any prehistoric/historic archeological resources on the lots.

Currently, the site is planted with natural strain of grass, sunflowers, soybeans, sugar beets, miscanthus and switchgrass. Applicant will not conduct any activity that is going to differ from the currently permitted activities on the lot. Applicant does not intend to disturb or develop the area at this point. Phase I reconnaissance survey might be necessary only at the point when applicant does indeed apply for permits to develop the land in any way different from what is currently permitted in the CR district.

Thus, archeological resources will not be threatened in any way by applicant's petition for rezoning to AG-1 and special use permit for an RLA and Heliport-RLA.

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

This document was prepared by:

Alan R. Singleton
Singleton Law Firm, P.C.
2001 S. First St., Suite 209
Champaign, IL 61820
217-352-3900
217-352-4900 fax



Illinois Historic
Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

Champaign County
Tolono

PLEASE REFER TO: IHPA LOG #020031711

Parcel 1 - West side of County Road 1600 East, South of County Road 200 North; Parcel 2 - Approximately 1561 County Road 200 North; Parcel 3 - Approximately 1553 County Road 200 North
Rezoning of Parcels

April 2, 2011

Alan Singleton
Singleton Law Firm, P.C.
2001 S. First St., Suite 209
Champaign, IL 61820

Dear Mr. Singleton:

The Illinois Historic Preservation Agency is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) to review all state funded, permitted or licensed undertakings for their effect on cultural resources. We have received information indicating that the referenced project will, under the state law cited above, require comments from our office and our comments follow. Should you have any contrary information, please contact our office at the number below.

According to the information provided to us concerning your proposed project, apparently there is no federal involvement in your project. However, please note that the state law is less restrictive than the federal cultural resource laws concerning archaeology, therefore if your project will use federal loans or grants, need federal agency permits or federal property then your project must be reviewed by us under a slightly different procedure under the National Historic Preservation Act of 1966, as amended. Please notify us immediately if such is the case.

The project area has a high probability of containing significant prehistoric/historic archaeological resources. Accordingly, a Phase I archaeological reconnaissance survey to locate, identify, and record all archaeological resources within the project area will be required. This decision is based upon our understanding that there has not been any large scale disturbance of the ground surface (excluding agricultural activities) or major construction activity within the project area which would have destroyed existing cultural resources prior to your project. If the area has been disturbed, please contact our office with the appropriate written and/or photographic evidence. The area(s) that need(s) to be surveyed (within the zone that needs to be surveyed) include(s) all area(s) that will be developed as a result of the issuance of the state agency permit(s) or the granting of the state funds or loan guarantees that have prompted this review. Enclosed you will find an attachment briefly describing Phase I surveys and listing archaeological contracting services. A COPY OF OUR LETTER WITH THE IHPA LOG NUMBER SHOULD BE PROVIDED TO THE SELECTED PROFESSIONAL ARCHAEOLOGICAL CONTRACTOR TO ENSURE THAT THE SURVEY RESULTS ARE CONNECTED TO YOUR PROJECT PAPERWORK.

If you have further questions, please contact Joseph Phillippe, Chief Archaeologist, at 217/785-1279.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer

Enclosure

PRELIMINARY DRAFT

687-AM-11

**FINDING OF FACT
AND FINAL DETERMINATION
of**

Champaign County Zoning Board of Appeals

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

Date: **June 16, 2011**

Petitioners: **Philip W. and Sarabeth F. Jones**

Request: **Amend the Zoning Map to change the zoning district designation from CR
Conservation Recreation to AG-1 Agriculture.**

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 16, 2011**, the Zoning Board of Appeals of Champaign County finds that:

*1. The petitioners Philip W. and Sarabeth F. Jones own the subject property.

(Note: asterisk indicates items of evidence that are identical to evidence in Case 688-S-11)

*2. Regarding the subject property where the special use is proposed to be located:

A. The subject property is an approximately 12.69 acre tract of land that is located in the North Half of the South Half of the Northeast Quarter of Section 27 of Crittenden Township and located on the west side of Illinois Route 130 (CR1600E) and 1,328 feet south of the intersection of Illinois Route 130 and CR 200N and County Highway 16 and commonly known as the property at 175N CR1600E, Villa Grove.

B. The subject property is directly south of and abuts the petitioner's approximately 37.80 acre residential / agricultural property that is also located at 175N CR1600E, Villa Grove.

*3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a 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:

“The land should be rezoned to AG-1 because it is used for commercial agriculture. The applicant is growing hay on the land and the selling it to third parties, the land is also enrolled in government agricultural programs related to subsidized hay production. The applicant is engaged in many other activities related to agriculture, such as pollination and crop inspection, which are now restricted because of the limitations of use of the CR District. The property has overall elevation higher than the Base Flood Elevation of 654.5 and therefore should be excluded from the Special Flood Hazard Area.”

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

A. **“Even though the land is no considered best prime farmland for Champaign County, it is very suitable for agricultural activities, particularly of the type activities applicant is engaged in- growing and selling hay. This type of use prevents erosion and sedimentation. In addition, if rezoned, the land would serve the agricultural needs of the applicant's other agricultural properties and activities as the applicant will be applying for an RLA special use permit, which would not be permissible with current zoning.”**

B. **“Commercial agriculture is the highest and best use of land in the rural areas of Champaign County. Rezoning to AG-1 allows for more efficient use of the land whether as**

a matter of right (plant nursery, advertising signs, tree sales lot) or with special use permit (e.g., RLA permit, among many others). Applicant would like to be able to take advantage of all of these commercially beneficial activities, encouraged by the Land Use Regulatory Policies.”

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- *6. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property and the petitioner’s adjacent residential/ agricultural property are currently zoned CR Conservation Recreation and are in use as a residential property with horses and pasture.
 - B. Land on the north, south, and west of the subject property is also zoned CR Conservation Recreation and is in use as follows:
 - (1) Land on the north has been divided into residential lots. Most of these lots were formerly part of the petitioner’s residential/ agricultural property and two of those lots are now owned by others but require and are currently proposed to be rezoned with the Rural Residential Overlay Zoning District and are the subject of zoning cases 689-AM-11 and 690-AM-11. The property in Case 689-AM-11 is also the subject of Zoning Enforcement Case ZN-08-01/33 which was referred to the Champaign County State’s Attorney on April 7, 2009.
 - (2) The residential lots on the north also occupy most of the west boundary but some of the land bordering on the west is the wooded bottomland for the East Branch of the Embarras River.
 - C. Zoning and land use east of the subject property is as follows:
 - (1) Land to the east of the subject property is zoned AG-1 and is in use as farmland.
 - (2) Land east of the petitioner’s adjacent residential/ agricultural property is zoned CR and has been divided into residential lots.
- 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 CR Conservation-Recreation DISTRICT is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the COUNTY.
-

- (2) The AG-1 Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.

B. Regarding the general locations of the existing and proposed zoning districts:

Evidence yet to be added

C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:

Evidence yet to be added

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

9. 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 amendments to 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. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:”
 - 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.”

REGARDING LRMP GOALS & POLICIES

10. LRMP Goal 1 is entitled “Planning and Public Involvement” and states that as follows:

Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.

The proposed amendment is *NOT BE RELEVANT* to Goal 1.

(Note: bold italics typeface indicates staff’s recommendation to the ZBA)

11. LRMP Goal 2 is entitled “Governmental Coordination” and states as follows:

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 has two objectives and three policies. The proposed amendment is *NOT BE RELEVANT* to Goal 2.

12. LRMP Goal 3 is entitled “Prosperity” and states as follows:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 has three objectives and no policies. The proposed amendment is *NOT RELEVANT* to Goal 3.

13. LRMP Goal 4 is entitled “Agriculture” and states as follows:

Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

Goal 4 has 9 objectives and 22 policies. The proposed amendment is *NOT RELEVANT* to Goal 4 because both the existing and the proposed zoning district are rural zoning districts.

14. LRMP Goal 5 is entitled “Urban Land Use” and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

The proposed amendment is *NOT RELEVANT* to Goal 5 because it is not relevant to urban development.

15. LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

The proposed amendment should *{HELP ACHIEVE/ DETRACT FROM}* Goal 6 for the following reasons:

Evidence yet to be added

16. LRMP Goal 7 is entitled “Transportation” and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

The proposed amendment should is *NOT RELEVANT* to Goal 7 for the following reasons:

Evidence yet to be added

17. LRMP Goal 8 is entitled “Natural Resources” and states as follows:

Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.

The proposed amendment should *{HELP ACHIEVE/ DETRACT FROM}* Goal 8 based on the following:

Evidence yet to be added

18. LRMP Goal 9 is entitled “Energy Conservation” and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

The proposed amendment should is *NOT RELEVANT* to Goal 9 because the proposed amendment does not address energy efficiency or the use of renewable energy sources.

19. LRMP Goal 10 is entitled “Cultural Amenities” and states as follows:

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 is *NOT RELEVANT* to the proposed amendment.

GENERALLY REGARDING THE LaSalle Factors

20. In the case of *LaSalle National Bank of Chicago v. County of Cook* the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed rezoning. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors but it is a reasonable consideration in controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:

Evidence yet to be added for all of the following:

- A. ***LaSalle* factor: The existing uses and zoning of nearby property.**
 - B. ***LaSalle* factor: The extent to which property values are diminished by the particular zoning restrictions.**
 - (1) It is impossible to establish values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.
 - (2) In regards to the value of nearby residential properties, it is not clear if the requested map amendment would have any effect.
 - (3) In regards to the value of the subject property it also is not clear if the requested map amendment would have any effect.
 - C. ***LaSalle* factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**
 - D. ***LaSalle* factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.**
 - E. ***LaSalle* factor: The suitability of the subject property for the zoned purposes.**
 - F. ***LaSalle* factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.**
 - G. ***Sinclair* factor: The need and demand for the use.**
 - H. ***Sinclair* factor: The extent to which the use conforms to the municipality's comprehensive planning.**
-

REGARDING SPECIAL CONDITIONS OF APPROVAL

Evidence yet to be added

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 16, 2011**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment *{WILL/ WILL NOT} HELP ACHIEVE* the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment *{WILL / WILL NOT } HELP ACHIEVE* the following LRMP goals:
 - Goal 8 Natural Resources
 - B. The proposed Zoning Ordinance text amendment *{WILL / WILL NOT IMPEDE}* the achievement of the other LRMP goals.
2. The proposed Zoning Ordinance map amendment *{ IS / IS NOT }* consistent with the *LaSalle* and *Sinclair* factors.

DOCUMENTS OF RECORD

1. Petition for Zoning Map Amendment signed by Philip W. and Sarabeth F. Jones received on April 29, 2011, with attachments:
 - A List of property owners adjacent to or within 250 feet
 - B United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property
 - C Sketch of land parcels adjacent or within 250 feet
 - D Land Parcel Description prepared by F. Wayne Ward
 - E Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - F Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109213 dated March 1, 2011
 - G Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
 - H Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
 - I Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
 - J Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - K Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011
 - L Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
 - M Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
 - N Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - O Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - P Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010

 2. Preliminary Memorandum for Case 687-AM-11 with attachments:
 - A Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use , Zoning)
 - B Land Parcel Description prepared by F. Wayne Ward
 - C Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011
 - D Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
 - E Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
 - F Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
 - G Preliminary Finding of Fact for Case 687-AM-11
-

3. Preliminary Memorandum for related Case 688-S-11 with attachments:
- A Zoning Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use, Zoning)
 - B Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - B Excerpt of Flood Insurance Rate Map (FIRM) Community Panel Number 170894 0275 B dated March 1, 1984
 - C Excerpt of Embarras River Watershed Digital Floodplain Mapping, Champaign County, Illinois. Illinois State Water Survey. August 2002.
 - C Proposed RLA site plan, 8½ x 11 inches (not to scale)
 - D Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - E Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
 - F Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
 - G Excerpts of *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)*
 - H Jones RLA Imaginary Surfaces (staff illustration)
 - H Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - I Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - J Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010
 - F Preliminary Draft Summary of Evidence for Case 688-S-11

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 Zoning Ordinance Amendment requested in **Case 687-AM-11** 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:

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

CASE NO. 688-S-11

PRELIMINARY MEMORANDUM

Champaign June 10, 2011

County

Department of Petitioners:



Philip W. and Sarabeth F. Jones
175N CR1600E
Villa Grove, IL

Site Area:

Approx. 12.69 acres

Brookens

Administrative Center

1776 E. Washington Street

Urbana, Illinois 61802

Time Schedule for Development:

Immediate

(217) 384-3708 Prepared by:

John Hall

Zoning Administrator

Request: Authorize the construction and use of a "Heliport- Restricted Landing Area" as a Special Use on land that is proposed to be rezoned to the AG-1 Agriculture Zoning District from the current CR Conservation Recreation Zoning District in related zoning case 687-AM-11; and with a waiver of a Special Use standard condition required by Section 6.1 that requires a runway safety area to be located entirely on the lot

Location: An approximately 12.69 acre tract of land that is located in the North Half of the South Half of the Northeast Quarter of Section 27 of Crittenden Township and located on the west side of Illinois Route 130 (CR1600E) and 1,328 feet south of the intersection of Illinois Route 130 and CR 200N and County Highway 16 and commonly known as the property at 175N CR1600E, Villa Grove.

BACKGROUND

On July 28, 2010, the Department of Planning and Zoning received an inquiry from the Illinois Department of Transportation Division of Aeronautics requesting if the applicant had received approval for a Restricted Landing Area (RLA). The petitioner had apparently applied to the Illinois Department of Transportation on October 5, 2009, for a Certificate of Approval for an RLA and had indicated "Yes" under the question "Local zoning approved" on the IDOT form Application for Airport/ RLA Certificate of Approval. The Zoning Administrator replied there had been no approval. The IDOT Certificate of Approval was put on hold while the applicant sought local zoning approval.

The subject property and the petitioner's adjacent residential/ agricultural property are currently zoned CR Conservation Recreation and are in use as a residential property with horses and pasture. RLAs are not authorized in the CR District and so the applicants are also the petitioners in related zoning case 687-AM-11 wherein they are seeking to rezone the subject property to the AG-1 Agriculture zoning district.

EXISTING LAND USE AND ZONING

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

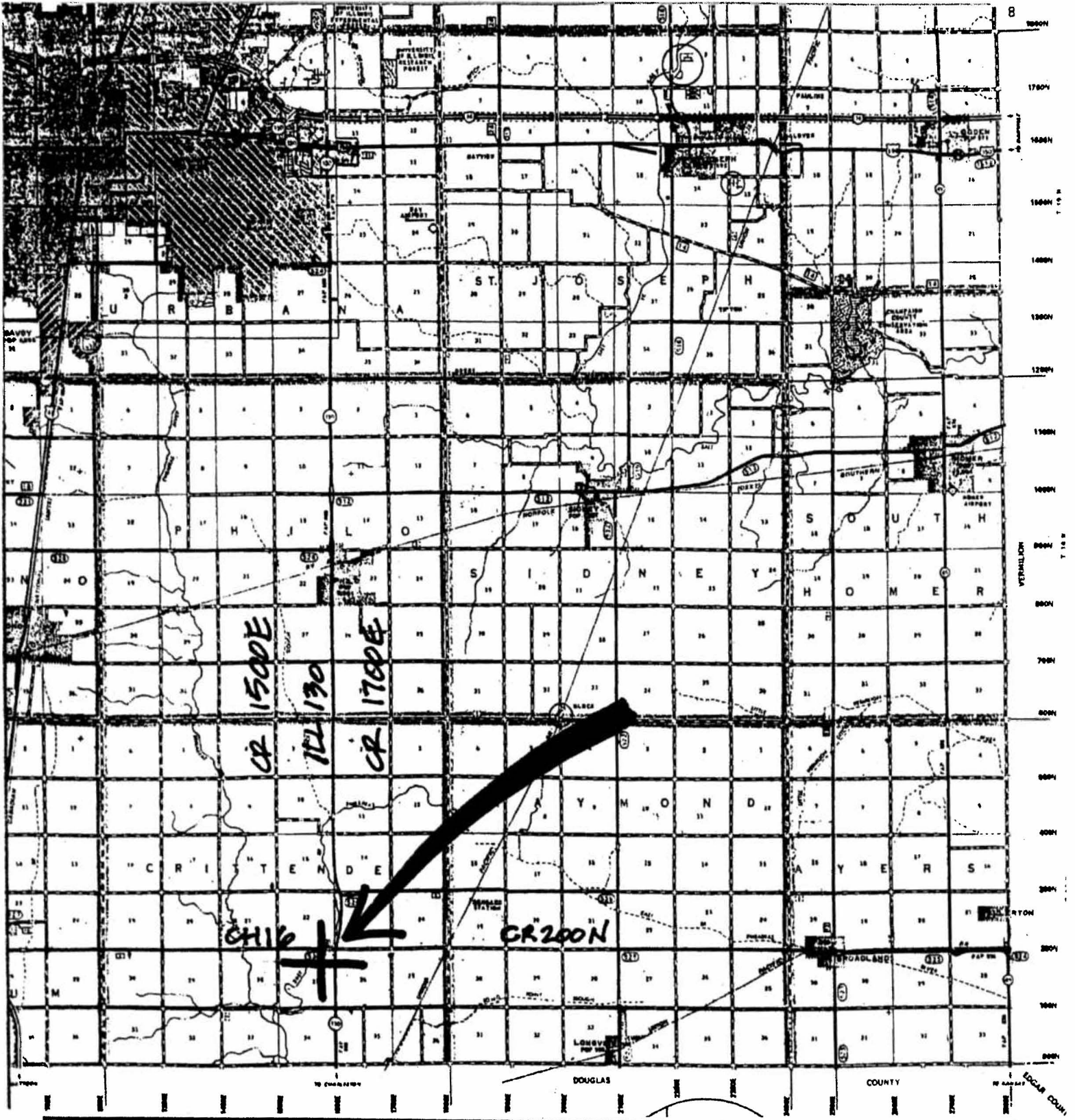
**Table 1. Land Use and Zoning In The
Vicinity Of The Subject Property**

Direction	Land Use	Zoning
Onsite: Subject property	Hayfield	CR Conservation Recreation
Adjacent property (also owned by applicant)	Single family dwelling w/ horses and pasture	
North	Single family residential	CR Conservation Recreation
East	Farmland	AG-1 Agriculture
West	Single family residential (same as to the north) Wooded bottomland of the East Branch of the Embarras River	CR Conservation Recreation
South	Farmland	CR Conservation Recreation

ATTACHMENTS

- A Zoning Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use, Zoning)
- B Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
- C Excerpt of Flood Insurance Rate Map (FIRM) Community Panel Number 170894 0275 B dated March 1, 1984
- D Excerpt of Embarras River Watershed Digital Floodplain Mapping, Champaign County, Illinois. Illinois State Water Survey. August 2002.
- E Proposed RLA site plan, 8½ x 11 inches (not to scale)
- F Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
- G Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
- H Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
- I Excerpts of *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)*
- J Jones RLA Imaginary Surfaces (staff illustration)
- K Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
- L Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
- M Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23, 2010
- N Preliminary Draft Summary of Evidence for Case 688-S-11

Attachment A Location Map
Cases 687-AM-11 & 688-S-11
JUNE 9, 2011

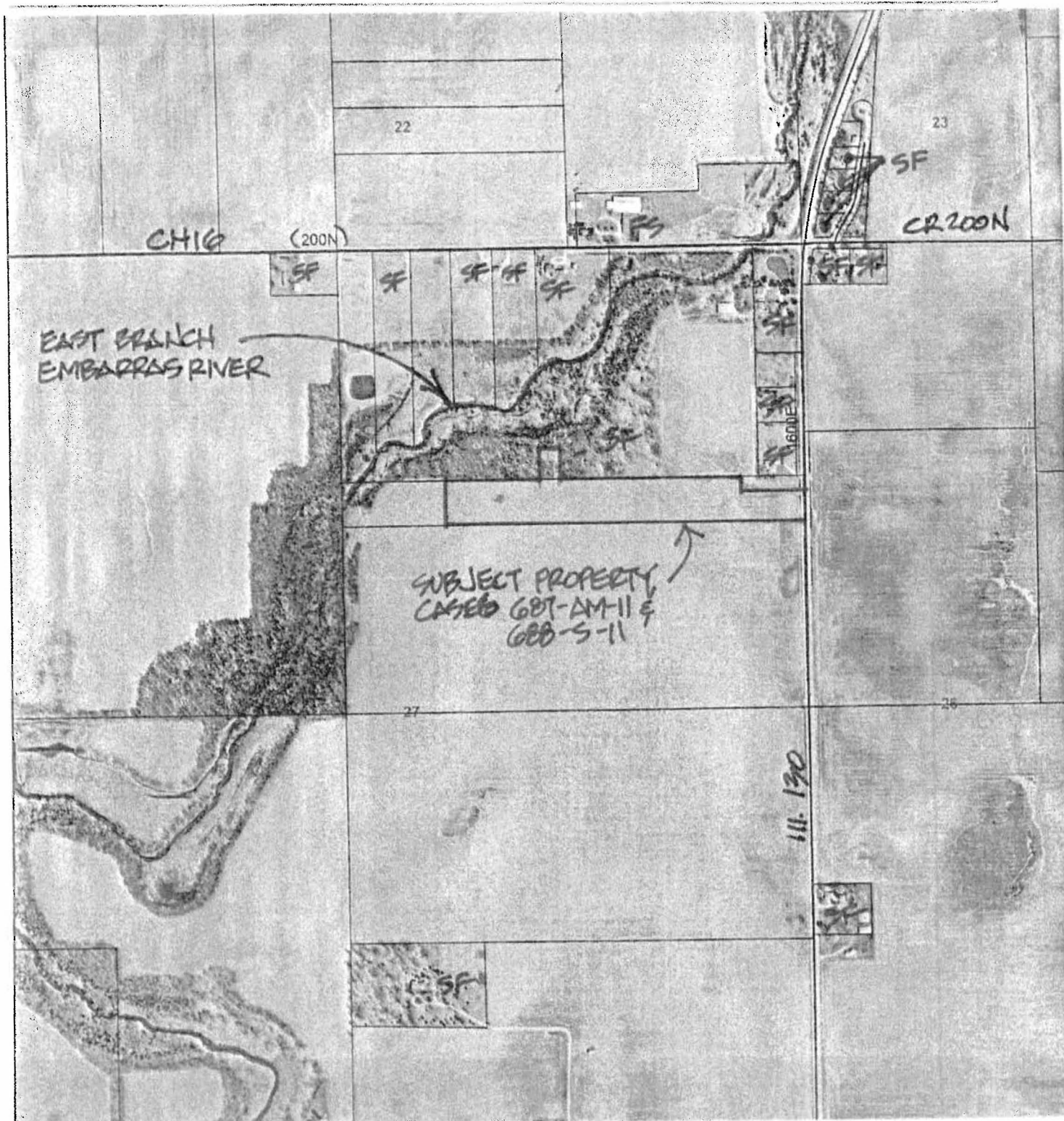


Champaign
County
Department of
**PLANNING &
ZONING**

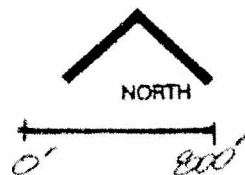
Attachment A Land Use Map

Cases 687-AM-11 & 688-S-11

JUNE 9, 2011

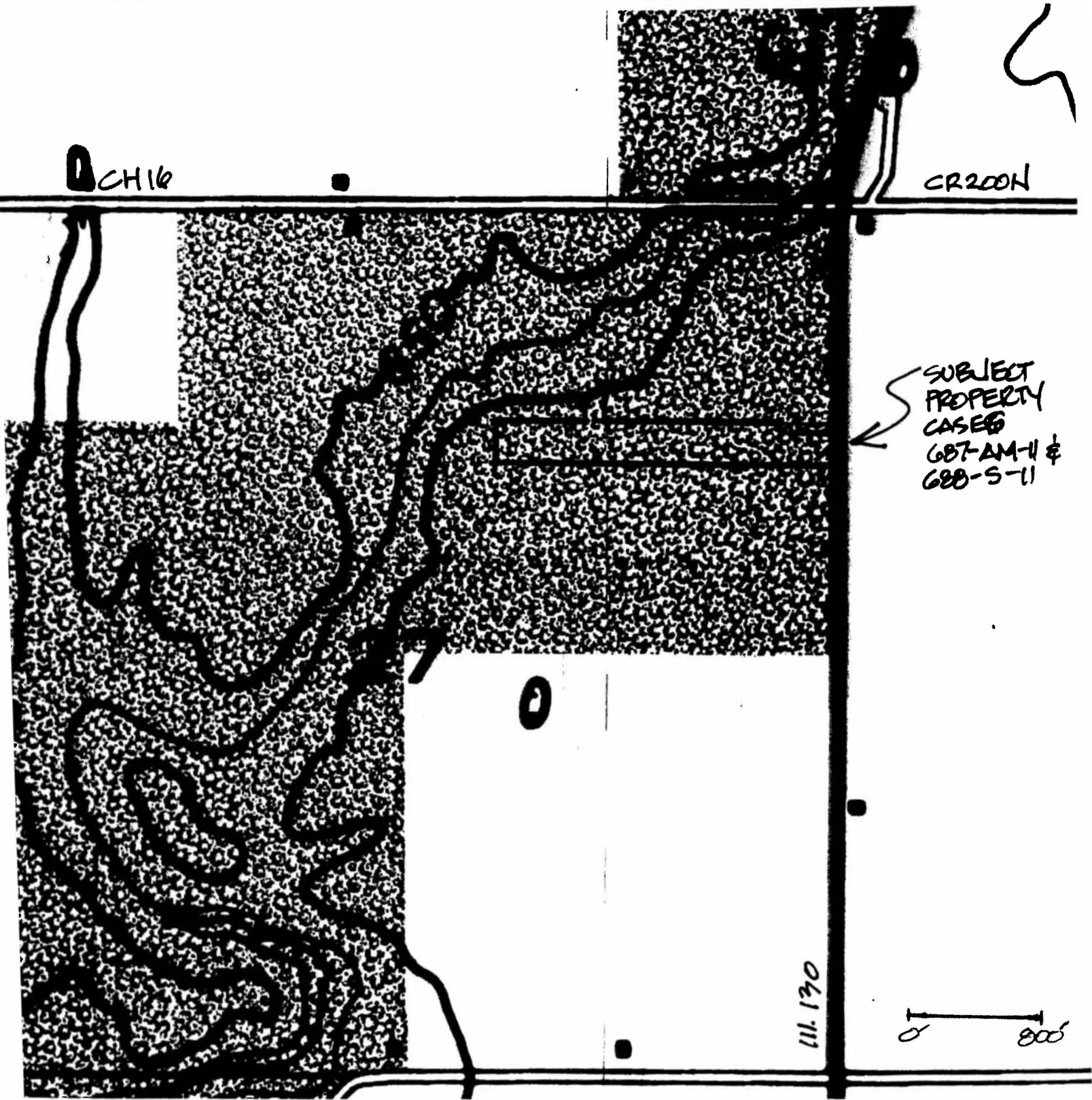


SF	Single Family	
FS	Farmstead	



Champaign
County
Department of
**PLANNING &
ZONING**

Attachment A Zoning Map
 Cases 687-AM-11 & 688-S-11
 JUNE 9, 2011



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

Champaign County Soil and Water Conservation District
2110 W. Park Court, Suite C
Champaign, IL. 61821
(217) 352-3536, Ext. 3

NATURAL RESOURCE REPORT

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

Development Name: Phillip Jones (airstrip)

Date Reviewed: March 24, 2011

Requested By: Singleton Law Firm, Alan Singleton

Address: Phillip Jones
175 County Road 1600 East
Villa Grove, IL 61956

Location of Property: Part of the Northeast Quarter of Section 27, T17N, R9E, Crittenden Township, Champaign County, IL. This is on the west side of Highway 130 with the north boundary 1328' south of the NE corner of Section 27. The project consists of an aircraft landing strip, taxiway and hanger.

The Resource Conservationist of the Champaign County Soil and Water Conservation District inspected this tract March 24, 2011.

SITE SPECIFIC CONCERNS

1. The area that is to be developed has 2 soil types that have severe ponding characteristics and 3 soil types that have low strength characteristics.
2. The site is subject to flooding and would not be usable as a landing site when flooded.

SOIL RESOURCE

a) Prime Farmland:

This tract is NOT considered best prime farmland for Champaign County.

This tract has an L.E. Factor of 84; see the attached worksheet for this calculation. The site is in the FEMA 100-yr. floodplain and I have seen the site flooded periodically, which would reduce its value for agricultural production.

b) Erosion:

This area will be susceptible to erosion both during and after construction. Any areas left bare for more than 30 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible. Most of the area is covered with grass, with about 2/3 kept mowed and 1/3 not. The small portion of the site that will have a hanger constructed is a wooded area. This land cover is optimal for

minimizing soil erosion, so erosion will not be an issue until construction of the hanger takes place. Those concerns would be limited to the actual construction site.

c) Sedimentation:

A complete erosion and sedimentation control plan should be developed and implemented on this site prior to and during major construction activity. All sediment-laden runoff should be routed through sediment basins before discharge. No straw bales or silt fences should be used in concentrated flow areas, with drainage areas exceeding 0.5 acres. A perimeter berm could be installed around the entire site to totally control all runoff from the site. Plans should be in conformance with the Illinois Urban Manual for erosion and sedimentation control. This will only be a consideration on the site where the hanger will be constructed. There are no current sedimentation issues because the site is covered by grass on all but the future hanger site.

d) Soil Characteristics:

There are five (5) soil types on this site; see the attached soil map. The soils present have moderate to severe limitations for development in their natural, unimproved state. The possible limitations include two soils with a severe ponding restriction and three with a severe low strength restriction.

A development plan will have to take these soil characteristics into consideration; specific problem areas are addressed below.

Map Symbol	Name	Slope	Shallow		Steel	Concrete
			Excavations	Roads	Corrosion	Corrosion
152A	Drummer Silty Clay Loam	0-2%	Severe: ponding	Severe: ponding	high	moderate
206A	Thorp Silt Loam	0-2%	Severe: ponding	Severe: ponding	high	moderate
242A	Kendall Silt Loam	0-2%	Severe: wetness	Severe: low strength	high	high
570C2	Martinsville Loam	5-10%	Severe: cutbank cave.	Moderate: low strength	moderate	moderate
680B	Campton Silt Loam	2-5%	Severe: wetness	Severe: low strength	high	high

WATER RESOURCE

a) Surface Drainage:

The site is mostly flat and surface drainage moves toward the Embarras River on the west.

The site is in the 100-year FEMA floodplain and has surface floodwater crossing it when the river is in flood stage.

b) Subsurface Drainage:

This site may contain agricultural tile, if any tile found care should be taken to maintain it in working order. This should not be an issue because no construction will be taking place on the area that was in agricultural production. The grass planted on the landing site and setback area will not adversely affect and agricultural tile.

Wetness may be a limitation associated with the soils on this site. Installing a properly designed subsurface drainage system will minimize adverse effects. Reinforcing foundations helps to prevent the structural damage caused by shrinking and swelling of naturally wet soils. This would be an issue on the hanger site.

c) Water Quality:

As long as adequate erosion and sedimentation control systems are installed as described above, the quality of water should not be significantly impacted.

EPA Stormwater Pollution Prevention Plan Reference Tool:

EPA requires a plan to control stormwater pollution for all construction sites over 1 acre in size. *A Guide for Construction Sites* is a reference tool for construction site operators who must prepare a SWPPP in order to obtain NPDES permit coverage for their stormwater discharges. The guide describes the SWPPP development process and provides helpful guidance and tips for developing and implementing an effective plan.

Two model plans, based on hypothetical sites, are now available as a supplement to the guide. The first example plan is for a medium-sized residential subdivision and the second is for a small commercial site. Both examples utilize the SWPPP template that is included in the guide. To view the guide, models and template, visit <http://www.epa.gov/npdes/swpppguide>.

CULTURAL, PLANT, AND ANIMAL RESOURCE

a) Plant:

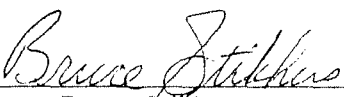
For eventual landscaping of the site, the use of native species is recommended whenever possible. Some species include White Oak, Blue Spruce, Norway Spruce, Red Oak, and Red Twig Dogwood.

b) Cultural:

The Illinois Historic Preservation Agency may require a Phase 1 Archeological Review to identify any cultural resources that may be on the site.

If you have further questions, please contact the Champaign County Soil and Water Conservation District.

Signed by 
Steve Stierwalt
Board Chairman

Prepared by 
Bruce Stickers
Resource Conservationist

Phillip Jones-Airstrip-Soils Map



CCSWCD 3/21/2011

LAND EVALUATION WORKSHEET

Soil Type	Soil Name	Ag Group	Relative Value	Acres	Land Evaluation Score
152A	Drummer	2	98	3	294
206A	Thorp	6	70	1	70
242A	Kendall	4	85	2.7	229.5
570C2	Martinsville	7	65	0.2	13
680B	Campton	5	79	6	474

Acreage 12.9 because of rounding on soils program

Total LE Weighted Factor= 1080.5

Acreage= 12.9

Land Evaluation Factor For Site=

84

Note: A Soil Classifier could be hired for additional accuracy if desired

Data Source: Champaign County Digital Soil Survey

Soils Inventory Report

Map Unit Symbol	Acres	Percent
152A	3	23%
206A	1	8%
242A	2.7	21%
570C2	0.2	2%
680B	6	47%
Total:	12.9	100%

ZONE C

22

23

ZONE A

CH 16

CR 200N

Branch

SUBJECT PROPERTY
CASES 607-AM-11 &
600-5-11

27

26

130

34

35

MISSOURI

ZONE A

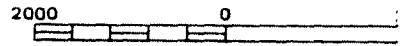
ZO

653

653



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE

FIRM
FLOOD INSURANCE

COUNTY OF
CHAMPAIGN
ILLINOIS
(UNINCORPORATED)

PANEL 275 OF 300

Champaign County
Planning & Zoning Dept.
1776 E. Washington
Urbana, Illinois 61801

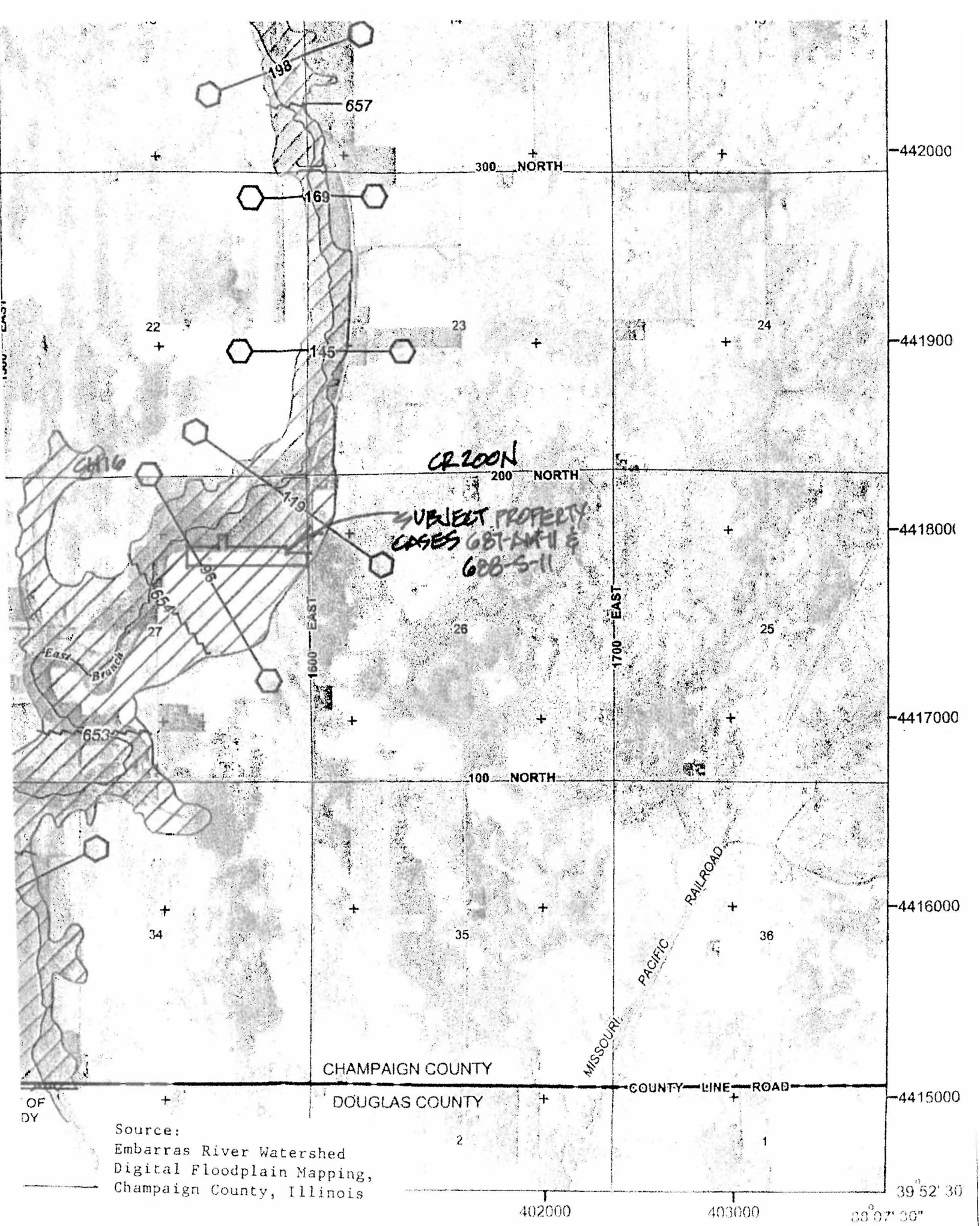
PANEL NUMBER
170B94 0275 B
March 1, 1984

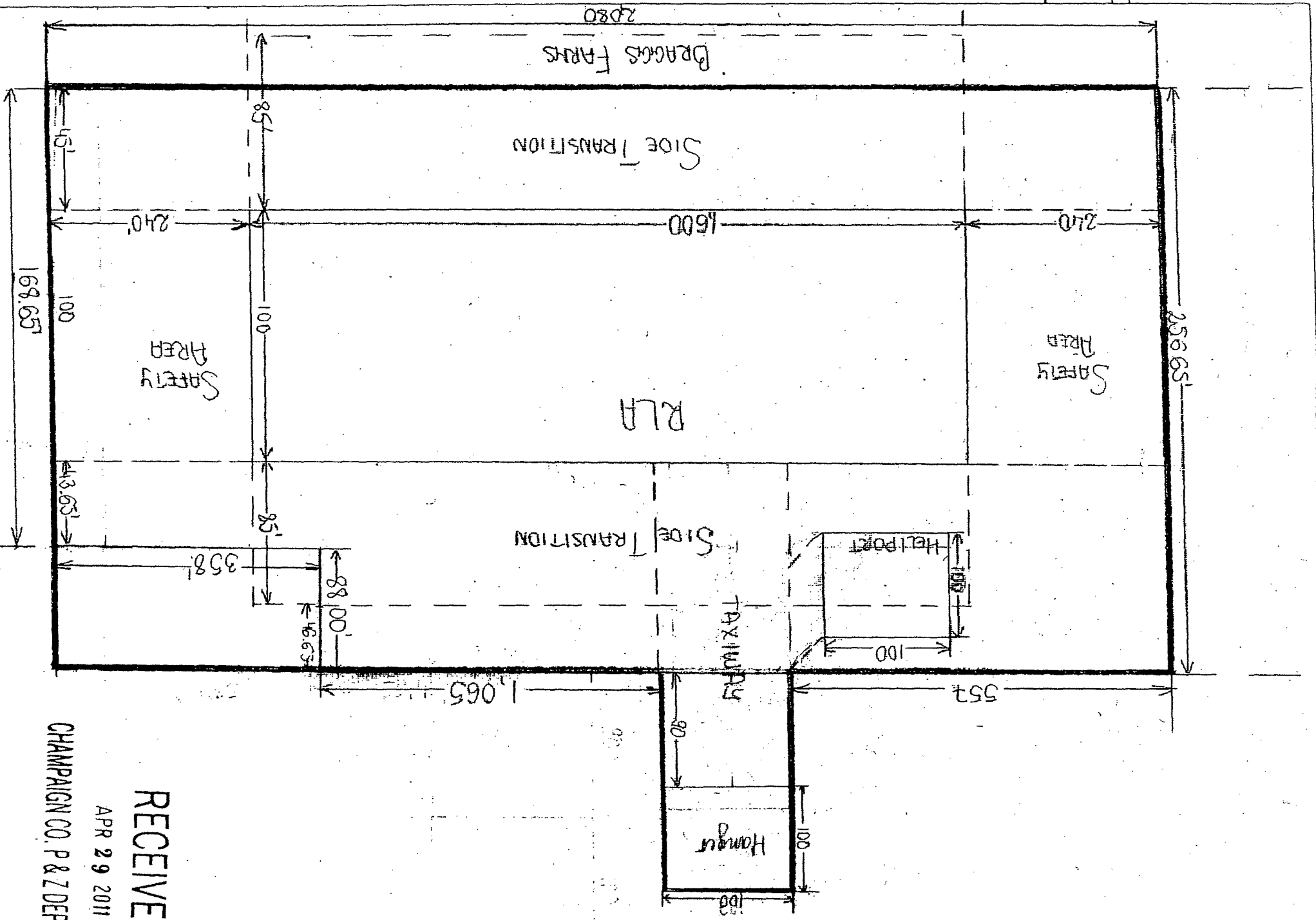
COMMUNITY-PAN
1701

EFFECTIVE
MARCH



Federal Emergency Management Agency





NOT TO SCALE

RECEIVED

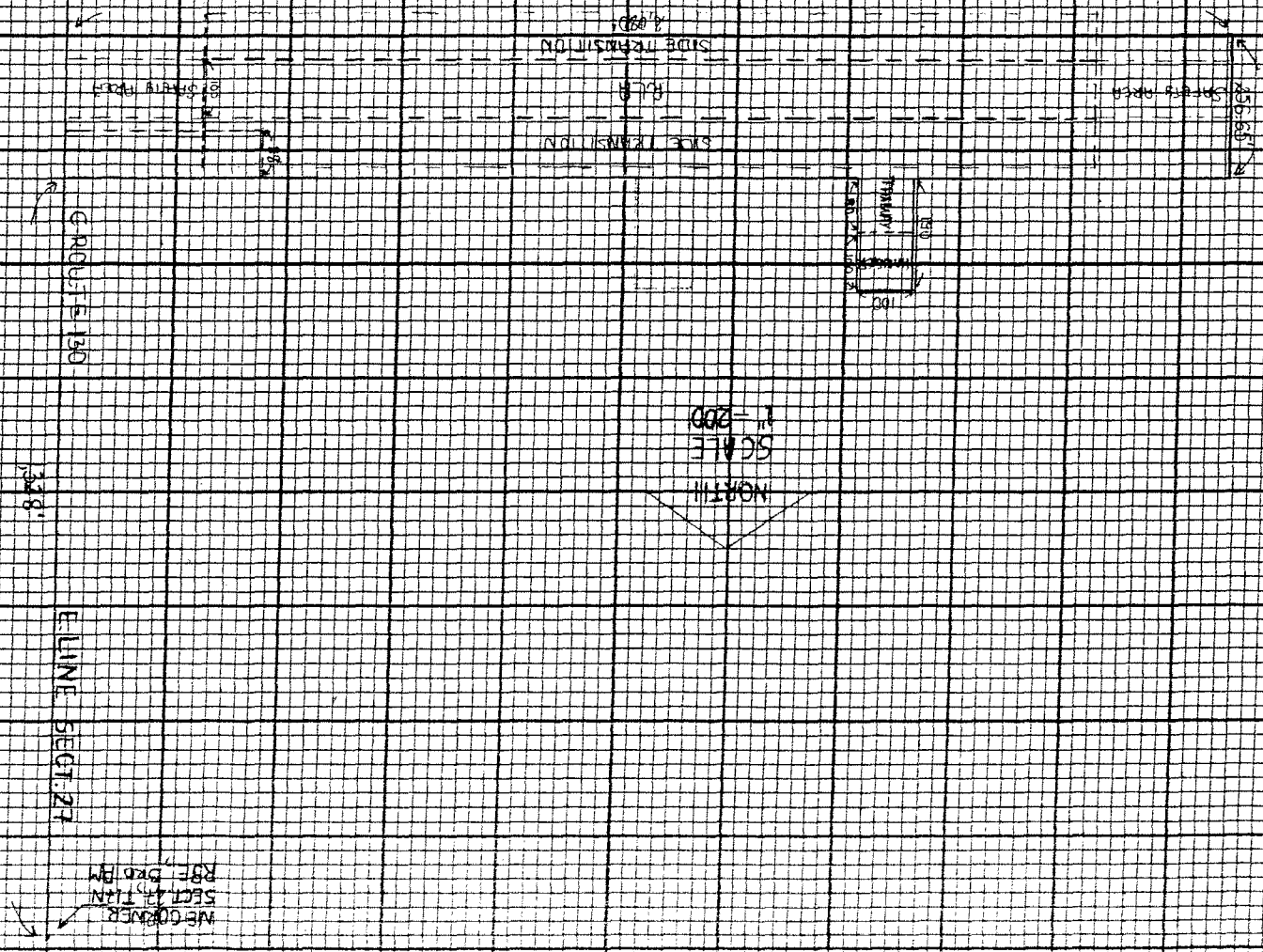
APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

CHAMPION CO. P & Z DEPARTMENT

APR 29 2011

RECEIVED



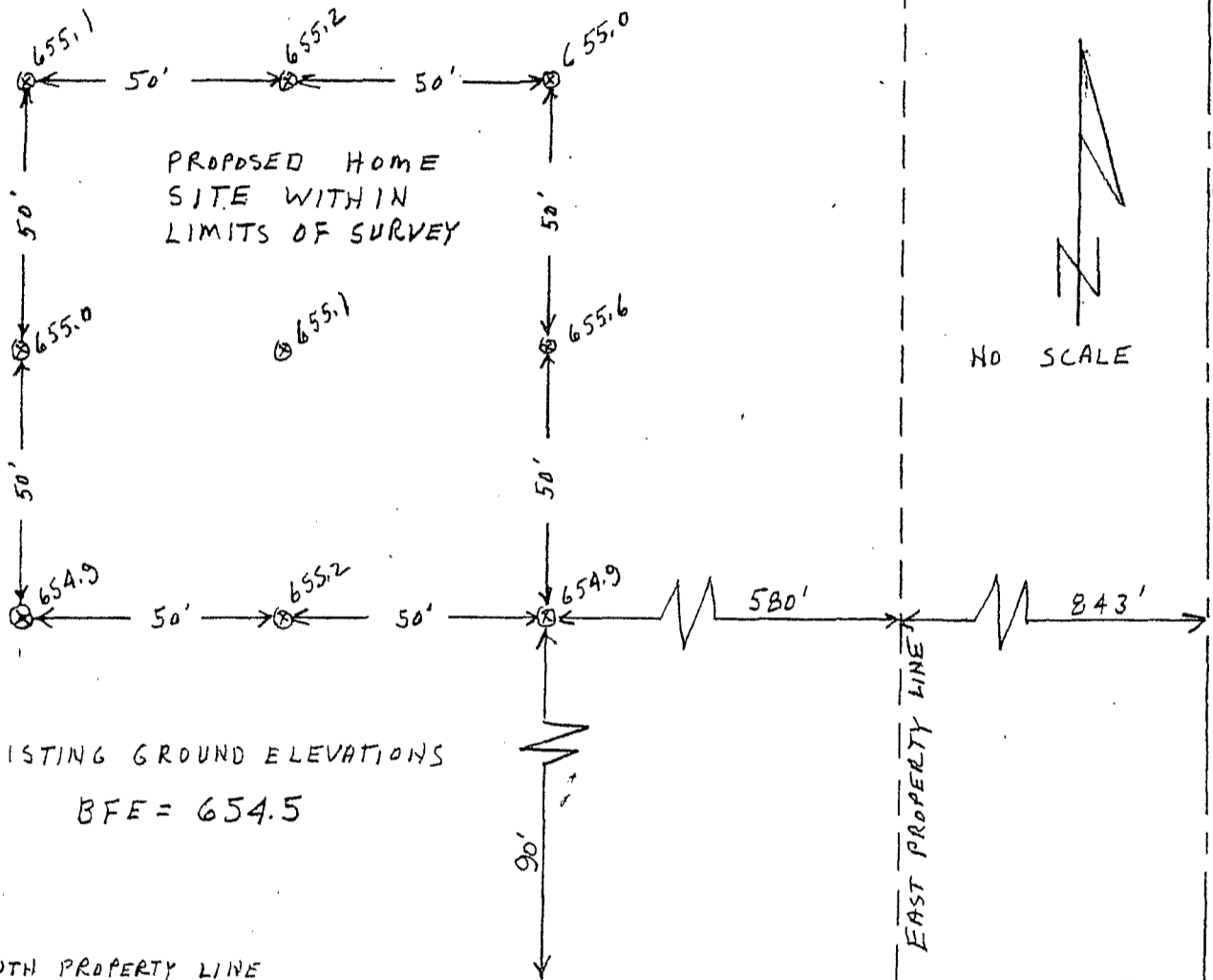
www.PlainsPaper.net

PLAT " B "
PREPARED FOR ED GIRE
GROUND ELEVATION SURVEY
PROPOSED BUILDING SITE
 LOCATED IN NW1/4, NE1/4, SECT. 27, T17N, R9E, 3rd PM

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT



⊗ EXISTING GROUND ELEVATIONS
 BFE = 654.5

SOUTH PROPERTY LINE

SOUTH LINE OF N $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SECT. 27, T17N, R9E OF 3rd PM

EAST PROPERTY LINE

ROUTE 130 - COUNTY ROAD 1600 E

NO SCALE

F. Wayne Ward
 F. WAYNE WARD P.E. NO. 027405

JANUARY 14, 2004
 DATE

SURVEYED AND PLATTED BY
 WAYNE WARD ENGINEERING
 977 N. COUNTY ROAD 1500 E.
 CAMARGO, ILLINOIS 61919

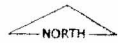
PROPERTY DESCRIPTION

Part of the Northeast Quarter of Section 27, Township 17 North, Range 9 East of the Third Principal Meridian Located in the County of Champaign, State of Illinois, being more particularly described as follows:

Commence at the Northeast corner of said Section 27, said corner being marked by a found monument; thence with the East line of said Northeast Quarter, South 00 36'50" East, 1,416.00 feet to the Point Of Beginning; thence continue with said East line, South 00 36'50" East, 168.65 feet; thence leaving said East line, South 89 03'10" West, 2,668.95 feet to a point on the West line of said Northeast Quarter; thence with said West line, North 00 35'02" West, 256.65 feet; thence leaving said West line, North 89 03'10" East, 2,310.30 feet; thence South 00 56'50" East, 88.00 feet; thence North 89 03'10" East, 358.00 feet to the Point Of Beginning, and containing 15.00 acres, more or less.

TOPOGRAPHIC SURVEY PREPARED FOR PHILLIP JONES
PART OF NE1/4, SECTION 27, T17N, R9E OF 3rd PM
CRITTENDEN TOWNSHIP, CHAMPAIGN COUNTY, IL

CRITTENDEN T17N-R9E



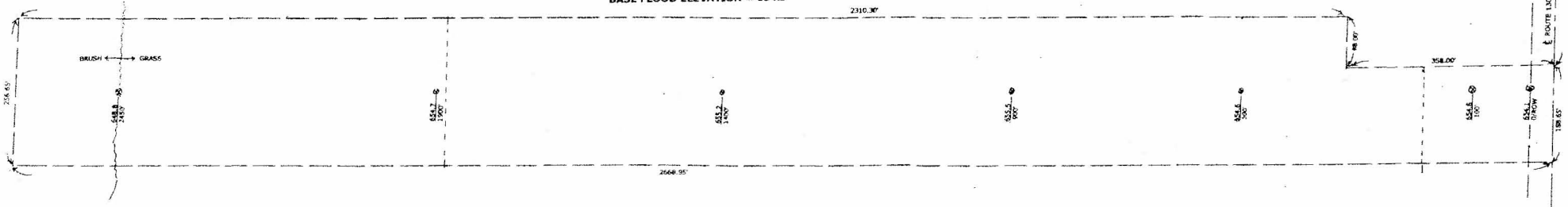
SCALE
1" = 100'

BASE FLOOD ELEVATION = 654.5



PROPERTY LOCATION

NE CORNER
SECT. 27, T17N
R9E, 3rd PM



F. WAYNE WARD P.E. NO. 027405

NOVEMBER 22, 2010
DATE

SURVEYED AND PLATTED
WAYNE WARD ENGINEER
977 N. COUNTY ROAD 154
CAMARGO, ILLINOIS 6

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICS
PART 14 AVIATION SAFETY
SECTION 14.700 RESTRICTED LANDING AREA CLASSIFICATION

Section 14.700 Restricted Landing Area Classification

Restricted Landing Areas (RLAs) shall be classified as private-use only. For the purposes of this Subpart G, the word RLA includes RLAs utilizing aircraft having STOL capabilities. An RLA shall provide a landing area sufficient for a safe operation, taking into consideration the type of aircraft to be used and the skill level of the pilots using the RLA. The minimum standards for the establishment, management or operation of RLAs shall be in accordance with this Subpart G, including the minimum dimensional standards as shown in Section 14.Appendix E, Illustrations A and B.

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICS
PART 14 AVIATION SAFETY
SECTION 14.740 FACILITIES

Section 14.740 Facilities

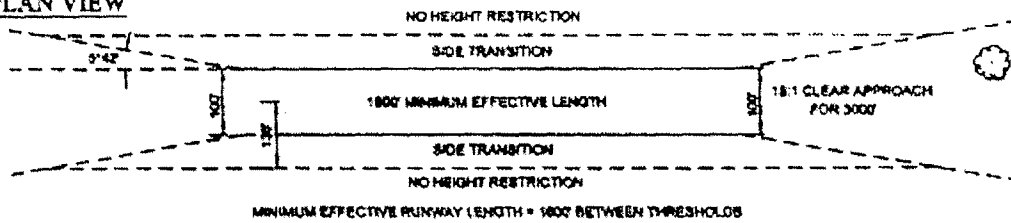
Every RLA shall provide:

- a) Wind direction/velocity indicator (must be lighted for night use); and
- b) Clearly marked thresholds and/or displaced thresholds visible from 1500' above ground level (AGL) as shown in Section 14.Appendix E, Illustration C.

Section 14.APPENDIX E Restricted Landing Areas Standards

Section 14.ILLUSTRATION A Restricted Landing Areas Minimum Dimensional Standards

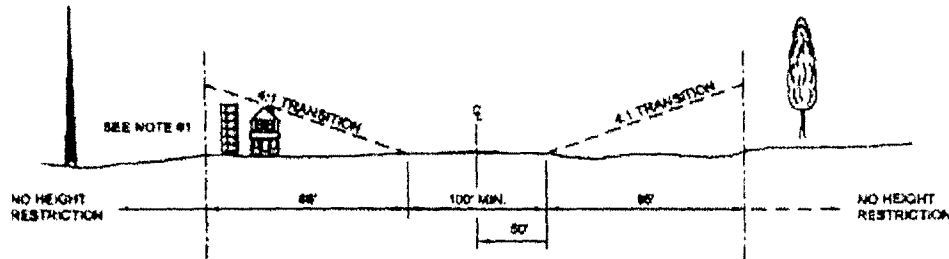
PLAN VIEW



PROFILE (END) VIEW - OBSTRUCTION CLEARANCE



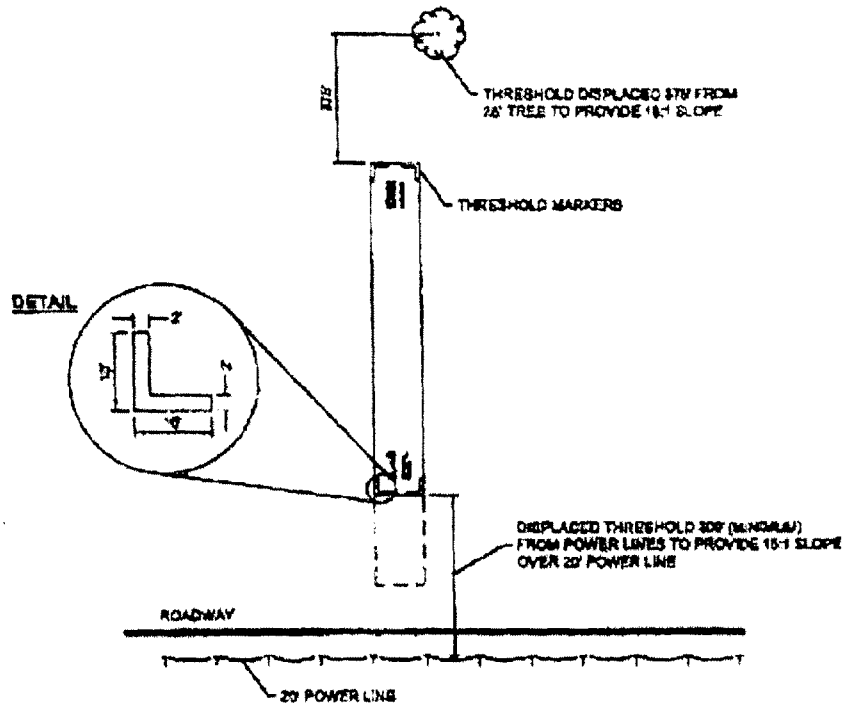
RUNWAY CROSS SECTION - OBSTRUCTION CLEARANCE



- NOTES:**
1. NO PENETRATIONS TO 4:1 SIDE TRANSITION SURFACES FOR 136' FROM CENTERLINE
 2. NO PENETRATIONS TO 15:1 RUNWAY APPROACHES.
 3. NO CROPS 50' EACH SIDE OF CENTER LINE.
 4. CLEARANCES REQUIRED FOR APPROACHES:
 - 10' CLEARANCE OVER ALL PRIVATE ROADWAYS.
 - 15' CLEARANCE OVER ALL PUBLIC HIGHWAYS.
 - 17' CLEARANCE OVER ALL INTERSTATES.
 - 23' CLEARANCE OVER ALL RAILROADS.

Section 14.APPENDIX E Restricted Landing Areas Standards

Section 14.ILLUSTRATION C Restricted Landing Areas Displaced Threshold Markings



NOTE. MEASURE THE LEGS 10" LONG BY 2" WIDE. CUT A TRENCH 4" TO 5" DEEP. PUT SHEET PLASTIC IN THE BOTTOM AND FILL WITH CRUSHED WHITE ROCK OR OTHER DISTINGUISHABLE MATERIAL.

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICS
PART 14 AVIATION SAFETY
SECTION 14.115 APPLICATION PROCESS FOR ORIGINAL CERTIFICATE OF APPROVAL

Section 14.115 Application Process for Original Certificate of Approval

An applicant for an original Certificate of Approval for a new airport or RLA must complete the following process before a Certificate of Approval will be issued by the Division. All forms referenced in this Section may be obtained from the Division at the address noted in Section 14.100 (d).

- a) The applicant must personally contact the Division either by phone at 217-785-8516, in writing at 1 Langhorne Bond Drive, Capital Airport, Springfield, IL 62707, or by e-mail at Aero@nt.dot.state.il.us to request an initial inspection of the site proposed to be used for the airport or RLA.
- b) The applicant must include proof of continuing property interests in, and authority to operate, the requested airport or RLA on the subject property as evidenced by:
 - 1) the approval of the property owner (i.e., a letter with the property owner's signature) if not the same as the applicant, or
 - 2) a copy of the deed or long-term lease.
- c) Division personnel will visit the proposed site, as early as Division priorities will allow, to determine if the minimum standards for the operation of an airport or RLA, as prescribed in either Section 14.510(a), 610(a), 710(a) or 810(a), can be achieved.
 - 1) After an initial inspection has been performed and the site is determined to be acceptable under this Part, an Application for Certificate of Approval form (Form AER 2059 for an airport or RLA or Form AER 2060 for a heliport) must be completed and signed, along with FAA Forms 7480-1 (Notice of Landing Area Proposal) and 7480-2 (Sketch), and the originals mailed or hand-delivered to the Division at the address noted in Section 14.100(d).
 - 2) If the proposed site is not acceptable, under this Part, Division personnel will advise the applicant as to what can be done to achieve an acceptable site (e.g., cut trees, clear brush) or suggest an alternative site.

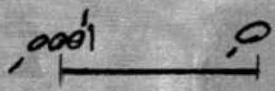
- d) The Division will submit FAA Forms 7480-1 and 7480-2 to the FAA for an airspace determination. Once the Division has received a favorable airspace determination from the FAA (in approximately 30-60 days), the applicant will be notified in writing and the Division will proceed in processing the application for Certificate of Approval. If the FAA issues a non-favorable airspace determination, the applicant will be notified in writing as to what criteria needs to be met to receive a favorable determination (e.g., pattern agreement with another airport or RLA, cut trees).
- e) The Division will publish a Notice in the local newspaper, within the county of the proposed site of the airport or RLA, indicating that the Division intends to publish an Order granting or denying a Certificate of Approval, with a copy simultaneously mailed to the applicant. All interested persons may, prior to the publication of the Order in the newspaper, file objections to or comments on the proposed Order by writing to the Division, at the address noted in Section 14.100(d), within 15 days after the date of publication of the Notice in the newspaper. The Division will consider any comments or opposition received within the 15-day period prior to making a decision to grant or deny a Certificate of Approval and prior to publishing the Order. (See Section 60 of the Act.)
- f) If no comments or opposition to the proposed airport or RLA are received by the Division within the 15-day period, the Division will publish an Order in the local newspaper, within the county of the proposed site of the airport or RLA approving the construction, with a copy simultaneously mailed to the applicant. The Order will include the terms and restrictions (e.g., number of based aircraft, restrictions on use) associated with the issuance of the Certificate of Approval, as well as providing information as to a completion date for construction and for the final inspection of the airport or RLA that must occur before the Certificate of Approval will be issued. (See Section 60 of the Act.)
- g) After the Order is published, interested persons may write or e-mail comments to the Division, or request a hearing in writing (see Subpart K), at the address noted in Section 14.100(d), as to the validity or reasonableness of the Order. Comments will be accepted for a 15-day period after publication of the Order in the local newspaper. Unless the Division finds that a hearing is necessary or that a longer period of time is appropriate, the Order will be effective 20 days after publication in the local newspaper. A Certificate of Approval may be issued anytime after the effective date of the Order. The Division will consider all comments received within the 15-day period prior to making a decision whether to grant or deny a Certificate of Approval. (See Section 60 of the Act.)
- h) After publication of the Order, if a hearing is requested, the Division will schedule it at the earliest date possible in the county seat of the county where the proposed airport or RLA is to be located. All interested persons will be notified in writing at least 10 days prior to the scheduled date of the hearing. After the hearing has been held, the Division will issue a Supplemental Order indicating the findings and conclusions of the hearing and whether the original Order will stand or whether it will be modified. A copy of the Supplemental Order will be mailed to the applicant as well as to the person or persons requesting the hearing.

- i) The applicant will have 18 months from the effective date of the Order to complete construction of the airport or RLA. The applicant shall contact the Division in writing or by phone, as noted in Section 14.100(d), within 30 days after the completion of construction of the airport or RLA to schedule a final inspection with the Division. If the requirements of this Part have been met upon completion of construction and final inspection, the Division will issue a Certificate of Approval for the operation of the airport or RLA to the applicant.

- j) If the applicant is unable to complete construction of the airport or RLA, or, if the requirements of this Part have not been met within 18 months of the effective date of the Order, the applicant may request in writing, at the address noted in Section 14.100(d), an extension of time of the expiration date noted in the Order. The applicant must state the reasons for requesting the extension of time (e.g., weather delays, financial reasons) in the written request. The Division may grant or deny an extension of time based on whether the applicant has shown good cause to justify the request. If an extension of time is granted, the additional period of time allowed will be at the Division's discretion. If a request for an extension of time is denied, or if the minimum standards of this Part cannot be met, the application for a Certificate of Approval becomes null and void on the date the Order expires.

JUNE 19 2011

JOLIES PIA IMAGINARY SURFACES



111.130

1500E

CR 1500E

RUNWAY

RUNWAY APPROACH ZONE

RUNWAY CLEAR ZONE

RUNWAY APPROACH ZONE

RUNWAY CLEAR ZONE

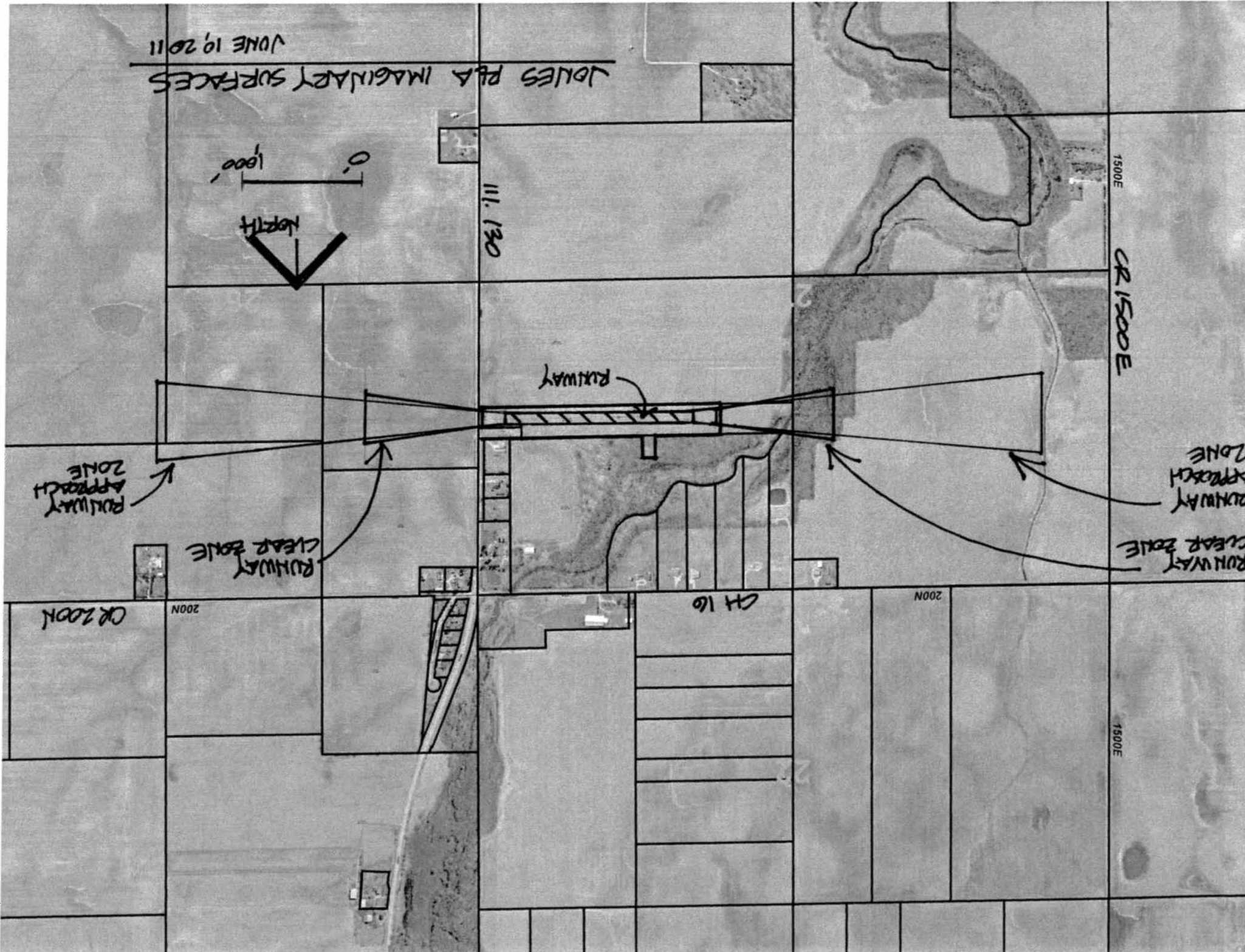
CR 200N

200N

CH 16

200N

1500E





**SHERIFF DAN WALSH
CHAMPAIGN COUNTY SHERIFF'S OFFICE**

February 11, 2011

204 E. Main Street
Urbana, Illinois 61801-2702
(217) 384-1204

Dan Walsh
Sheriff
ph (217) 384-1205
fax (217) 384-3023

Department of Planning & Zoning
% Director John Hall
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802

RECEIVED

APR 29 2011

RE: Dr. Phil Jones Heliport

CHAMPAIGN CO. P & Z DEPARTMENT

Chief Deputy
Kris Bolt
ph (217) 384-1222
fax (217) 384-1219

Dear Director Hall & Zoning Board of Appeals,

Capt. Tim Voges
ph (217) 384-1207
fax (217) 384-1219

I am writing this letter on behalf of the Champaign County Sheriff's Office and the police chiefs of the agencies as listed below. Dr. Jones has made a presentation to us at our monthly meeting where he offered, not contingent on any zoning matter, to assist our agencies at no cost with his helicopter.

Jail Superintendent
Michael Moore
ph (217) 384-1243
fax (217) 384-1272

I did some checking and over the past four years he has assisted Douglas County law enforcement with both his helicopter and fixed wing aircraft. Dr. Jones has absorbed the expense of these operations. Douglas County Sheriff McGrew says the doctor has assisted them on average about four times per year.

Jail Information
ph (217) 384-1243
fax (217) 384-1272

This assistance can be in the areas of law enforcement transport, fugitive search and looking for lost children or disabled adults.

Investigations
ph (217) 384-1213
fax (217) 384-1219

As a group we believe this type of unique assistance could be very valuable and greatly enhance public safety. The fact that it is local (no extended delays waiting for a State Police asset) and without cost is an additional benefit to us and the public.

Civil Process
ph (217) 384-1204
fax (217) 384-1219

We have no idea and express no opinion as to zoning, neighborhood and other issues this type of activity may raise. We, as a group, simply wanted those involved in any decision making to know about the doctor's unrestricted offer and our thoughts as to how this might benefit local law enforcement and public safety.

Records/Warrants
ph (217) 384-1233

Sincerely,


Dan Walsh

Champaign County Sheriff

DJW:tss

xc: Chief O'Connor, U of I Police Dept.
Chief Finney, Champaign Police Dept.
Chief Connolly, Urbana Police Dept.
Chief Farber, Rantoul Police Dept.
Chief Gamble, Mahomet Police Dept.
Chief Young, Parkland Police Dept.
Dr. Philip Jones

VIA EMAIL

**Champaign County
Emergency Management**

1905 E. Main St.
Urbana, IL 61802
Ph: 217-384-3826 • Fax: 217-384-3794

November 22, 2010

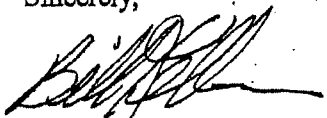
John Hall-Director
Champaign County Planning & Zoning

Dear John:

Dr. Jones has offered to Champaign County Public Safety Agencies the use of his Helicopter support emergency response functions. Having this asset available to the agencies in a timely manner enhances our ability to respond and mitigate many scenarios.

I am aware of the process Dr. Jones must complete to be in compliance with County policies and procedures. I just wanted you to know that having this asset in close relationship to a incident can have a positive affect on the out come.

Sincerely,



Bill Keller,
Director
Champaign County E.M.A.

cc: Dr. Jones

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

RECEIVED

APR 29 2011

CHAMPAIGN CO. P & Z DEPARTMENT

Office of the Douglas County Sheriff

920 S. Washington St., P.O. Box 438, Tuscola, IL 61953

Sheriff - *Charles E. McGrew*

Charlie.McGrew@douglascountysheriff.com

Chief Deputy

T.K. Martin

Tommy.Martin@douglascountysheriff.com

(217) 253-3511

(217) 253-2913

Fax (217) 253-3144

Executive Administrator

Sandra Decker

RECEIVED

APR 29 2011

November 23, 2010

CHAMPAIGN CO. P & Z DEPARTMENT

Director John Hall
Champaign County Planning and Zoning Board
Champaign, Illinois

Director John Hall,

I am in full support of Dr Phil Jones' application for a variance in zoning for his Champaign County residence north of Villa Grove, Illinois.

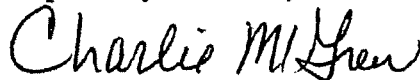
Dr. Phil Jones has responded many times to request from our law enforcement agencies for assistance in emergency situations. He has never charged for any of his time or equipment use. His services have been an extremely important part of law enforcements ability to respond in an effective and efficient manner in the shortest time possible.

Dr Jones response time to emergency calls will greatly increase if the variance is not granted. This will cause a greater danger to victims and to the emergency service workers who depend on the ability to see from above and respond appropriately to each changing situation.

I would ask you, as a board, to look at this request as an emergency response service and not as a citizen who would like to have your zoning plan changed for his personal convenience. I will be glad to provide you with a summary of the emergency calls Dr. Jones has responded to at our request.

Thank you for the consideration of the information provided in this letter.

Respectfully submitted,



Charlie McGrew

Douglas County Sheriff

PRELIMINARY DRAFT

688-S-11

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

Final Determination: *{APPROVED/ APPROVED WITH CONDITIONS/ DENIED}*

Date: **June 16, 2011**

Petitioners: **Philip W. and Sarabeth F. Jones**

Request: **Authorize the construction and use of a “Heliport- Restricted Landing Area” as a Special Use on land that is proposed to be rezoned to the AG-1 Agriculture Zoning District from the current CR Conservation Recreation Zoning District in related zoning case 687-AM-11; and with a waiver of a Special Use standard condition required by Section 6.1 that requires a runway safety area to be located entirely on the lot**

PRELIMINARY DRAFT

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 16, 2011**, the Zoning Board of Appeals of Champaign County finds that (Note: asterisk indicates items of evidence that are identical to evidence in Case 688-S-11):

- *1. The petitioners Philip W. and Sarabeth F. Jones own the subject property.
- *2. Regarding the subject property where the special use is proposed to be located:
 - A. The subject property is an approximately 12.69 acre tract of land that is located in the North Half of the South Half of the Northeast Quarter of Section 27 of Crittenden Township and located on the west side of Illinois Route 130 (CR1600E) and 1,328 feet south of the intersection of Illinois Route 130 and CR 200N and County Highway 16 and commonly known as the property at 175N CR1600E, Villa Grove.
 - B. The subject property is directly south of and abuts the petitioner's approximately 37.80 acre residential / agricultural property that is also located at 175N CR1600E, Villa Grove.
- *3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.

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 and the petitioner's adjacent residential/ agricultural property are currently zoned CR Conservation Recreation and are in use as a residential property with horses and pasture.
 - B. Land on the north, south, and west of the subject property is also zoned CR Conservation Recreation and is in use as follows:
 - (1) Land on the north has been divided into residential lots. Most of these lots were formerly part of the petitioner's residential/ agricultural property and two of those lots are now owned by others but require and are currently proposed to be rezoned with the Rural Residential Overly Zoning District and are the subject of zoning cases 689-AM-11 and 690-AM-11. The property in Case 689-AM-11 is also the subject of Zoning Enforcement Case ZN-08-01/33 which was referred to the Champaign County State's Attorney on April 7, 2009.
 - (2) The residential lots on the north also occupy most of the west boundary but some of the land bordering on the west is the wooded bottomland for the East Branch of the Embarras River.

- C. Zoning and land use east of the subject property is as follows:
- (1) Land to the east of the subject property is zoned AG-1 and is in use as farmland.
 - (2) Land east of the petitioner’s adjacent residential/ agricultural property is zoned CR and has been divided into residential lots.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the proposed site plan for the proposed HELIPORT/ RESTRICTED LANDING AREA (RLA):

Evidence yet to be added

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

6. Regarding authorization for a “RESTRICTED LANDING AREA” as a Special Use in the AG-1 Zoning District in the *Zoning Ordinance*:
- A. Section 5.2 authorizes a “HELIPORT- RESTRICTED LANDING AREA” as a Special Use in the AG-1, AG-2, B-1, B-3, b-4, I-1, and I-2 Districts. No HELIPORT or RESTRICTED LANDING AREA is authorized in the CR District.
 - B. Section 6.1.3 establishes the following standard conditions for RESTRICTED LANDING AREAS:
 - (1) Must meet the requirements of the Federal Aviation Administration and Illinois Department of Transportation, Division of Aeronautics.
 - (2) The RESTRICTED LANDING AREA shall provide for a runway plus a runway safety area both located entirely on the LOT. The runway safety area is an area centered 120 feet wide and extending 240 feet beyond each end of the runway.
 - (3) No part of a BUILDING or STRUCTURE intended for regular human occupancy located within a R or B District nor any PUBLIC ASSEMBLY or INSTITUTIONAL USE may be located:
 - (a) Within the Primary Surface, an area 250 feet wide centered on the runway centerline and extending 200 feet beyond each end of the runway; or
 - (b) Within the Runway Clear Zones, trapezoidal areas centered on the extended runway centerline at each end of the Primary Surface, 250 feet wide at the end of the primary surface and 450 feet wide at a point 1,000 feet from the primary surface.
 - (4) After a RESTRICTED LANDING AREA is established, the requirements in Section 4.3.7 and Table 5.3 note (12) shall apply.

PRELIMINARY DRAFT

ITEM 6. CONTINUED

- C. Ordinance No. 848 (Zoning Case 634-AT-08 Part A) was adopted on May 21, 2009, and added requirements for wind farms to the *Zoning Ordinance*. Part of those requirements included a 3500 feet separation between any wind turbine tower and an RLA.
- 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) "AIRCRAFT" is any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.
 - (2) "RESTRICTED LANDING AREA" is any area described or defined as a Restricted Landing Area under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* and as further regulated by the Illinois Department of Transportation, Division of Aeronautics.
 - (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.
- E. 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.
- F. 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.

- G. 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.

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 Petitioner has testified on the application as follows:

“As applicant is engaged in a number of agricultural activities, the SUP should be granted because “uses can and should be accommodated in rural areas if they compliment agriculture, or supplement farm income” (1.6 Land Use Regulatory Policies). Applicant owns 130 acres farmed in corn and beans, grows sunflowers, soybeans, sugar beets, alfalfa, etc., and uses the helicopter to pollinate; provides crop tours for farmers from the U.S. and abroad; has a contract with a seed dealer. In addition, public convenience would be served by the special use because the applicant has offered to provide and has provided law enforcement and public safety assistance free of cost to the Champaign and Douglas County Sheriff’s Office and Emergency Management (see the attached letters). The applicant has provided such assistance free of cost using both the helicopter and aircraft.”

Other evidence to be added

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 Petitioner has testified on the application, **“The total dimensions of the SUP zone are 2,080 feet in length and 256.65 feet in width, thus satisfying all IDOT requirements: length of runways, 1,600.00 feet, width of 100.00 feet, side transitions and safety areas. Obstruction clearance requirements are satisfied as only low crops grow on the sides of the runway. There is 750.00 feet clearance from the trees on the West side and 240.00 feet from the Route 130 on the East side. The Heliport- RLA requirements are also met: TLOF and FATO areas of 100 square feet, and minimum obstruction clearance slope of more than 500.00 feet and 4,000.00 feet on each side (see the attached RLA plans).”**
C. Regarding surface drainage:
(1) The subject property is not located in a drainage district.

PRELIMINARY DRAFT

- (2) The existing amount of impervious area on the subject property does not trigger any requirement for stormwater detention under the *Champaign County Stormwater Management Policy*, and no new impervious area is proposed as part of the RLA.
- D. The subject property is located on the west side of Illinois 130 approximately ¼ mile south of the intersection with CR200N and County Highway 16. The subject property is accessed from Illinois 130 from an existing driveway entrance.
- E. Regarding fire protection of the subject property, the subject property is within the protection area of the Broadlands- Longview Fire Protection District but has contact service from the Villa Grove Fire Department. Chiefs for both fire protection services have been notified of this request, but no comments have been received at this time.
- F. Part of the subject property is located within the Special Flood Hazard Area:
- G. Regarding outdoor lighting on the subject property, there is no indication on the site plan of outdoor lighting for any purpose.
- H. Regarding subsurface drainage, the site plan does not contain any information regarding agricultural field tile.
- I. Regarding wastewater treatment and disposal on the subject property, the proposed use has no need for any wastewater treatment and disposal.
- M. 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 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.
- T. Regarding basic safety and land use compatibility concerns related to any RLA:
(1) Footnote 11 to Section 5.3 of the Ordinance requires that no BUILDING or STRUCTURE be erected or vegetation be maintained that would create an obstruction in an approach slope or transition slope for an existing AIRPORT, RESIDENTIAL AIRPORT, HELIPORT, RESTRICTED LANDING AREA or HELIPORT-RESTRICTED LANDING AREA permitted under the terms of this ordinance unless a SPECIAL USE permit is granted per Section 9.1.5 D.4.
- U. Regarding letters of support for the proposed HELIPORT- RESTRICTED LAND AREA:

Evidence to be added

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 Petitioner has testified on the application, **“As the RLA and the Heliport-RLA will be used to a significant degree for agricultural purposes, the special use will comply with the agricultural nature of the surroundings in addition to serving and complementing agriculture on the parcel itself, neighboring and other lots owned by the applicant.”**
- B. Regarding compliance with the *Zoning Ordinance*:
- (1) The proposed RLA complies with all area and placement requirements for the AG-1 District in Section 5.3,
 - (2) Regarding parking on the subject property, it is unclear what the exact parking requirements for an RLA would be, however, there appears to be more than adequate area around the farmstead to accommodate parking for the proposed use.
 - (3) Regarding compliance with the standard condition requiring a proposed RLA must meet the requirements of the Federal Aviation Administration (FAA) and Illinois Department of Transportation, Division of Aeronautics (IDOT/DOA):
 - (a) The FAA requirements for RLA’s mostly deal with operation of the RLA once it is established. However, the FAA does make an airspace determination before the RLA is established. This airspace determination must be favorable for the RLA to be established, the IDOT/DOA requirements incorporate this requirement.
 - (b) IDOT/DOA enforces the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* which contains regulations for establishment of a RLA.
 - (c) RLA’s are required to be private use only, to provide a sufficient landing area taking into account the skill of the pilots using the facility and the type of aircraft used, and to meet minimum dimensional standards.
 - (d) RLA’s are required to obtain a Certificate of Approval from IDOT/DOA, which involves an application process with an initial inspection of the proposed area, obtaining an FAA airspace determination, publication of notice in a local newspaper, the chance for concerned neighbors to request a hearing, and a final inspection.
 - (e) RLA’s are also required to meet minimum runway dimensions and to have imaginary surfaces of specified slope on all four sides of the runway that are free from obstruction by any structures or natural obstructions, as follows:

PRELIMINARY DRAFT

- i. An RLA runway is required to be a minimum of 100 feet wide and to have a minimum length of 1600 feet. It is possible that due to certain obstructions a runway may be longer than 1600 feet but only for landings or take offs in certain directions.
- ii. There are also requirements for separation distances between a runway, taxiway, and aircraft parking, but the petitioner has not indicated any taxiway or aircraft parking on the site plan.
- iii. At either end of the runway a 15:1 slope extending 3,000 feet beyond the end of the runway.
- iv. On either side of the runway a 4:1 slope extending 135 feet from the centerline of the runway.

There does not appear to be any obstruction that would interfere with the side transition slopes.

- (f) Overall it appears that if the petitioners obtain a positive airspace determination from the FAA they will meet all state and federal requirements for establishing an RLA. There are also numerous requirements for safe operation of an RLA, which the petitioners are also required to meet or be in violation of their SUP.
- (4) The RESTRICTED LANDING AREA shall provide for a runway plus a runway safety area both located entirely on the LOT. The runway safety area is an area centered 120 feet wide and extending 240 feet beyond each end of the runway.

Evidence yet to be added

- (5) No part of a BUILDING or STRUCTURE intended for regular human occupancy located within a R or B District nor any PUBLIC ASSEMBLY or INSTITUTIONAL USE may be located:
 - (a) Within the Primary Surface, an area 250 feet wide centered on the runway centerline and extending 200 feet beyond each end of the runway; or
 - (b) The Runway Clear Zones, trapezoidal areas centered on the extended runway centerline at each end of the Primary Surface, 250 feet wide at the end of the primary surface and 450 feet wide at a point 1,000 feet from the primary surface.
 - (c) These areas are not indicated on the site plan, but they are not required to be entirely contained on the subject property and there are no structures within the described areas.
 - (d) No Runway Clear Zone will exist at the south end of the runway on the other side of CR 0N because that is Douglas County, which does not have zoning.

- (6) After a RESTRICTED LANDING AREA is established, the requirements in Section 4.3.8 and Table 5.3 note (11) shall apply.

This condition does not appear to be a requirement on the petitioners, but instead on anyone who is building a structure of some sort close enough to the RLA that it might be a hazard to aircraft.

- C. Regarding compliance with the *Stormwater Management Policy*, the proposed use will not require any stormwater detention.
- D. Regarding the Special Flood Hazard Areas Ordinance and Subdivision Regulations:
- (1) All of the subject property is located in the Special Flood Hazard Area but topographical elevations have been submitted that indicate that most of the subject property is above the Base Flood Elevation.
- (2) The subject property complies with the Subdivision Regulations.
- E. Regarding the requirement that the Special Use preserve the essential character of the AG-1 Zoning District, the RLA is proposed to support agricultural activities.

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:
- A. A "RESTRICTED LANDING AREA" may be authorized in the AG-1 Agriculture Zoning District as a Special Use provided all other zoning requirements are met.
- B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
- (1) Subsection 5.1.7 of the Ordinance states the general intent of the AG-1 District and states as follows (capitalized words are defined in the Ordinance):
- The AG-1, Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.
- (2) The types of uses authorized in the AG-1 District are in fact the types of uses that have been determined to be acceptable in the AG-1 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.

PRELIMINARY DRAFT

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 is in full 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.
- (3) Paragraph 2.0 (c) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding congestion in the public STREETS.
- (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 requested Special Use Permit complies with the *Champaign County Stormwater Management Policy* and there are no special drainage problems that appear to be created by the Special Use Permit.

- (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 full compliance.

- (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 Permit and adjacent uses, and that the special conditions adequately mitigate nonconforming conditions. No special conditions appear to be necessary

- (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.
- (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 types of uses authorized in the AG-1 District are in fact the types of uses that have been determined to be acceptable in the AG-1 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.

- (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.

Evidence yet to be added

- (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.

PRELIMINARY DRAFT

This purpose is not relevant to the proposed Special Use Permit because the AG-1 District is not for urban development.

- (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 types of uses authorized in the AG-1 District are in fact the types of uses that have been determined to be acceptable in the AG-1 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.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

11. The proposed Special Use is an existing NONCONFORMING USE because the existing use has been on the subject property since before the adoption of the *Zoning Ordinance* on October 10, 1973.
- A. The Petitioner has testified on the application, **“Not applicable”**

GENERALLY REGARDING ANY SPECIAL CONDITIONS OF APPROVAL

12. Regarding proposed special conditions of approval:
- A. The proposed RLA must receive a Certificate of Approval for operation from the Illinois Department of Transportation Division of Aeronautics (IDOT). Likewise, IDOT requires the RLA to have any necessary county zoning approvals. The following condition will ensure that the proposed RLA must be in conformance with IDOT in order to remain in conformance with the Champaign County Zoning Ordinance:

The Restricted Landing Area must be used in compliance with the approved Certificate of Approval for operation from the Illinois Department of Transportation Division of Aeronautics

The above condition is necessary to ensure that:

The proposed RLA is operated so as to ensure public safety.

- B. **The petitioner shall apply for a Change of Use Permit within 30 days of the approval of the special use permit or the proposed rezoning in related zoning case 687-AM-11, whichever occurs last.**

The above condition is necessary to ensure the following:

Compliance with the Zoning Ordinance within a reasonable time frame.

DOCUMENTS OF RECORD

1. Special Use Permit Application signed by Philip W. and Sarabeth F. Jones received on April 29, 2011, with attachments:
 - A List of property owners adjacent to or within 250 feet
 - B United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property
 - C Sketch of land parcels adjacent or within 250 feet
 - D Land Parcel Description prepared by F. Wayne Ward
 - E Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - F Proposed RLA site plan, 8½ x 11 inches (not to scale)
 - G Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - H Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - I Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - J Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010
 - K Color copies of Phillip Jones Airstrip Soils Map by the Champaign County Soil and Water Conservation District received April 29, 2011
 - L Color copies of United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property

2. Preliminary Memorandum for Case 688-S-11 with attachments:
 - A Zoning Case Maps (Location, Land Use, Zoning)
 - B Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - C Excerpt of Flood Insurance Rate Map (FIRM) Community Panel Number 170894 0275 B dated March 1, 1984
 - D Excerpt of Embarras River Watershed Digital Floodplain Mapping, Champaign County, Illinois. Illinois State Water Survey. August 2002.
 - E Proposed RLA site plan, 8½ x 11 inches (not to scale)
 - F Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - G Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
 - H Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
 - I Excerpts of *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)*
 - J Jones RLA Imaginary Surfaces (staff illustration)
 - K Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - L Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - M Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010
 - N Preliminary Draft Summary of Evidence for Case 688-S-11

PRELIMINARY DRAFT

3. Preliminary Memorandum for related Case 687-AM-11 with attachments:
 - A Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use , Zoning)
 - B Land Parcel Description prepared by F. Wayne Ward
 - C Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011
 - D Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
 - E Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
 - F Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
 - G Preliminary Finding of Fact for Case 687-AM-11

FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case 688-S-11 held on **June 16, 2011**, 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}* *{because¹}*: _____

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 *{because¹}*: _____

e. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE}* *{because¹}*: _____

f. Public safety will be *{ADEQUATE / INADEQUATE}* *{because¹}*: _____

h. The provisions for parking will be *{ADEQUATE / INADEQUATE}* *{because¹}*: _____

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.

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. The requested waiver of the standard condition in Section 6.1.3 that requires **requires a runway safety area to be located entirely on the lot** *{ IS / IS NOT }* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL / WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because _____
7. *{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW}*

FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements of Section 9.1.11B. for approval *{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 688-S-11 is hereby *{APPROVED/ APPROVED WITH CONDITIONS/ DENIED}* to the petitioners **Philip W. and Sarabeth F. Jones** to authorize **Authorize the construction and use of a “Heliport- Restricted Landing Area” as a Special Use; and with a waiver of a Special Use standard condition required by Section 6.1 that requires a runway safety area to be located entirely on the lot { WITH WAIVERS AND SPECIAL CONDITIONS AS FOLLOWS }**

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

SIGNED:

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

MONTHLY REPORT for MAY 2011¹

Champaign
County
Department of



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

(217) 384-3708

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. One zoning case was filed in May and no cases were filed in May 2010. The average number of cases filed in May in the preceding five years is 2.4.

One ZBA meeting was held in May and one case was finalized. Two ZBA meetings were held in May 2010 and one case was completed. The average number of cases finalized in May in the preceding five years is 2.4 (coincidentally the same cases filed).

By the end of May there were 8 cases pending. By the end of May 2010 there were 13 cases pending.

Table 1. Zoning Case Activity in May 2011

Type of Case	May 2011 1 ZBA meeting		May 2010 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	0	1	0	0
SFHA Variance	0	0	0	0
Special Use	1	0	0	1
Map Amendment	0	0	0	0
Text Amendment	0	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	1	1	0	1
Total cases filed (fiscal year to date)	11 cases		13 cases	
Total cases completed (fiscal year to date)	8 cases**		6 cases	
Case pending*	8 cases**		13 cases	
* Cases pending includes all cases continued and new cases filed				
** One case has been withdrawn in FY2011 without a public hearing				

¹ Note that approved absences, sick days (including one staff person out on surgical leave the entire month), and the continued loss of an Associate Planner resulted in an average staffing of 56% or the equivalent of less than 3.0 staff members (of the 5 authorized) present for each of the 21 work days in May.

Subdivisions

There was one County subdivision recording in May but no new applications were received. No municipal subdivisions were reviewed for compliance with County zoning in May.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in May can be summarized as follows:

- There were 12 permits for 11 structures in May compared to 17 permits for 14 structures in May 2010. The five-year average for permits in May in the preceding five years is 23.2.
- Three months in the last 7 months (January 2011, February 2011, September 2010) have exceeded the five-year average for number of permits.
- The average turnaround (review) time for complete initial residential permit applications in May was 4.8 days.
- The reported value for construction authorized in permits for May was \$877,182 compared to \$3,420,187 in May 2010. The May 2010 value is so much higher due to a large industrial project and several high value residential additions. The five-year average reported value for authorized construction in May is \$2,212,374.
- Only four months (February 2011, August and May 2010 and March 2009) in the last 28 months have equaled or exceeded the five-year average for reported value of construction.
- The County collected \$2,738 in fees for May compared to \$4,471 in May 2010. The five-year average for fees collected in May is \$6,412.
- Fees equaled or exceeded the five-year average for collected permit fees in only three other months (August 2010 and December and March 2009) in the last 25 months.
- There were also 4 lot split inquiries and more than 260 other zoning inquiries in May.
- One set of ZBA meeting minutes was completed and approved in May.
- Permitting staff continued to help in the absence of an Associate Planner in May.
- One Zoning Technician was on medical leave and returned part time on May 25.

Zoning Compliance Inspections

A list of the Zoning Compliance Certificates approved in May is included as Appendix B. Compliance inspection activity in May can be summarized as follows:

- Four compliance inspections were made in May and the total inspections so far in FY2011 is only 27.

TABLE 2. PERMIT ACTIVITY MAY, 2011

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential		N.A.		1	N.A.	400,000
Other	1	N.A.	8,000	7	N.A.	420,214
SINGLE FAMILY Residential:						
New - Site Built	2	1,494	621,000	8	4,719	1,936,000
Manufactured				1	369	160,000
Additions	2	194	45,000	9	1,755	521,100
Accessory to Residential	3	340	24,200	13	2,235	178,495
TWO-FAMILY Residential						
Average turn-around time for permit approval			4.8 days			
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural	1	33	0	2	66	0
Neighborhood		N.A.		5	N.A.	0
COMMERCIAL:						
New				2	1,656	231,000
Other	1	577	177,782	2	674	178,982
INDUSTRIAL:						
New						
Other						
OTHER USES:						
New						
Other	1	100	0	2	100	36,000
SIGNS	1	0	1,200	1	0	1,200
TOWERS (Includes Acc. Bldg.)				2	0	100,000
OTHER PERMITS				3	294	600
TOTAL	12/11	\$2,738	\$877,182	58/48	\$11,868	\$4,163,591

*12 permits were issued for 11 structures during May, 2011

◊58 permits have been issued for 49 structures since December, 2010 (FY 12/2010 - 11/2011)

NOTE: Home occupations and other permits (change of use, temporary use) total 10 since December, 2010, (this number is not included in the total # of structures).

- Two compliance certificates were issued in May. Note that a compliance certificate should be authorized no longer than 12 months after the permit was issued so this compares to the total of 14 permits for structures in May 2010. Thus, the backlog of compliance inspections increased slightly in May.
- Inspections have cleared compliance for a total of 37 permits so far this fiscal year (since December 1, 2010) which averages to about 1.5 completed compliance inspections per week for FY2011. The FY2011 budget anticipates a total of 516 compliance inspections for an average of 9.9 inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for May 2011 that can be summarized as follows:

- 7 new complaints were received in May compared to 3 in May 2010. One additional complaint was referred to other agencies in May and 4 were referred in May 2010.
- 15 enforcement inspections were conducted in May compared to 30 in May 2010.
- Four contacts were made prior to written notification in May and none were made in May 2010.
- 19 initial investigation inquiries were made in May for an average of 4.2 per week in May and 5.0 per week for the fiscal year. The FY2011 budget had anticipated an average of 6.5 initial investigation inquiries per week.
- No First Notices and one Final Notice was issued in May compared to 5 First Notices and no Final Notices in May 2010. The FY2011 budget had anticipated a total of 60 First Notices and so far there has been a total of only 14 First Notices (23% of that total) by the end of the May.
- No case was referred to the State's Attorney in May and no cases were referred in May 2010.
- 6 cases were resolved in May compared to 7 cases that were resolved in May 2010.
- 539 cases remain open at the end of May compared to 539 open cases at the end of May 2010. Recently the number of cases was as low as 531 in March 2011 and 515 cases in May 2008.

APPENDICES

A Zoning Use Permits Authorized

B Zoning Compliance Certificates Issued in May

TABLE 3. ENFORCEMENT ACTIVITY FOR MAY, 2011

	FY 2010 Enforcement	December, 2010	January, 2011	February, 2011	March, 2011	April, 2011	May, 2011	TOTALS FOR FY 11
Complaints Received	99	2	6	3	10	13	7	41
Initial Complaints Referred to Other Agencies	15	0	0	0	1	0	1	1
TOTAL CASES INCLUDING PREVIOUS YEARS								
Inspections	347	8	15	23	27	35	15	123
Phone or On-Site Contact Prior to Written Notification	24	0	0	1	2	0	4	7
1st Notices Issued	40	2	2	3	4	3	0	14
Final Notices Issued	14	0	0	1	0	0	1	2
Referrals to State's Attorney's Office	5	1	0	0	1	0	0	2
Cases Resolved ¹	119	1	0	10	32	6	6	55
Open Cases ²	553	554	560	553	531	538	539	539**

¹Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.

²Open Cases are unresolved cases, and include any cases referred to the State's Attorney's Office or new complaints not yet investigated.

*Open Cases include the previous number of open cases plus the number of new complaints received in the current month less the number of cases resolved in that same month.

**The 539 open cases include 27 cases that have been referred to the State's Attorney's Office, 15 cases that involve properties where kennels are being operated and will be addressed in the Zoning Ordinance revision process, and 8 cases that involve floodplain matters which brings the total of open cases to 489.

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING MAY, 2011

<u>NUMBER</u>	<u>LOCATION</u>	<u>NAME</u>	<u>DATE IN/ DATE OUT</u>	<u>PROJECT</u>
111-05-01	Pending Special Use Permit			
221-05-01	Pending resolution of violation			
RHO				
345-05-01	Under review			
26-06-02	Under review			
88-06-01	More information needed			
RHO				
118-06-02	Under review			
277-06-02	More information needed			
FP				
82-07-01	Need IDNR response			
FP				
192-07-02	More information needed			
FP				
219-07-01	More information needed			
219-07-02	More information needed			
RHO				
250-07-02	More information needed			
320-07-01	More information needed			
FP				
18-08-01	Under review			
137-08-01	Under review			
187-08-02	Under review			
235-08-01	More information needed, possible Variance			
235-08-02	More information needed, possible Variance			
237-08-01	Under review			
266-08-01	Variance needed			
310-08-01	Under review, possible RRO, subdivision issues			
12-09-01	Under review			
147-09-01	Under review			

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING MAY, 2011

357-09-01	Under review			
RHO				
41-10-01	Pending Special Use Permit			
54-10-01	Under review			
251-10-01	Variance needed			
03-11-01	Zoning Case required			
10-11-01	More information required			
26-11-01	Under review			
47-11-02	Lot 78, Woodard's Heather Hills 4 th Subdivision, Section 2, St. Joseph Township; 2251 Churchill Drive, St. Joseph, Illinois PIN: 28-22-02-181-010	Jim McCune	02/16/11 05/24/11	construct a detached garage
AG-2				
62-11-02	A tract of land located in the W ½ of the S ½ of the NW 1/4 of Section 34, Champaign Township; 3902 S. Duncan Road, Champaign, Illinois PIN: 03-20-34-151-005	Paul Curtis	03/03/11 05/10/11	construct an addition to an existing store/restaurant
AG-2				
66-11-01	More information needed			
77-11-02	More information needed, possible Variance			
80-11-02	More information needed			
RHO				
91-11-02	More information needed			
105-11-01	Lot 9 in Green Acres 1 st Subdivision and a tract of land consisting of .068 acres immediately south of Lot 9, Section 17, Mahomet Township; 113 CR 2150N, Mahomet, Illinois PIN: 15-13-17-301-037 & 021	William and Pam Brewer	04/15/11 05/10/11	construct a single family home with attached garage
AG-2				

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING MAY, 2011

109-11-01 FP CR	A tract of land in the SE 1/4 of the SW 1/4 of Section 33, South Homer Township; 2699 CR 1200N, Homer, Illinois PIN: 26-24-33-376-014	Jeff Fruhling	04/19/11 05/09/11	placement of 15 to 20 feet of fil in an area that is partially located in the mapped floodplain
112-11-01 R-1	Lot 16, Richardson Estates Subdivision, Section 3, Urbana Township; 3005 Kyle Street, Urbana, Illinois PIN: 30-21-03-476-004	David O'Rourke	04/21/11 05/09/11	construct an addition to an existing single family home
116-11-01 RHO AG-1	A tract of land located in the SW 1/4 of Section 3, Somer Township; 1532B CR 2300N, Urbana, IL PIN: 25-15-03-300-011	Deanna and Alan Zehr	04/26/11 05/04/11	Establish a Rural Home Occupation, <i>Zehr Trucking, Inc.</i>
116-11-02	Variance required			
118-11-01 R-1	Lot 177, Edgewood 7 th Subdivision, Section 10, Urbana Township; 2303 Slayback Street, Urbana, Illinois PIN: 30-21-10-304-002	Charles Trimble	04/28/11 05/04/11	construct a detached garage
122-11-01 AG-1	Lot 102, Thor-O-Bred Acres Subdivision, Section 15, Hensley Township; 1002 Churchill Downs Drive, Champaign, Illinois PIN: 12-14-14-351-002	Fred and Patty Einck	05/02/11 05/10/11	construct a single family home with attached garage and a detached storage building
123-11-01	Subdivision question with Urbana			
124-11-01 R-1	Lot 7, Crooked Creek Subdivision, Section 1, Mahomet Township; 5621 CR 2400N, Dewey, Illinois PIN: 15-13-11-252-003	John and Jennifer Skillings	05/04/11 05/11/11	construct a room addition and a covered patio addition to an existing single family home

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING MAY, 2011

129-11-01 R-1	Lot 56, Timberview Subdivision, Section 16, Mahomet Township; 304 Timberview Drive, Mahomet, Illinois PIN: 15-13-16-126-020	Michael Scott	05/09/11 05/24/11	place an above ground swimming pool on the subject property with a self-closing, self-latching gate at the entrance to the pool
129-11-02 AG-2	A one acre tract of land being a part of the SE 1/4 of the SE 1/4 of Section 33, Raymond Township; 301 S. Johnson Avenue, Longview, Illinois PIN: 21-34-33-477-005	Larry and Deborah Quick	05/09/11 05/12/11	construct a detached storage shed
129-11-03	Lot question with Urbana			
131-11-01 AG-1	A tract of land in the NW 1/4 of Section 12, Compromise Township; SE Corner of the intersection of CR 2900N and CR 2300E, Gifford, Illinois; PIN: 06-10-12-100-004	Village of Gifford/ Bill and Alvina Pflugmacher	05/11/11 05/24/11	erect a freestanding sign
138-11-01	Under review			
139-11-01	Under review			
140-11-01	Under review			
146-11-01	Under review			
147-11-01	Under review			
147-11-02	Under review			
147-11-03	Under review			
151-11-01	Under review			
151-11-02 RHO	Under review			
151-11-03	Under review			

APPENDIX B: ZONING COMPLIANCE CERTIFICATES ISSUED DURING MAY, 2011

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>
05/18/11 301-10-01	A tract of land in the NW Corner of the E ½ of the NW 1/4 of Section 30, Tolono Township; 621 CR 800N, Tolono, Illinois PIN: Pt. of 29-26-30-100-003	place a manufactured home with attached garage on the subject property
05/18/11 38-03-01	Lot 4 and the East 44' of Lot 5 of Ingram's Subdivision, Section 30, Ogden Township; 2538 Homer Lake Road, Ogden, Illinois PIN: 17-24-30-177-009	a single family home with attached garage