

CASE 856-V-16

*PRELIMINARY MEMORANDUM
NOVEMBER 3, 2016*

Petitioner: Bob Buchanan, agent for Sport Redi-Mix, LLC

Request: Authorize the following variance in the I-2 Heavy Industry Zoning District:

Part A: Authorize a variance for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet as per Section 5.3 of the Zoning Ordinance.

Part B: Authorize a variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line as required by Section 7.4.1 of the Zoning Ordinance.

Part C: Authorize a variance for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses as per Section 7.4.2 of the Zoning Ordinance.

Subject Property: A tract of land comprised of Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 of Wilbur Heights Subdivision in the Southeast Quarter of the Southwest Quarter of Section 31, Township 20N Range 9E in Somer Township and commonly known as Sport Redi-Mix LLC, with an address of 402 Wilbur Avenue, Champaign.

Site Area: 0.91 acres

Time Schedule for Development: As soon as possible

**Prepared by: Susan Chavarria
Senior Planner**

**John Hall
Zoning Administrator**

BACKGROUND

Sport Redi-Mix, LLC, proposes to expand an existing storage building to house a repair garage and vehicle storage. A variance is required for rear yard, for allowing parking within 10 feet of the front property line, and for not having loading berths. The subject property is on the north side of Wilbur Avenue, across the street from the main Sport Redi-Mix establishment.

The subject property has a house that was built prior to adoption of the Zoning Ordinance on October 10, 1973, and a storage building built as an accessory to the residence under ZUPA #286-82-01. Sport Redi-Mix has used the existing storage building as a shop and the house for out-of-town employees and subcontractors that need a place to stay overnight, which they intend to continue using in this way.

SITE PLAN

The petitioner submitted a Site Plan with the application on September 12, 2016, and a revised Site Plan on October 27, 2016, with the following details under Item 5 in the Summary of Evidence:

5. Regarding the site plan for the subject property:
 - A. The Petitioner's Site Plan, received September 12, 2016, indicates the following:
 - (1) Existing features on the subject property consist of the following:
 - a. One 2,400 square feet storage building/garage; and
 - b. One 1,125 square feet house used as a guest house for occasional out-of-town employees (not shown on plan, but verified as existing)
 - (a) The house was originally constructed as a residence prior to adoption of the Zoning Ordinance on October 10, 1973.
 - c. Four parking spaces accessed from 4th Street.
 - (2) Proposed features consist of the following:
 - a. An 80 feet by 190 feet addition to the existing storage building/garage with the following features:
 - (a) 11 service bays, each 40 feet by 10 feet;
 - (b) 8 garage doors and two man doors.
 - B. A revised Site Plan received October 27, 2016, includes the following additional information:
 - (1) The guest house footprint has been added to the southwest corner of the subject property.
 - (2) There is an existing septic tank north of the guest house, with the septic field to the east of the house.
 - (3) Regarding drainage:
 - a. An existing storm drain in front of the guest house; and
 - b. A proposed 12-inch storm drain extending 194 feet in front of the proposed addition, which will end 6 feet west of the east property line.

EXTRATERRITORIAL JURISDICTION

The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the Cities of Champaign and Urbana, both municipalities with zoning. Municipalities do not have protest rights on a variance and generally are not notified of such cases.

The subject property is located within Somer Township, which does not have a Plan Commission. Townships without Plan Commissions do not have protest rights on a variance.

LIMITED AREA FOR EXPANSION

Zoning in the unincorporated area was established on October 10, 1973, and this property was zoned I-2, consistent with the regulation of land use that the City of Champaign had implemented prior. As the transition continues toward Industrial uses, owners are finding that the small lots created for residential purposes approximately 100 years ago are difficult to design for current Industrial use needs and/or requirements.

Streets in the Wilber Heights subdivision have wide right of ways, which create an additional limitation on how lots can be built upon and used.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Single family residence	I-2 Heavy Industry
North	Mix of residential and industrial	I-2 Heavy Industry
East	Mix of residential and industrial	I-2 Heavy Industry
West	Single family residences	I-1 Light Industry
South	Industrial	I-2 Heavy Industry

ADDITIONAL INFORMATION FROM THE PETITIONER

Staff assumed that the existing house on the subject property would raise questions about its use and its relation to the proposed addition. In a phone call on October 21, 2016, Bob Buchanan verified that the house is used for employees and subcontractors (i.e. out-of-town snow plow drivers, bringing in a specialized mechanic to fix one of their trucks) needing a place to stay. It is not rented out.

Staff was concerned that washing vehicles on the subject property might result in increased drainage issues and negative impacts on water quality. Bob Buchanan confirmed that they wash vehicles outside on the subject property, and that water drains to the ditch on Wilbur Avenue. On October 27, 2016, he submitted a drainage plan providing more details.

A signed, sealed set of plans from a registered Illinois architect or engineer will be necessary for the permitting process because the proposed construction cost exceeds \$50,000, as per the Illinois Environmental Barriers Act and Illinois Accessibility Code. This has been added as a proposed special condition for the variance.

DRAINAGE PLAN

Evidence regarding the drainage plan received on October 27, 2016, has been included under Item 5. The drainage plan is part of an IDOT Highway Permit approved on October 26, 2016 for the construction of two 35 foot accessways to the subject property. The petitioners plan to install a 12-inch storm drain, curb and gutter, and a roof drain to ensure storm drainage flows south toward the new drain. They also will grade the land on the east side of the proposed building to flow south toward the drain.

PROPOSED SPECIAL CONDITIONS

- A. **The Petitioner will not allow on-street parking on Wilbur Avenue or 4th Street.**

The special condition stated above is necessary to ensure the following:

To maximize safety for residents and business clients.

- B. **A Zoning Use Permit shall be applied for within 30 days of the approval of Case 856-V-16.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

- C. **Prior to occupancy, the petitioner shall provide documentation of compliance with the IDOT construction permits for the two access driveways and associated drainage improvements.**

The above special condition is required to ensure the following:

That as-built construction reflects the pre-construction design approved by IDOT.

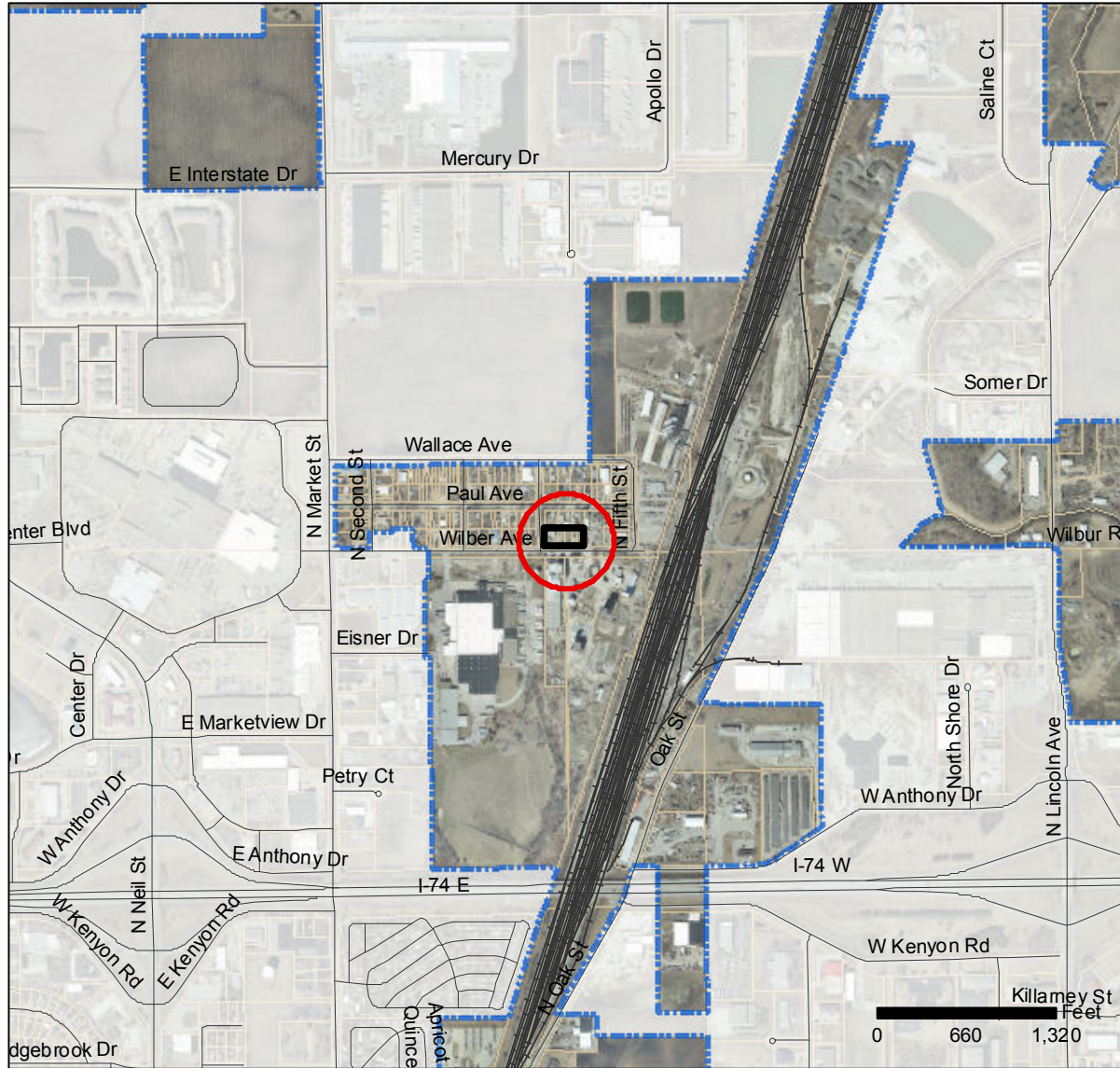
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received September 12, 2016
- C Revised Site Plan received October 27, 2016
- D Email string between Susan Chavarria and Bob Buchanan dated October 20-21, 2016
- E Two pages from IDOT Highway Permit packet received October 27, 2016:
 - Highway Permit Page 1
 - Drainage Plan
- F Email from Bob Buchanan received November 1, 2016
- G Images of Subject Property taken September 26, 2016
- H Draft Summary of Evidence, Finding of Fact, and Final Determination dated November 10, 2016

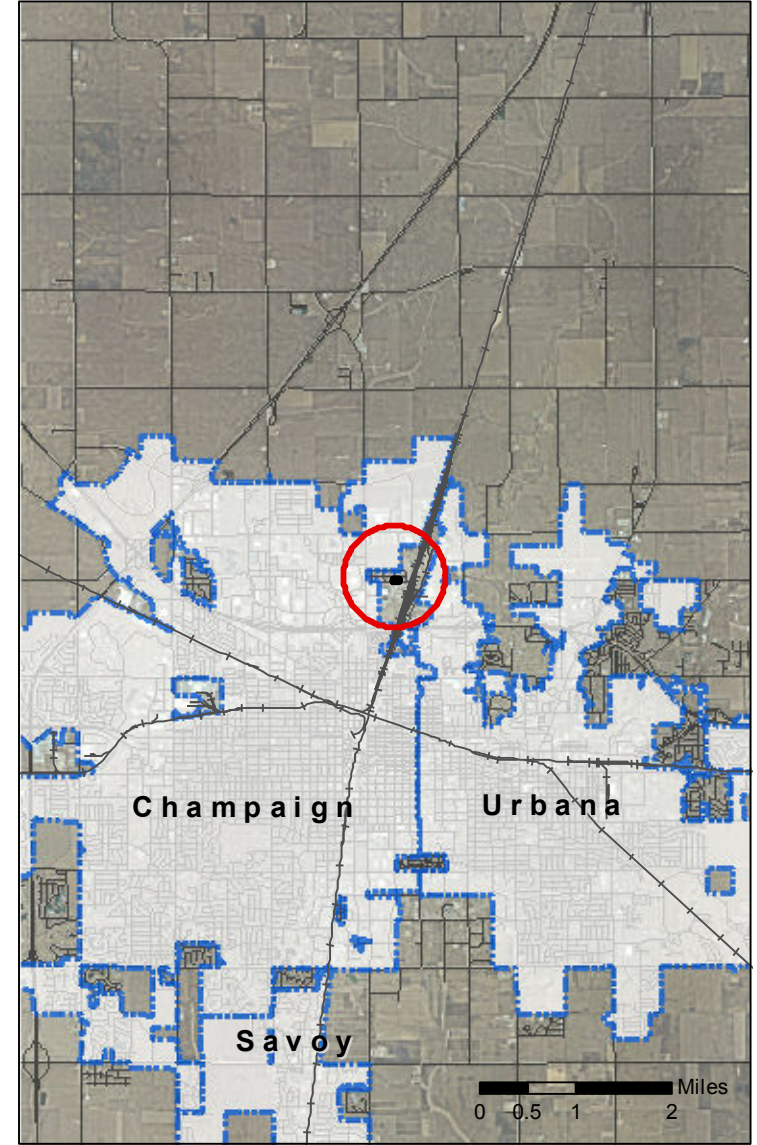
Location Map

Case 856-V-16
November 10, 2016






Subject Property



Property location in Champaign County



Legend

-  Subject Property
-  Streets
-  Parcels
-  Railroad
-  Municipal Boundary

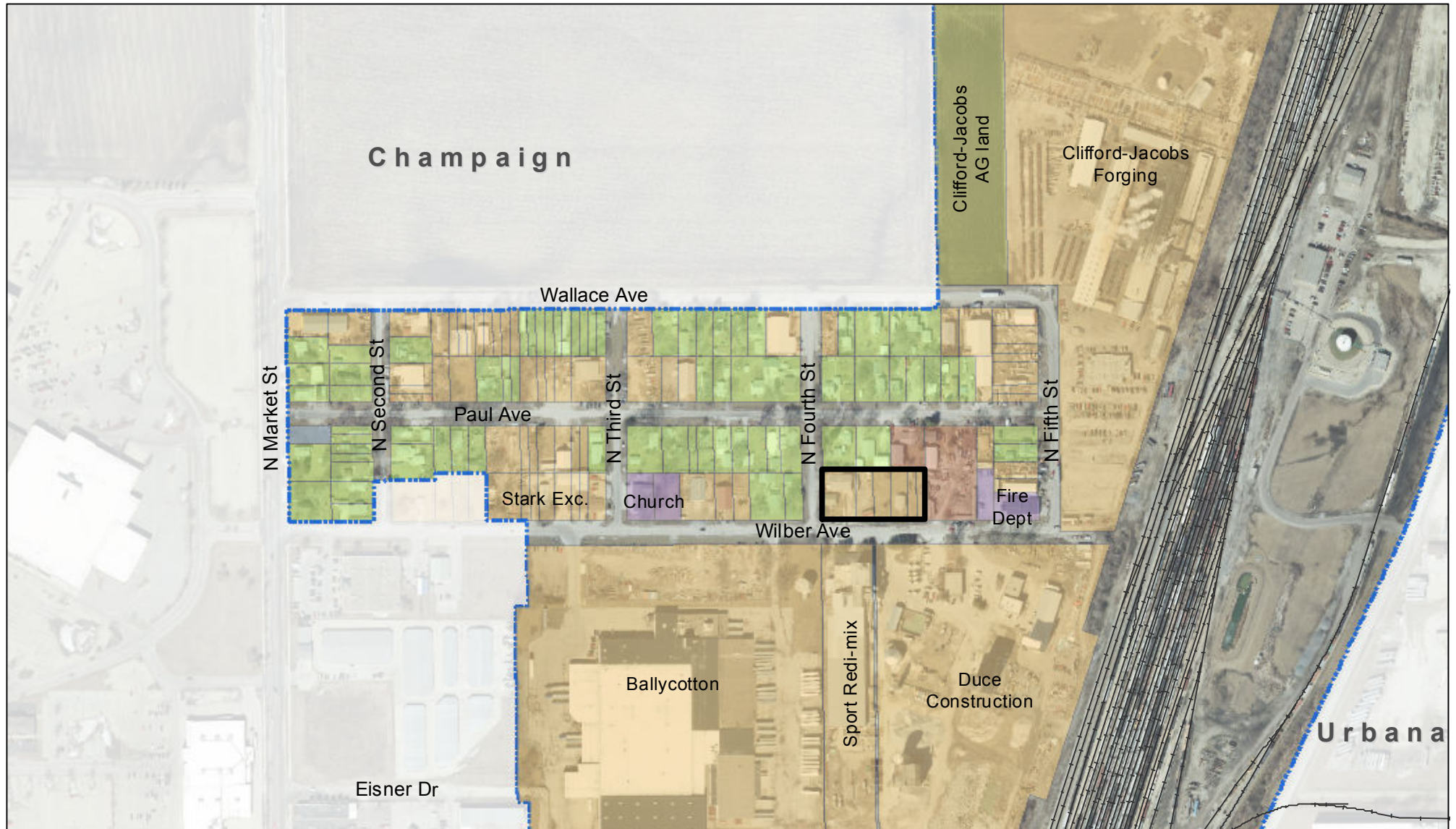


Champaign County
Department of
PLANNING &
ZONING

Land Use Map

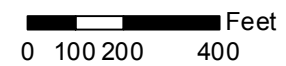
Case 856-V-16
November 10, 2016

land uses based on field survey
completed by staff on 9/26/16



Legend

- residential
- industrial/commercial
- vacant
- mixed residential/industrial
- institutional/gov't/church
- Municipal Boundary

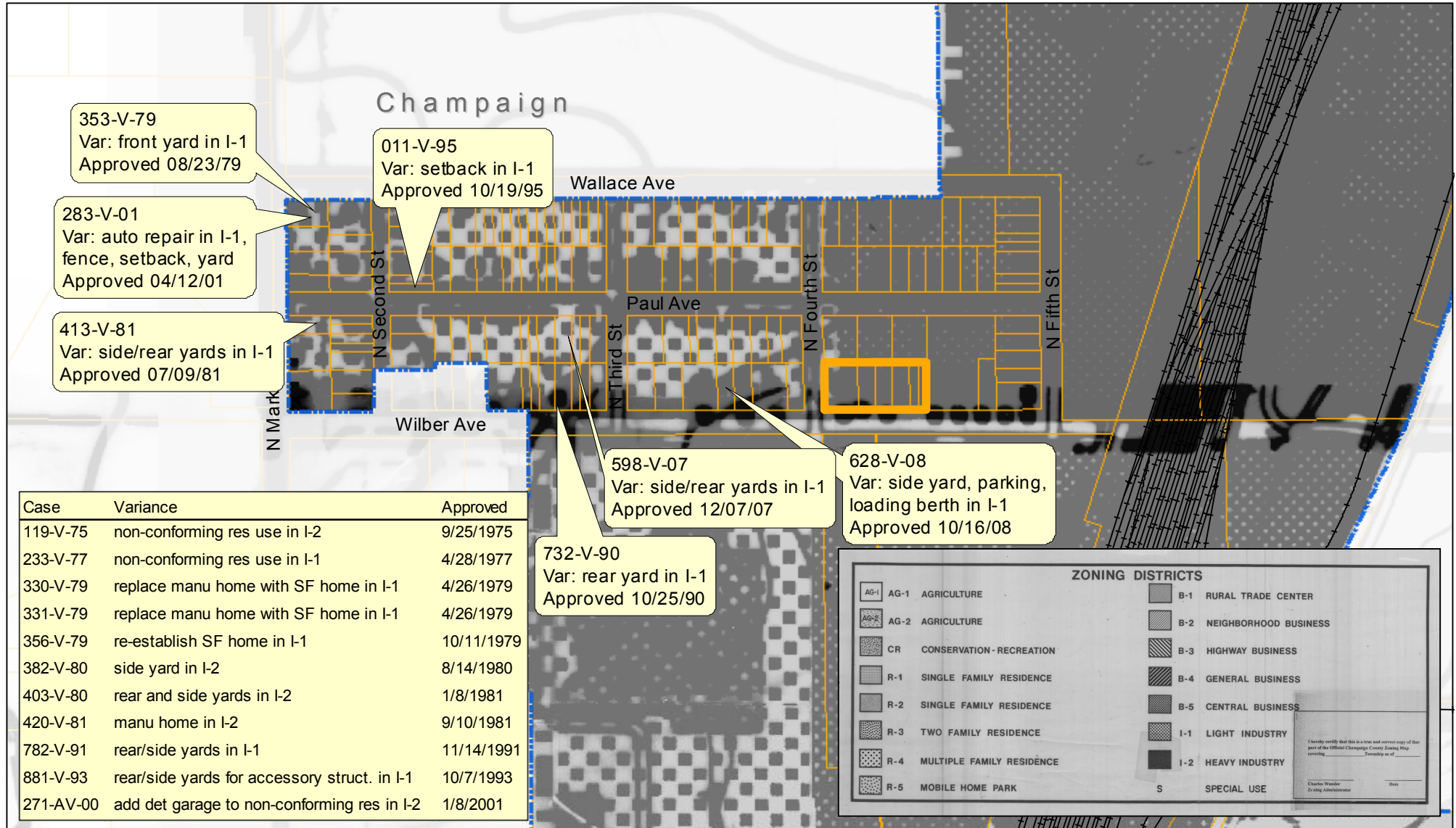


Champaign County
Department of
**PLANNING &
ZONING**




Zoning Map

Case 856-V-16
November 10, 2016

Zoning cases shown on map only include non-residential variances in Wilber Heights; see table inset for residential variances.



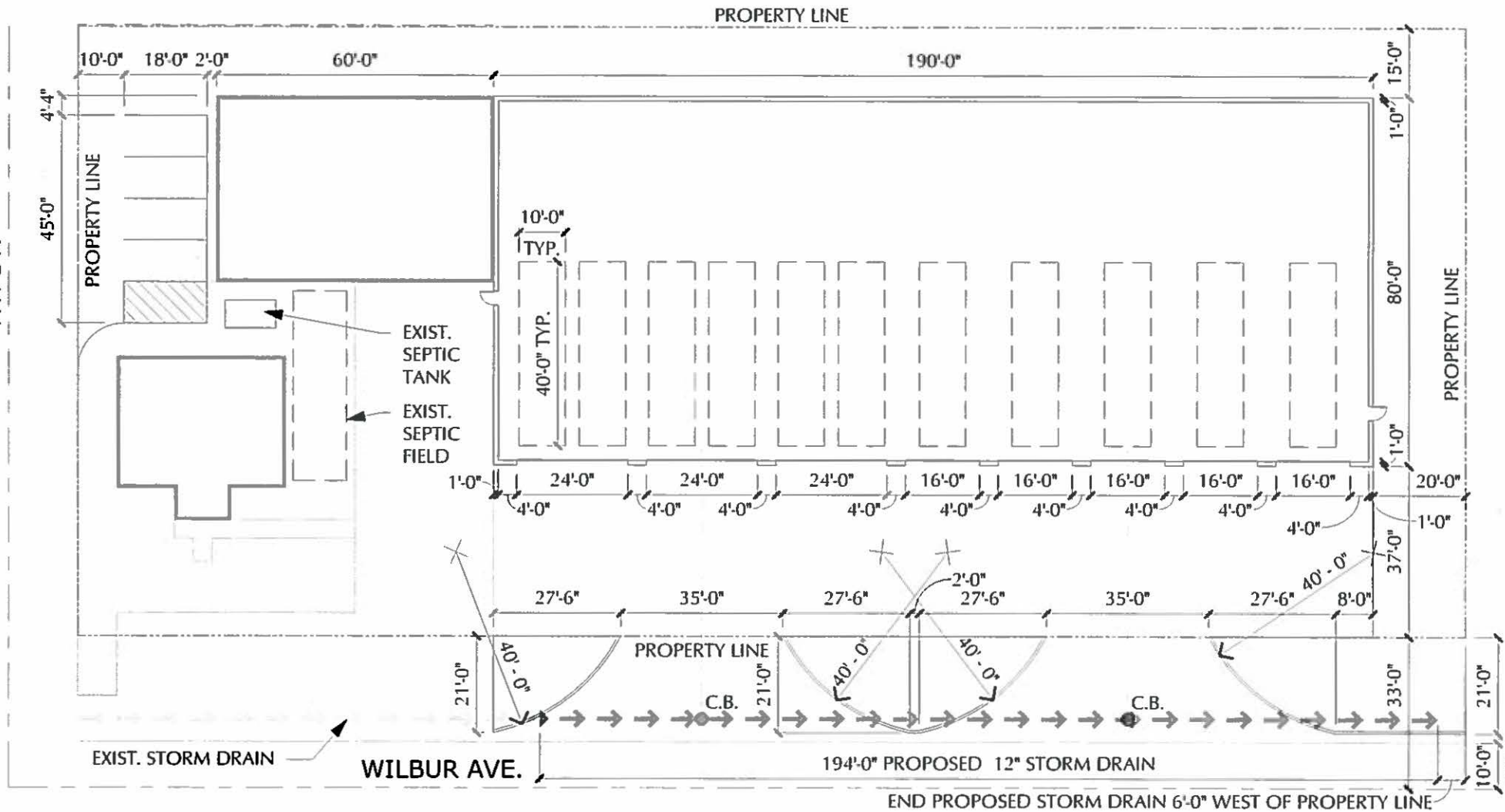
Legend

-  Subject Property
-  Parcels
-  Corporate Limits

0 100 200 400 Feet



4TH ST.



NORTH

1

GROUND FLOOR PLAN

1/32" = 1'-0"

RECEIVED

OCT 27 2016

CAMPBELL COUNTY DEPARTMENT



GORSKI REIFSTECK
ARCHITECTURE • CONSTRUCTION MANAGEMENT • INTERIORS

Susan Chavarria

From: Susan Chavarria
Sent: Friday, October 21, 2016 3:39 PM
To: 'Bob Buchanan'; chrisknipfer@sportredimix.com
Cc: John Hall
Subject: RE: Zoning Case 856-V-16

Your response may complicate the case, and thus raises another set of questions...if you could answer at least the first one yet today, that would give us time to deal with revising the legal ad, if necessary.

1. Are the out of town guests who stay at the house on the corner employees?
2. Where are vehicles washed? Will that location change once the new addition is built?
3. What types of maintenance will occur inside the proposed addition? Outside?
4. Can you please submit a revised Site Plan which shows everything shown on the one you submitted for the Zoning Use Permit Application, plus the location of:
 - the existing residence
 - the existing septic system(s)
 - any proposed outdoor bays
 - how the existing concrete driveway will be used
5. You may recall speaking with John Hall about stormwater and how it would be best to drain it toward the Wilber Avenue ditch (rather than it possibly impacting surrounding neighbors). Can you provide details on how you plan to direct stormwater on the site either via email or as an additional item on the site plan?

Thanks for your time,
Susan

From: Bob Buchanan [mailto:bbuchanan@sportredimix.com]
Sent: Friday, October 21, 2016 2:16 PM
To: Susan Chavarria <schavarr@co.champaign.il.us>
Cc: chrisknipfer@sportredimix.com
Subject: RE: Zoning Case 856-V-16

RECEIVED
OCT 21 2016
CHAMPAIGN CO. P & Z DEPARTMENT

The house at the corner of 4th St. and Wilber is not used as an office. It is for out of town guests. The existing pump shop building and the proposed expansion will only have 6 employees that work for Duce Concrete Pumping. They park at the west end of the existing shop and in front of the existing house at the corner. There is also ample off street parking along the south side of Wilber Ave. The employees report for work and leave in the pump trucks to go to construction sites. The reasoning for the requested exemption of the loading berths is that the concrete pump trucks are never loaded here. They leave and go to construction sites and pump concrete only, and return just as there were when they left. Any loading or unloading that Sport or Duce does occurs inside the fence at our warehouse on the south side of Wilber Ave.

Let me know if there is anything else that you need and I will be happy to provide additional information or answer any questions you may have.

Bob Buchanan
Sport Redi-Mix

Office 217/355-3555
Cell 217/202-5741
Fax 217/356-5014
www.sportredimix.com
P.O. Box 292
401 Wilbur Ave
Champaign, IL 61824

From: Susan Chavarria [<mailto:schavarr@co.champaign.il.us>]
Sent: Friday, October 21, 2016 1:33 PM
To: Bob Buchanan
Subject: RE: Zoning Case 856-V-16

Hi Bob,

I have a few more questions, sorry for the inconvenience!

How many employees will there be at this site (not at the whole Sport Redi-Mix operation?)

How many non-employee vehicles will be used in conducting the office/garage uses on that particular site? This would not include vehicles being repaired there.

Where will employees park?

Can you explain why you are asking for the variance from providing loading berths?

Thanks again,
Susan

From: Bob Buchanan [<mailto:bbuchanan@sportredimix.com>]
Sent: Thursday, October 20, 2016 2:24 PM
To: Susan Chavarria <schavarr@co.champaign.il.us>
Subject: RE: Zoning Case 856-V-16

The house at the corner will remain. Let me know if you have any other questions or comments.

Thank

Bob Buchanan
Sport Redi Mix
217-202-5741

Happy Connecting. Sent from my Sprint Samsung Galaxy S® 5

----- Original message -----

From: Susan Chavarria <schavarr@co.champaign.il.us>
Date: 10/20/16 2:01 PM (GMT-06:00)
To: bbuchanan@sportredimix.com
Subject: Zoning Case 856-V-16

Hi Bob,

I'm looking over your site plan for the proposed addition. I appreciate the attention to measurements and details!

Could you please tell me if the house on the NE corner of Wilber and 4th (the one used as an office) will also be demolished? It is not shown on the site plan.

Thanks,
Susan

Susan Chavarria, AICP, PCED
Senior Planner
Champaign County Planning and Zoning
1776 East Washington Street
Urbana, IL 61802
217-819-4086
www.co.champaign.il.us



Highway Permit

District Serial No. 5-33193

Whereas, I (We) Sport Redi Mix & Materials (Name of Applicant), P.O. Box 292 (Mailing Address)

Champaign (City), Illinois 61824-0292 (State) hereinafter termed the Applicant,

request permission and authority to do certain work herein described on the right-of-way of the State Highway known as CH; Avenue Route 21A; Wilbur, Section 116 MFT, from Station 22+00± LT to Station 24+43± LT Champaign County. The work is described in detail on the attached plan or sketch and/or as follows:

The work authorized by this permit consists of , but not limited to, the construction and maintenance of 2- 35 foot wide commercial entrances providing access to the Sport Redi Mix & Materials business, located east of 4th street and on the north side of Wilbur Avenue in Champaign (Wilbur Heights); along with storm sewer and miscellaneous to complete the work.

All work authorized by this permit shall be completed 180 days after the date this permit is approved, otherwise the permit becomes null and void.

This permit is subject to the conditions and restrictions printed on the reverse side of this sheet.

This permit is hereby accepted and its provisions agreed to this 24th day of October, 2016

Witness [Signature]
PO Box 292, 401 Wilbur Ave.
Mailing Address
Champaign, IL 61824
City State

Signed [Signature]
Applicant/
PO Box 292, 401 Wilbur Ave
Mailing Address
Champaign, IL 61824
City State

SIGN AND RETURN TO: Regional Engineer I.D.O.T., 13473 IL Hwy 133; P.O. Box 610; Paris, Illinois 61944-0610

Approved this 26 day of October, 2016

Department of Transportation

BY: [Signature]
Regional Engineer

Susan Chavarria

From: Bob Buchanan <bbuchanan@sportredimix.com>
Sent: Tuesday, November 01, 2016 9:32 AM
To: Susan Chavarria
Subject: RE: Zoning Case 856-V-16 question

The concrete pump trucks are washed out and all concrete residue is washed off at the jobsites where they are working. The only washing done at the shop is to remove normal road film from the truck, similar to washing a car in the driveway.

The 40 feet radii we allowed by IDOT as per the specifications for commercial entrances. The pump trucks have large turning radii and need as much space as possible to navigate the driveway into the parking bays.

Let me know if I can provide any additional information.

Thanks,

Bob Buchanan

Sport Redi-Mix
Office 217/355-3555
Cell 217/202-5741
Fax 217/356-5014
www.sportredimix.com
P.O. Box 292
401 Wilbur Ave
Champaign, IL 61824

RECEIVED
NOV 01 2016
CHAMPAIGN CO. P & Z DEPARTMENT

From: Susan Chavarria [mailto:schavarria@co.champaign.il.us]
Sent: Tuesday, November 01, 2016 9:16 AM
To: Bob Buchanan
Subject: Zoning Case 856-V-16 question

Hi Bob,

The information we have on washing the vehicles at the proposed site will raise questions by the ZBA, so I wanted to ask for more information now so perhaps we won't need to spend time on it during the ZBA hearing.

Do you know if washing the vehicles outside and draining to the ditch is permitted by IEPA? If so, could you please send me some sort of documentation on that being an approved method?

Does the concrete pump mechanism get washed and does the wash water drain to the ditch? If not, could you please describe the washout area and how the wash water drains?

On another topic, what is the significance of the 40 feet radii indicated on the site plan?

Thanks!
Susan

Susan Chavarria, AICP, PCED

856-V-16 Site Images



Existing guest house and storage building – addition will be to right of storage building



Recently demolished residence where addition will be constructed

856-V-16 Site Images



Subject property from Wilbur Avenue west of 4th Street



Subject property from 4th Street facing south-southeast

856-V-16 Site Images



Existing Sport Redi-Mix facility south of Wilbur Avenue, taken from 4th Street



Subject property on left, existing Sport Redi-Mix facility on right

PRELIMINARY DRAFT

856-V-16

**SUMMARY OF EVIDENCE, FINDING OF FACT
AND FINAL DETERMINATION**

**of
Champaign County Zoning Board of Appeals**

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

Date: *{November 10, 2016}*

Petitioner: **Bob Buchanan, agent for Sport Redi-Mix, LLC**

Request: Authorize the following variance in the I-2 Heavy Industry Zoning District:

Part A: Authorize a variance for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet as per Section 5.3 of the Zoning Ordinance.

Part B: Authorize a variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line as required by Section 7.4.1 of the Zoning Ordinance.

Part C: Authorize a variance for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses as per Section 7.4.2 of the Zoning Ordinance.

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PRELIMINARY DRAFT

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **November 10, 2016**, the Zoning Board of Appeals of Champaign County finds that:

1. Sport Redi-Mix, LLC owns the subject property.
 - A. In a phone call to Susan Chavarria on October 24, 2016, Bob Buchanan stated the following: Duce Construction owns Sport Redi-Mix, LLC and Duce Concrete Pumping. Sport Redi-Mix, LLC bought the subject property and is putting up the building, which he believes they will then lease back to Duce.
2. The subject property is a 0.91-acre tract comprised of Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 of Wilbur Heights Subdivision in the Southeast Quarter of the Southwest Quarter of Section 31, Township 20N Range 9E in Somer Township and commonly known as Sport Redi-Mix LLC, with an address of 402 Wilber Avenue, Champaign.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the Cities of Champaign and Urbana, both municipalities with zoning. Municipalities do not have protest rights on a variance and generally are not notified of such cases.
 - B. The subject property is located within Somer Township, which does not have a Plan Commission. Townships without Plan Commissions do not have protest rights on a variance.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is a 0.91 acre lot and is currently zoned I-2 Heavy Industry. Land use is a former residence used as a guest house for occasional out-of-town employees and a garage that are part of Sport Redi-Mix operations.
 - B. Properties to the north are zoned I-2 Heavy Industry and are a mix of residential and industrial uses.
 - C. Properties to the south are zoned I-2 Heavy Industry and are industrial in use.
 - D. The property to the east is zoned I-2 Heavy Industry and is a mix of residential and industrial uses.
 - E. Properties to the west are zoned I-1 Light Industry and are residential in use.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Regarding the site plan for the subject property:
 - A. The Petitioner's Site Plan, received September 12, 2016, indicates the following:
 - (1) Existing features on the subject property consist of the following:
 - a. One 2,400 square foot storage building/garage; and

PRELIMINARY DRAFT

- b. One 1,125 square foot house used as a guest house for occasional out-of-town employees (not shown on plan, but verified as existing)
 - (a) The house was originally constructed as a residence prior to adoption of the Zoning Ordinance on October 10, 1973.
 - c. Four parking spaces accessed from 4th Street.
- (2) Proposed features consist of the following:
- a. An 80 feet by 190 feet addition to the existing storage building/garage with the following features:
 - (a) 11 service bays, each 40 feet by 10 feet;
 - (b) 8 garage doors and two man doors.
- B. A revised Site Plan received October 27, 2016, includes the following additional information:
- (1) The guest house footprint has been added to the southwest corner of the subject property.
 - (2) There is an existing septic tank north of the guest house, with the septic field to the east of the house.
 - (3) Regarding drainage:
 - a. An existing storm drain in front of the guest house; and
 - b. A proposed 12-inch storm drain extending 194 feet in front of the proposed addition, which will end 6 feet west of the east property line.
- C. A copy of Highway Permit 5-33193 from IDOT for Sport Redi-Mix to construct two 35 foot commercial entrances was received October 27, 2016. Excerpts relevant to the zoning case include:
- (1) The Highway Permit, approved by IDOT on October 26, 2016, which states: “The work authorized by this permit consists of, but not limited to, the construction and maintenance of 2- 35 foot wide commercial entrances providing access to Sport Redi Mix & Materials business, located east of 4th Street and on the north side of Wilbur Avenue in Champaign (Wilber Heights); along with storm sewer and miscellaneous to complete the work.”
 - (2) A drainage plan indicating the following:
 - a. 170 feet of depressed curb and gutter;
 - b. 160 feet of 15-inch reinforced concrete pipe (RCP); note that this differs from the 12-inch pipe shown in the revised Site Plan received October 27, 2016; it is unclear what size pipe will be used.
 - c. An existing 12-inch drain extending east from the subject property;
 - d. A roof drain outlet on the east end of the proposed addition that will flow south to the proposed drain; and

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- e. A note that the eastern 20 feet of the subject property will drain south to the proposed storm drain.
- D. The petitioner has applied for ZUPA# 271-16-01 to construct the addition to the existing storage building/garage, contingent upon approval of this variance case.
- E. In an email to Bob Buchanan, received by staff on September 22, 2016, Mr. Radi of the Urbana Champaign Sanitary District indicated the following:
- (1) Mr. Buchanan discussed the proposed development with Mr. Radi on September 21, 2016.
 - (2) No District Connection Permit will be required for the project as proposed.
 - (3) The proposed building expansion will retain its restroom facilities that are currently, and will remain, connected to an existing septic system.
 - (4) All garage bays will have floor drains that will discharge into an oil/water separator for pretreatment. Any inside bays will discharge to the septic system, and eventually sanitary sewers. Outdoor bays will discharge to storm.
 - (5) Mr. Radi cautioned Mr. Buchanan that if the septic system were to ever be overloaded, Public Health will almost certainly require the building to connect to the sanitary system due to the close proximity of public sewers, rather than replacing or expanding the septic system.
- F. In an email received October 21, 2016, Bob Buchanan, agent for Sport Redi-Mix, stated the following:
- (1) The house on the corner of 4th Street and Wilbur Avenue is used for out of town guests.
 - (2) The existing pump shop building and the proposed expansion will have 6 employees that work for Duce Concrete Pumping. Employees park at the west end of the existing shop and in front of the existing house at the corner.
 - (3) There is also ample off street parking along the south side of Wilbur Avenue.
 - (4) The employees report for work and leave in the pump trucks to go to construction sites. The reasoning for the requested exemption of the loading berths is that the concrete pump trucks are never loaded here. They leave and go to construction sites and pump concrete only, and return just as there were when they left. Any loading or unloading that Sport or Duce does occurs inside the fence at our warehouse on the south side of Wilbur Avenue.
- G. In a phone call to Susan Chavarria on October 24, 2016, Bob Buchanan stated the following:
- (1) The house is used for employees and subcontractors (i.e. out-of-town snow plow drivers, bringing in a specialized mechanic to fix one of their trucks) needing a place to stay. It is not rented out.

- (2) They wash their trucks out on the driveway.
- H. In an email received November 1, 2016, Mr. Buchanan stated the following: The concrete pump trucks are washed out and all concrete residue is washed off at the jobsites where they are working. The only washing done at the shop is to remove normal road film from the truck, similar to washing a car in the driveway.
- I. The following are previous Zoning Use Permits for the subject property:
- (1) ZUPA# 286-82-01 was approved on October 13, 1982, for construction of the existing storage building/garage.
 - a. The detached building was permitted as an accessory structure to the residence at the time. This allowed a rear yard of 15 feet.
 - b. When the property converted to an industrial use, the storage building/garage became the principal structure. As a principal structure, the rear yard requirement became 30 feet.
- J. There are no prior Zoning Cases for the subject property; however, there are 18 variances for other properties in the Wilber Heights Subdivision. Please see the Zoning Map for a list of those variances.
- K. The required variance is as follows:
- (1) Part A: Authorize a variance for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet as per Section 5.3 of the Zoning Ordinance.
 - (2) Part B: Authorize a variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line as required by Section 7.4.1 of the Zoning Ordinance.
 - (3) Part C: Authorize a variance for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses as per Section 7.4.2 of the Zoning Ordinance.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES

6. Regarding authorization for the proposed variance:
- A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Variance (capitalized words are defined in the Ordinance):
 - (1) “ACCESSORY BUILDING” is a BUILDING on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.
 - (2) “ACCESSORY STRUCTURE” is a STRUCTURE on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, subordinate

PRELIMINARY DRAFT

to and USED for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.

- (3) "ALTERATION" is any change in the bearing walls, columns, beams, girders, or supporting members of a STRUCTURE, any change or rearrangement in the floor area of a BUILDING, any enlargement of a STRUCTURE whether by extending horizontally or by increasing in HEIGHT, and/or any movement of a STRUCTURE from one location or position to another.
- (4) "AREA, BUILDING" is the total area taken on a horizontal plane at the largest floor level of the MAIN or PRINCIPAL BUILDING and all ACCESSORY BUILDINGS on the same LOT exclusive of uncovered porches, terraces, steps, or awnings, marquees, and nonpermanent CANOPIES and planters.
- (5) "AREA, LOT" is the total area within the LOT LINES.
- (6) "BERTH, LOADING" is a stall of dimensions herein specified, adjacent to a LOADING DOCK for the maneuvering and parking of a vehicle for loading and unloading purposes.
- (7) "BUILDING, DETACHED" is a BUILDING having no walls in common with other BUILDINGS.
- (8) "BUILDING, MAIN or PRINCIPAL" is the BUILDING in which is conducted the main or principal USE of the LOT on which it is located.
- (9) "FRONTAGE" is that portion of a LOT abutting a STREET or ALLEY.
- (10) "LOT" is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
- (11) "LOT, CORNER" is a LOT located:
 - (a) at the junction of and abutting two or more intersecting STREETS; or
 - (b) at the junction of and abutting a STREET and the nearest shoreline or high water line of a storm of floodwater runoff channel or basin; or
 - (c) at and abutting the point of abrupt change of a single STREET where the interior angle is less than 135 degrees and the radius of the STREET is less than 100 feet.
- (12) "LOT LINE, FRONT" is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
- (13) "LOT LINE, REAR" is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long

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and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

- (14) "PARKING SPACE" is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
- (15) "RIGHT-OF-WAY" is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
- (16) "SETBACK LINE" is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.
- (17) "SPECIAL CONDITION" is a condition for the establishment of a SPECIAL USE.
- (18) "STORAGE" is the presence of equipment, or raw materials or finished goods (packaged or bulk) including goods to be salvaged and items awaiting maintenance or repair and excluding the parking of operable vehicles.
- (19) "STREET" is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:
 - (a) MAJOR STREET: Federal or State highways.
 - (b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.
 - (c) MINOR STREET: Township roads and other local roads.
- (20) "USE" is the specific purpose for which land, a STRUCTURE or PREMISES, is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted USE" or its equivalent shall not be deemed to include any NONCONFORMING USE.
- (21) "VARIANCE" is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.
- (22) "YARD" is an OPEN SPACE, other than a COURT, of uniform width or depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.
- (23) "YARD, FRONT" is a YARD extending the full width of a LOT and situated between the FRONT LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT. Where a LOT is located such that its REAR

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and FRONT LOT LINES each about a STREET RIGHT-OF-WAY both such YARDS shall be classified as FRONT YARDS.

- (24) “YARD, REAR” is a YARD extending the full width of a LOT and situated between the REAR LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT.
- (25) “YARD, SIDE” is a YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.
- B. Section 5.1.15 of the Zoning Ordinance states: “The I-2 Heavy Industry DISTRICT is established to accommodate those manufacturing USES that have moderate environmental effects and are located in areas relatively remote from residential and prime retail development.
- C. Section 7.4 establishes requirements for off-street PARKING SPACES and LOADING BERTHS:
- (1) Section 7.4.1 A. states:
- a. All off-street PARKING SPACES shall be located on the same LOT or tract of land as the USE served.
 - b. All spaces for the accommodation of an AUTOMOBILE shall total at least 300 square feet including both parking and maneuvering area.
 - c. Location
 - (a) No such space shall be located less than 10 feet from any FRONT LOT LINE.
 - (b) No such space shall be located less than five feet from any side or REAR LOT LINE.
- (2) Section 7.4.1 B. states that the minimum size of off-street PARKING SPACES shall be at least 9 feet wide by 20 feet long.
- (3) Section 7.4.1 C.4. states, “Required parking SCREENS for commercial ESTABLISHMENTS shall be provided as follows:
- a. Parking areas for more than four vehicles of no more than 8,000 pounds gross vehicle weight each, excluding any vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials, located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type A SCREEN except that a TYPE B SCREEN may be erected along the rear LOT LINE of the business PROPERTY.
 - b. Parking areas for any number of vehicles exceeding 8,000 pounds in gross vehicle weight each or any number of vehicles used for hauling solid waste

except those used for hauling construction debris and other inert materials located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type D SCREEN.”

- (a) Residences adjacent to the subject property are non-conforming as to use; no parking screening is thus required.
- (4) Section 7.4.1 D. states: Off-street PARKING SPACES for Industrial USES shall be provided as follows:
- a. One space shall be provided for each three employees based upon the maximum number of persons employed during one work period during the day or night, plus one space for each VEHICLE used in the conduct of such USE. A minimum of one additional space shall be designated as a visitor PARKING SPACE.
 - b. All such spaces shall be surfaced with an all-weather dustless material.
 - c. Required parking SCREENS for industrial USES shall be provided as required in paragraph 7.4.1 C.4.
 - (a) Residences adjacent to the subject property are non-conforming as to use; no parking screening is thus required.
- (5) Section 7.4.2 A. refers to off-street LOADING BERTHS:
- a. All LOADING BERTHS shall have vertical clearance of at least 14 feet.
 - b. All LOADING BERTHS shall be designed with appropriate means of vehicular access to a STREET or ALLEY in a manner which will least interfere with traffic movement.
 - c. No VEHICLE repair or service work shall be performed on any LOADING BERTH.
 - d. No LOADING BERTH shall be located less than 10 feet from any FRONT LOT LINE and less than five feet from any side or REAR LOT LINE.
- (6) Section 7.4.2 D. states: Off-street LOADING BERTHS for Industrial USES shall be provided as follows:
- a. All LOADING BERTHS shall be located on the same LOT or tract of land as the Industrial USE served.
 - b. No such BERTH shall be located within any YARD abutting a residential DISTRICT or located less than 100 feet from the BUILDING RESTRICTION LINE of any LOT in an R DISTRICT or any lot containing a DWELLING conforming as to USE unless such BERTH is screened from public view by a Type D SCREEN.
 - c. No LOADING BERTH shall be located less than 50 feet from the nearest point of intersection of two STREETS.

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- d. All LOADING BERTHS shall be improved with a compacted base at least seven inches thick and shall be surfaced with at least two inches of some all-weather dustless material.
- (7) The schedule of off-street LOADING BERTHS for commercial ESTABLISHMENTS shall also apply to Industrial USES.
- a. The Schedule of off-street LOADING BERTHS is provided under Section 7.4.2 C.5. on page 7-23 of the Zoning Ordinance.
- D. Paragraph 9.1.9 D. of the *Zoning Ordinance* requires the ZBA to make the following findings for a variance:
- (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9 C. of the *Zoning Ordinance* states that a variance from the terms of the *Champaign County Zoning Ordinance* shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
 - a. That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district.
 - b. That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.
 - c. That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
 - d. That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
 - e. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
 - (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9 D.2.
- E. Regarding Part A of the proposed variance, for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet:
- (1) Minimum rear yard in the I-2 District is established in Section 5.3. of the Zoning Ordinance as 30 feet.
- F. Regarding Part B of the proposed variance, for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line:
- (1) Minimum separation between the front lot line and a parking space is established in Section 7.4.1. as 10 feet.
- G. Regarding Part C of the proposed variance, for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses:

- (1) Minimum number of loading berths for Industrial uses is established in Section 7.4.2. as 2 loading berths if the floor area of the establishment is between 10,000 and 25,999 square feet.

GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

7. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. The Petitioner has testified on the application, **“The small lot size in the Wilber Heights subdivision that was originally a residential subdivision are too small for the requirements in the current I-2 zoning.”**
 - B. ZUPA# 286-82-01 was approved on October 13, 1982, for construction of the existing storage building/garage.
 - (1) The detached building was permitted as an accessory structure to the residence at the time. This allowed for a rear yard of 15 feet.
 - (2) When the property converted to an industrial use, the storage building/garage became the principal structure. As a principal structure, the rear yard requirement became 30 feet.
 - C. Zoning in the unincorporated area was established on October 10, 1973, and this property was zoned I-2, consistent with the regulation of land use that the City of Champaign had implemented prior. As the transition continues toward Industrial uses, owners are finding that the small lots created for residential purposes approximately 100 years ago are difficult to design for current Industrial use needs and/or requirements.
 - (1) Streets in the Wilber Heights subdivision have right of ways which often extend farther into the yards than owners realize; this creates an additional limitation on how lots can be built upon and used.
 - D. The subject property is in the MS4 Area, which has more stringent regulations as per the State of Illinois and the Champaign County Stormwater Management and Erosion Control Ordinance. Additional controls and review are required as part of the Zoning Use Permit approval process, during construction, and during post-construction compliance review.
 - (1) Staff was concerned about drainage from washing the concrete pump vehicles at the subject property.
 - a. In an email received November 1, 2016, Mr. Buchanan stated: The concrete pump trucks are washed out and all concrete residue is washed off at the jobsites where they are working. The only washing done at the shop is to remove normal road film from the truck, similar to washing a car in the driveway.
 - b. Staff is investigating whether the washing of trucks outside is permissible due to the subject property’s location in the MS4 Area.

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

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
 - A. The Petitioner has testified on the application, **“The small lot size limits the buildable area for a Commercial/Industrial structure and the associated parking requirements.”**
 - B. Regarding Part A of the proposed variance, for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet: without the proposed variance, the proposed garage could only be 65 feet deep, and would make part of the property unusable for the proposed operations.
 - C. Regarding Part B of the proposed variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line: without the proposed variance, larger vehicles would not have room to park on-site along Wilber Avenue.
 - D. Regarding Part C of the proposed variance, for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses: without the proposed variance, the proposed building would need to be redesigned and/or reduced in size to make sufficient room for the berths.

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

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
 - A. The Petitioner has testified on the application, **“No they do not.”**
 - B. Zoning in the Wilber Heights subdivision changed from Residential to Industrial in the 1970s. As the transition continues toward Industrial uses, owners are finding that the small lots created for residential purposes approximately 100 years ago are difficult to design for current Industrial use needs and/or requirements.
 - C. A caretaker’s dwelling is allowed as an accessory use in the Business and Industrial Districts. The house is used for employees and subcontractors (i.e. out-of-town snow plow drivers, bringing in a specialized mechanic to fix one of their trucks) needing a place to stay. It is not rented out.

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

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
 - A. The Petitioner has testified on the application, **“The variances requested will allow the development of a Commercial/Industrial structure that will fit the intent of the I-2 zoning.”**

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- B. Regarding Part A of the proposed variance, for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet: the requested variance for the rear yard is 50% of the minimum required, for a variance of 50%.
- C. Regarding Part B of the proposed variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line: the requested variance is 0% of the minimum required, for a variance of 100%.
- D. Regarding Part C of the proposed variance, for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses: the requested variance is 0% of the minimum required, for a variance of 100%.
- E. Regarding Part A of the proposed variance, for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet: the Zoning Ordinance does not clearly state the considerations that underlie the rear yard requirements. In general, the rear yard is presumably intended to ensure the following:
- (1) Adequate light and air: The subject property is in industrial in use. The surrounding properties are in residential or industrial use.
 - (2) Separation of structures to prevent conflagration: The subject property is within the Eastern Prairie Fire Protection District and the station is also on Wilbur Avenue, approximately 200 feet from the subject property. The nearest structure on adjacent property to the proposed addition is a shed that is approximately 15 feet away.
 - (3) Aesthetics: Aesthetic benefit may be a consideration for any given yard and can be very subjective.
- F. Regarding Part B of the proposed variance, for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line: the Zoning Ordinance does not clearly state the considerations that underlie prohibiting parking within 10 feet of the front property line. Presumably the parking regulation is intended to ensure the following:
- (1) Safer access to and from the property for both road users and clients; and
 - (2) Adequate room for infrastructure maintenance and expansion.
- G. Regarding Part C of the proposed variance, for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses: off-street loading berths are presumably required to minimize congestion in the street when deliveries are made.
- (1) In an email received October 21, 2016, petitioner's agent Bob Buchanan stated: "The reasoning for the requested exemption of the loading berths is that the concrete pump trucks are never loaded here. They leave and go to construction sites and pump concrete only, and return just as there were when they left. Any loading or unloading that Sport or Duce does occurs inside the fence at our warehouse on the south side of Wilbur Avenue".

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

- 11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
 - A. The Petitioner has testified on the application: **“The proposed addition to the existing commercial structure matches the setback of the existing structure while allowing for proper drainage.”**
 - B. The Somer Township Road Commissioner has been notified of this variance, but no comments have been received.
 - C. Eastern Prairie Fire Protection District has been notified of this variance, but no comments have been received.
 - D. The nearest structure on adjacent property is a detached shed that appears to sit on the north property line.
 - E. The petitioners are making stormwater drainage improvements to ensure that neighboring properties will not be adversely affected by the increased impervious area.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

- 12. Generally regarding and other circumstances which justify the Variance:
 - A. The Petitioner has testified on the application: **“The requested variances allow for an adequate size structure and still maintain site lines, adequate space for off-street parking, and traffic flow along frontage of property.”**

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

- 13. Regarding proposed special conditions of approval:
 - A. **The Petitioner will not allow on-street parking on Wilbur Avenue or 4th Street.**
The special condition stated above is necessary to ensure the following:
To maximize safety for residents and business clients.
 - B. **A Zoning Use Permit shall be applied for within 30 days of the approval of Case 856-V-16.**
The above special condition is required to ensure the following:
The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.
 - C. **Prior to occupancy, the petitioner shall provide documentation of compliance with the IDOT construction permits for the two access driveways and associated drainage improvements.**
The above special condition is required to ensure the following:
That as-built construction reflects the pre-construction design approved by IDOT.

PRELIMINARY DRAFT**DOCUMENTS OF RECORD**

1. Variance Application received on September 12, 2016
2. Case File for Zoning Use Permit Application #271-16-01, with attachment:
 - A Preliminary Site and Erosion Control Plan received September 12, 2016
3. Case File for Zoning Use Permit Application #286-82-01
4. Email string between Susan Chavarria and Bob Buchanan dated October 20-21, 2016
5. Email from Bob Buchanan received October 27, 2016, with attachments:
 - A Revised Site Plan
 - B IDOT Highway Permit for construction of access drives, approved October 26, 2016
6. Preliminary Memorandum dated November 3, 2016 with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received September 12, 2016
 - C Revised Site Plan received October 27, 2016
 - D Email string between Susan Chavarria and Bob Buchanan dated October 20-21, 2016
 - E Two pages from IDOT Highway Permit packet received October 27, 2016:
 - Highway Permit Page 1
 - Drainage Plan
 - F Email from Bob Buchanan received November 1, 2016
 - G Images of Subject Property taken September 26, 2016
 - H Draft Summary of Evidence, Finding of Fact, and Final Determination dated November 10, 2016

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FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **856-V-16** held on **November 10, 2016**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
3. The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
4. The requested variance *{SUBJECT TO THE PROPOSED CONDITION}* *{IS / IS NOT}* in harmony with the general purpose and intent of the Ordinance because:
5. The requested variance *{SUBJECT TO THE PROPOSED CONDITION}* *{WILL / WILL NOT}* be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
6. The requested variance *{SUBJECT TO THE PROPOSED CONDITION}* *{IS / IS NOT}* the minimum variation that will make possible the reasonable use of the land/structure because:
7. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***

- A. **The Petitioner will not allow on-street parking on Wilbur Avenue or 4th Street.**

The special condition stated above is necessary to ensure the following:

To maximize safety for residents and business clients.

- B. **A Zoning Use Permit shall be applied for within 30 days of the approval of Case 856-V-16.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

- C. **Prior to occupancy, the petitioner shall provide documentation of compliance with the IDOT construction permits for the two access driveways and associated drainage improvements.**

The above special condition is required to ensure the following:

That as-built construction reflects the pre-construction design approved by IDOT.

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 for approval in Section 9.1.9.C *{HAVE/HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **856-V-16** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioner **Bob Buchanan, agent for Sport Redi-Mix, LLC**, to authorize the following variance in the I-2 Heavy Industry Zoning District:

- Part A: Authorize a variance for the addition to a principal structure with a rear yard of 15 feet in lieu of the minimum required 30 feet as per Section 5.3 of the Zoning Ordinance.
- Part B: Authorize a variance for parking 0 feet from the front property line in lieu of the minimum required 10 feet from the front property line as required by Section 7.4.1 of the Zoning Ordinance.
- Part C: Authorize a variance for providing 0 loading berths in lieu of the minimum required 2 loading berths for Industrial uses as per Section 7.4.2 of the Zoning Ordinance.

{SUBJECT TO THE FOLLOWING CONDITION(S):}

- A. **The Petitioner will not allow on-street parking on Wilbur Avenue or 4th Street.**
- B. **A Zoning Use Permit shall be applied for within 30 days of the approval of Case 856-V-16.**
- C. **Prior to occupancy, the petitioner shall provide documentation of compliance with the IDOT construction permits for the two access driveways and associated drainage improvements.**

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