Champaign County
Department of

PLANNING &

ZONING

Brookens Administrative
Center
1776 E. Washington Street

Urbana, Illinois 61802
(217) 384-3708
zoningdept@co.champaign.il.us

www.co.champaign.il.us/zoning

CASE 863-V-16

SUPPLEMENTAL MEMORANDUM #1 April 27, 2017

Petitioners: Scott Blakeney, Derek Wagner, and Tyler Wakefield

Request: Authorize the following Variance in the R-1 Single Family Residence

Zoning District for an existing residence and existing garage and a proposed patio and a proposed detached shed and unauthorized earth fill,

all located in an existing storm water drainage easement:

Part A. Authorize a variance from Section 4.2.2D. of the Champaign County Zoning Ordinance that no use shall be established, construction undertaken, nor fill placed in any recorded drainage or utility easement.

Part B. Authorize the following Variance from the Champaign County Storm Water Management and Erosion Control Ordinance:

- 1. Authorize a variance from Section 6.1 A. requiring that no fill shall be placed nor grade altered in such a manner to create a nuisance.
- 2. Authorize a variance from Section 6.3 G. prohibiting the destruction or obstruction of the operation of a storm water drainage system or storm water storage area.
- 3. Authorize a variance from Section 9.1 E. for a freeboard of 0 feet in lieu of a freeboard of one foot.
- 4. Authorize a variance from Section 9.1 C.1. for a release rate for the 50-year precipitation event far in excess of the maximum otherwise allowed that would be no greater than the rate of discharge from a 5-year return period precipitation event and an assumed row crop agricultural land cover.
- 5. Authorize a variance from Section 9.1 C.2. for a release rate for frequent storm events that exceeds the maximum otherwise allowed that would be no greater than the rate of discharge from 1-year, 2-year, and 5-year return period precipitation events and an assumed row crop agricultural land cover.

Subject Property: Lot 100 in Rolling Hills Estates V Subdivision in Section 12, Township

20 North, Range 7 East of the Third Principal Meridian in Mahomet Township, and commonly known as the residence at 2312 Pheasant

Ridge Road, Mahomet.

Site Area: 16,280 square feet (0.37 acre)

Time Schedule for Development: Existing and in use

Prepared by: Susan Burgstrom

Senior Planner

John Hall

Zoning Administrator

STATUS

An email from neighbor Kevin Schwenk was received on April 21, 2017. Mr. Schwenk is opposed to the variances requested for the subject property.

2

An email from Tom Overmyer, PE, President of Phoenix Consulting Engineers, was received on April 26, 2017. Mr. Overmyer recommends additional drainage analysis prior to making a determination on the variance.

ATTACHMENTS

- A Email from neighbor Kevin Schwenk was receive on April 21, 2017, with attachments:
 - 1 Invoice dated June 3, 1999 from Raup Construction, Inc.
 - 2 Invoice dated July 20, 1999 from Raup Construction, Inc.
 - 3 Invoice dated June 15, 1999 from Turner's Lawn Grading
 - 4 Undated bid from Turner's Lawn Grading for west side ditch
 - 5 Undated bid from Turner's Lawn Grading for east side of drive
 - 6 Undated bid from Turner's Lawn Grading for cleaning out trees behind house
 - 7 Invoice dated July 13, 2010 from Jackson Excavating for rip rap delivery
 - 8 2 aerial photos of subject property, undated
 - 9 Signed note from Scott Blakeney to Kevin Schwenk, undated
- B Email from Tom Overmyer, PE, President of Phoenix Consulting Engineers, received on April 26, 2017

Susan Burgstrom

From: Kevin Schwenk <kevin@deansblueprint.com>

Sent: Thursday, April 20, 2017 7:20 PM

To: John Hall

Cc: Susan Burgstrom
Subject: Re: Mahomet Drainage
Attachments: BLAKENEY_NOTE_5-5-16.pdf;

SCHWENK_INVOICES_EROSION_CONTROL_RIDGE_CREEK_LOT-4.pdf; Blakeney_1.pdf;

Blakeney_2.pdf

Hello John,

We received the Public Notice for the Blakeney's SIX zoning variances that will be petitioned April 27, 2017. It looks to me that SIX laws have been broken! Correct me if I'm wrong. Hopefully the County has a good lawyer and engineer on their side because Blakeney is dug in like a Groundhog!

I've attached for the record my receipts for previous erosion control work on my Lot-4 property. We had 110.5 tons of rip rap hauled in at our expense of \$8,900.00. This work was done prior to Blakeney filling the retention area. Our subdivision had experienced large rains in 1999, and the amount of water that flowed from Rolling Hills Sub can be tremendous. The Shallenberger's 9' high Allen-Block retaining wall eventually collapsed from the amount of water that flowed between our properties.

Have also attached aerial photos that clearly show where Blakeney completely filled the retention pond and area surrounding their whole property. Deliberately and intentionally done without prior professional engineering!

Also attached is the note written and signed by Scott Blakeney saying that he would, "Do whatever it takes to take care of any damages".

The note was stuck in my front door after he or someone he hired cut down a 25' section of privacy landscaping. Whatever it takes must have meant to him 2/3's, because that's all he would pay for reimbursement of damages when presented with the invoice from the landscape company I had to hire. I just want the County Zoning Board to be aware that Scott Blakeney will be all nice and shake hands, say he wants to be a good neighbor and comply with your ordinances but, in fact, "He will do whatever it takes to keep that fill dirt in there"!

Please advise us if we would be prudent in having legal council present at this public hearing.

Unfortunately, I have a prior business commitment out of state next week and will be unable to attend, although my wife and concerned, affected, adjacent property owners will be present to oppose these variances.

Thank you,

Kevin D. Schwenk, Pres. Dean's Superior Blueprint, Inc. 404 E. University Ave. APR 21 2017

Raup Construction, Inc.

P.O. Box 45 Thomasboro, IL 61878

Invoice

DATE	INVOICE#
6/3/99	R99021

BILL TO

Kevin Schwenk
1207 N Charter Oak Circle
Mahomet, Il 61853

RECEIVED

APR 21 2017

CHAMPAIGN CO. P & 2 DEPARTMENT

		P.O. NO.	TERMS	PROJECT	
			Net 15		
QUANTITY	DESCRIPTION		RATE	AMOUNT	
west &	14.5 tons rock @ 12.00 per ton			174.00 174.00	1
sile ?	14 tons rock @ 12.00 per ton			168.00	
	15 tons rock @ 12.00 per ton			180.00	
East S	14.5 tons rock @ 12.00 per ton			174.00	>
	14.5 tons rock @ 12.00 per ton			174.00	4
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33				01.7	
				pd 4-7	
	**		Total	\$870.00	1

BID (service and materials)

Turner's Lawn Grading Luke Turner 248cr 2500n **Mahomet,IL 61853** (217)586-2126

898-0750 APR

RECEIVED

APR 21 2017

CHAMPAIGN CO. P & Z DEPARTMENT

We are pleased to submit	the following bid:
--------------------------	--------------------

Job Description:

Kevin Schwenk

Add soil around drive, rip rap around pipe and extend pipe

MATERIALS

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
2.00	culvert	\$300.00	600.00
10.00	Loads of fill dirt	\$80.00	800.00
150.00	Pounds of seed	\$1.95	292:50
	Stranger Were and Stranger Control		en de la company de la comp La company de la company d
	医抗生物 医乳腺 计图像 电电阻 医阴影		
		Materials total:	1,692:50

SERVICE

HOURS	DESCRIPTION	CHARGES	TOTAL
6.50	Grading fill	\$75.00	487.50
4.00	Hours of putting Rip Rap down	\$75.00	300,00
2.00	putting down mat	\$75.00	150.00
4.00	Hours of addind culvert	\$75.00	300.00
N-MELLE OF 10, 2751 (M) 5		Service total: Total bid price:	1,237.50 2,930.00

n	valid until:		
wnco	vane men		

Total 5145. -Paid 6-15-99

CHARLES RAUP P.O. BOX 45 THOMASBORO, IL 61878

Invoice No:

Date: 07-20-99 TERMS: NET 15

RECEIVED

Ship To:

APR 21 2017

CHAMPAIGN CO. P & Z DEPARTMENT

To:	Kevin Schwenk
	1207 N Charter Oak Circle
	Mahamat I1 61853

QUANTITY	R	DESCRIPTION		RATE	AMOUNT
23.8	Tons rip	ŗap		15.70	373.66
1	Tandem 1	oad black dirt	1	150.00	150.00
8)	т ж	P 323	, i	e 85 848 - 34	
9	©			4	/
	±		2: 57 13	14 20	
8 3			+ + + +		*** **********************************
	A 10		** *** ***	# # # #	pd. 7-201
			TOT	AL DUE	523.66

Make checks payable to: Charles Raup

If you have any questions concerning this invoice, call (217): 643-2997

THANK YOU FOR YOUR BUSINESS!

BID (service and materials)

Turner's Lawn Grading

Luke Turner 248cr 2500n Mahomet IL 61853 586-2126 Home 898-0750 mobile

RECEIVED
APR 21 2017

CHAMPAIGN CO. P & Z DEPARTMENT

Kevin Schwenk

We are pleased to submit the following bid:

Job Description:

Clean trees out of bottom of ditch, shape the bottom of the ditch, put erosion mat down a

cover bottom of ditch with 3-6 inch rip rap ten feet wide. West side ditch

MATERIALS

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1.00	Erosion mat 140 feet by 10 wide		\$240.00
5.00	loads of fill dirt		\$400.00
100.00	pounds of seed	1.95	195,00
THE VIEW	Statement of the statem		
		Materiais total:	835.00

SERVICE

HOURS	DESCRIPTION	CHARGES	TOTAL
6.00	clean trees out of bottom of ditch	\$75.00	450.00
4.00	Grading bottom of ditch	\$75.00	300.00
4.00	putting in rip rap	\$75.00	900.00
2.00	putting erosion met down	\$15.00	30.00
	trees disposal	\$150.00	\$150.00
2.00	Grading down fill dirt	\$75.00	150.00
DE CHARLES CONTROL	The programming of the second control of the	Service total:	1,380.00
		Total bid price:	2,215.00

Bill

Turner's Lawn Grading 248cr 2500n Mahomet,IL 61853 586-2126 898-0750

Kevin Schwenk

RECEIVED
APR 21 2017

CHAMPAIGN CO. P & Z DEPARTMENT

We are pleased to submit the following bid:

Job Description:

Grade bottom of ditch on North East sof ditch, put erosion mat down and 3-6 inch

rip rap the lenght of ditch and ten feet wide

(east side of drive)

MATERIALS

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1.00	DESCRIPTION Erosion mat 220 feet by 10 wide		\$350.00
8.00	Loads of fill dirt		\$640.00
100.00	pounds of seed	1.95	
T1 - E			

SERVICE

HOURS	DESCRIPTION	CHARGES	TOTAL
3.50	grading bottom of ditch	\$75.00	262.50
3.00		\$75.00	225.00
2.00	laying erosion mat down	\$15.00	30.00
3.00	grading down fill dirt	\$75.00	225:00
		Service total: Total bid price:	742.50 1.927.50

Bill

Turner's Lawn Gading 248cr 2500n Mahomet,il 61853 586-2126

RECEIVED

APR 21 2017

Kevin Schwenk

CHAMPAIGN CO. P & Z DEPARTMENT

375.00

633.00

Service total:

Total bid price:

ob Descript	ion: Clean trees out and add fill dirt	Behind house	
ATERIALS			Macan Assaulteren ar Phase Shipe Sengari
QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
3.00	oads of fill dirt		\$180.00
	pounds of seed	\$1.95	78.00
ERVICE		Materials total:	250(00
HOURS	DESCRIPTION	CHARGES	TOTAL
2.00	Grading fill	\$75.00	150.00
	removal of trees	\$75.00	225.00





JACKSON EXCAVATING, INC. P.O BOX 1162 MAHOMET, IL 61853 (217) 202-3396

7/13/2010 1156

BILL TO:

KEVIN SCHWANK 1207 CHARTER OAKS CIRCLE MAHOMET, IL 61853 RECEIVED

APR 2 1 2017

CHAMPAIGN CO. P & 2 DEPARTMENT

-	P.O. NUMBER	TERMS	PROJECT
		1	7.0
QUANTITY	DESCRIPTION	RATE	AMOUNT
2.2	TANDEM- 6/30/10- HAULED IN 1 LOAD 6 X 9 RIP RAP FROM FAIRMOUNT	65.00	146.25
14.2	6 X 9 RIP RAP	21.60	306.94

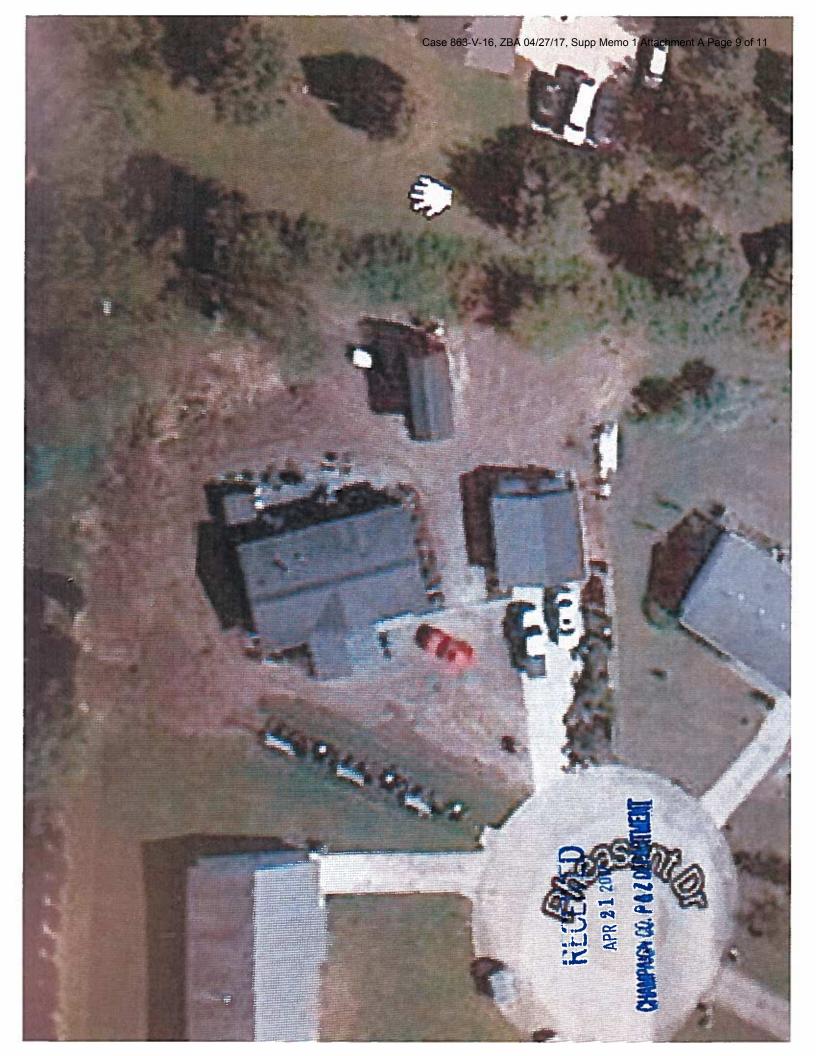
THANK YOU FOR YOUR BUSINESS

S ZUUS INTUIT INC. # 194

TOTAL



PL -19:





This is your neighbor
Scott could you please

call me at 217-714-2490

Want to do what ever it takes to take care of any danages

Very Sorry

RECEIVED

APR 21 2017

CHAMPAIGN CO. P & Z DEPARTMENT

Scott Blakeney

Susan Burgstrom

From:

Tom Overmyer <tovermyer@phoenix-ce.com>

Sent:

Wednesday, April 26, 2017 8:32 AM

To:

Susan Burgstrom

Cc: Subject: Eric PCE Re: Blakeney

Follow Up Flag:

Follow up

APR 26 2017

RECEIVED

Flag Status:

Flagged

CHAMPAIGN IC P & 7 DEPARTMENT

Susan

We have discussed the items with Scott and he has authorized us to analyze the items presented in my earlier email. We will need 30 days to perform the work and submit to the County for comments.

Thanks

Tom

Thomas L Overmyer, PE

President
Phoenix Consulting Engineers, Ltd
421 E Main Street, PO Box 1187
Mahomet IL 61853
P 217-586-1803 Ext 1 : C 217-840-7235

On Wed, Apr 26, 2017 at 8:26 AM, Susan Burgstrom <sburgstrom@co.champaign.il.us> wrote:

Thanks Tom and Eric.

John Hall responded with the following: I don't think they need to be there but what would be helpful are the following:

- (1) an email from Tom stating that their client has in fact authorized them to proceed with an analysis of the changes to be made; and
- (2) an estimate from Tom for when he could get a revised proposal to us for review so that Mr. Blakeney and the Board will know how long the case will need to be continued.

Thanks, Susan

Susan Burgstrom, AICP, PCED

Champaign County Department of Planning & Zoning 1776 East Washington Street Urbana, IL 61802

P: <u>217-384-3708</u> F: 217-819-4021 From: Tom Overmyer [mailto:tovermyer@phoenix-ce.com]

Sent: Wednesday, April 26, 2017 8:06 AM

To: Susan Burgstrom < sburgstrom@co.champaign.il.us>

Cc: Eric PCE <ehewitt@phoenix-ce.com>

Subject: Blakeney

Susan

We have reviewed John's email regarding other options that need to be evaluated prior to making a determination on the variance. We agree with John's recommendation to delay action on the variance until other options have been analyzed by Phoenix Consulting Engineers and reviewed by the County officials.

At our meeting today we discussed the following items:

- 1. Raising the overflow beam to created more storage volume. The as-built top of berm elevation appears to be lower than the original design.
- 2. Remove the culvert installed in the side yard drainage way.
- 3. Remove some fill material and regrade to reestablish some of the storage volume.
- 4. Relocate the portable shed to the original agreed location.
- 5. Possible landscape retaining walls to create lawn terracing to create more storage volume.

Our goal is to limit flows going over the overflow berm and provide maximum storage volume while allowing the owner the use of his yard in joyful manner.

Please let us know if we should attend the meeting on the 27th to provide support for delaying any action.

Thanks Tom

Thomas L Overmyer, PE

President
Phoenix Consulting Engineers, Ltd
421 E Main Street, PO Box 1187
Mahomet IL 61853
P 217-586-1803 Ext 1 : C 217-840-7235