



CASES 960-S-19 & 975-V-20

SUPPLEMENTAL MEMORANDUM #2

July 9, 2020

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

(217) 384-3708

zoningdept@co.champaign.il.us

www.co.champaign.il.us/zoning

Petitioner: Travis and Amanda Heath

Request: Authorize a Special Use Permit for construction of an artificial lake of 1 or more acres in area in the AG-1 Agriculture Zoning District

Location: An 18.93 acre tract that is part of the West Half of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 23 of Township 21 North, Range 7 East of the Third Principal Meridian in Newcomb Township, commonly known as the vacant tract just west of the residence with an address of 485 CR 2675N, Mahomet.

Site Area: 18.93 acres

Time Schedule for Development: As soon as possible

Prepared by: **Susan Burgstrom**
Senior Planner

John Hall
Zoning Administrator

STATUS

October 31, 2019 ZBA Meeting: The hearing for Case 960-S-19 opened and was immediately continued to December 12, 2019 because the petitioner had not yet received engineering plans from his engineer.

December 12, 2019 ZBA Meeting: The Board continued the case to February 13, 2020 for the same reason.

January 29, 2020 P&Z Staff received engineering plans prepared by Rex Bradfield, P.E., P.L.S. in time for being considered at the February 13th ZBA meeting.

February 6, 2020 P&Z Staff received a General Engineering Report on Design, also by Mr. Bradfield. Mr. Don Wauthier with Berns, Clancy & Associates (BCA) provided some preliminary comments about the unorthodox approach Mr. Bradfield was taking to the project and P&Z Staff asked Mr. Heath if he wanted to proceed with the review based on that information.

February 12, 2020 Based on Mr. Heath deciding to wait for revised documents from Mr. Bradfield, the February 13, 2020 ZBA meeting was cancelled, and the hearing was tentatively rescheduled for April 16.

March 23, 2020 Mr. Bradfield submitted updated documents to the P&Z Department. This was the last day the P&Z Department was open due to COVID-19.

March 26, 2020 P&Z Staff forwarded the documents to the Department's consulting engineer, BCA, so that they could review it for compliance with SWMEC and Illinois Department of Natural Resources (IDNR) Division of Water Resources dam requirements. BCA was also closed due to COVID-19.

May 5, 2020	BCA submitted its review report to P&Z Staff. This document was posted as a Document of Record on the ZBA meetings page on July 8, 2020.
May 19, 2020	P&Z Staff sent the report to Mr. Heath and Mr. Bradfield. Mr. Bradfield consulted with John Hall and Don Wauthier, BCA engineer later in May.
July 6, 2020	Mr. Bradfield submitted his revised plan (see Attachment D) to the Department. P&Z Staff found that Mr. Bradfield's revisions resolved the 13 "Items Needed for Approval" made by Don Wauthier on Page 5 of the BCA review report.

Note that P&Z Staff have entered the January and March revisions as Documents of Record, but are not distributing them for the July 16th ZBA meeting to avoid confusion with the most recent (July 6th) submittal from Mr. Bradfield. P&Z Staff believes that all necessary information has been received in order to make a determination for the Special Use Permit and Variance.

VARIANCE REQUIRED

Zoning Case 975-V-20 was added for the pond project because Mr. Bradfield utilized the Rational Method rather than the TR-55 Method required by the *Storm Water Management and Erosion Control* (SWMEC) Ordinance. The case was re-advertised to include both the Special Use Permit and Variance on July 1, 2020 – see Attachment A. The Summary of Evidence was revised to include the variance factors – see Attachment F.

COMPLIANCE WITH THE ZONING ORDINANCE

Development of an "artificial lake of 1 or more acres" requires a Special Use Permit in the AG-1 zoning district. There are no standard conditions of approval in Section 6.1 for this use.

COMPLIANCE WITH SWMEC ORDINANCE

The proposed pond is subject to the *Storm Water Management and Erosion Control Ordinance* (SWMEC), which requires a Storm Water Drainage Plan (SWDP) for this project. Approval of the SWDP is not required by the Board; it is approved by the Zoning Administrator. SWMEC compliance verification will be done during the Zoning Use Permit approval process should the Special Use Permit and Variance cases be approved.

The engineering plans received July 6, 2020 were reviewed by BCA for compliance with SWMEC and Illinois Department of Natural Resources Division of Water Resources dam requirements. The plans appear to be compliant with the SWMEC Ordinance, subject to variance approval for Case 975-V-20, and with the IDNR dam requirements.

The petitioner submitted the required Notice of Intent to Illinois EPA; see Attachment E. The Revised Summary of Evidence dated July 16, 2020 includes the following evidence under Item 8.B.(2):

- (2) "A Notice of Intent for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit was submitted to Illinois EPA on February 7, 2020, and was approved as NPDES Permit #ILR10BGF41. The permit is valid from March 9, 2020 to July 31, 2023."

PROPOSED SPECIAL CONDITIONS - REVISED

- A. Construction of the pond shall be consistent with the Revised Engineering Plans received July 6, 2020. A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit approval process and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.

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

The construction of the pond conforms to the approved plans in Zoning Cases 960-S-19 and the requirements of the Storm Water Management and Erosion Control Ordinance subject to variance authorized in Case 975-V-20.

- B. A ~~Change of Zoning~~ Use Permit application shall be submitted within two weeks with the Storm Water Drainage Plan after approval of Zoning Cases 960-S-19 and 975-V-20.

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

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

ATTACHMENTS

- A Legal advertisement for Cases 960-S-19 and 975-V-20
- B Case Maps
- C Map: 2008 Elevation Contours on 2017 aerial created by P&Z Staff
- D Revised Engineering plans prepared by Rex Bradfield, received July 6, 2020
- E IEPA Notice of Intent printout for Heath pond from IEPA website, accessed June 2, 2020
- F Revised Summary of Evidence, Finding of Fact, and Final Determination for Cases 960-S-19 and 975-V-20 dated July 16, 2020

LEGAL PUBLICATION: WEDNESDAY, JULY 1, 2020 CASES: 960-S-19 & 975-V-20

NOTICE OF PUBLIC HEARING IN REGARD TO A SPECIAL USE PERMIT AND A VARIANCE UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE.

CASES: 960-S-19 and 975-V-20

Travis Heath, 2653 CR 500E, Mahomet, has filed a petition for a Special Use Permit and a Variance under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 E. Washington Street, Urbana, IL.

A public hearing will be held **Thursday, July 16, 2020, at 6:30 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 E. Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider the following petitions:

Case 960-S-19

Authorize a Special Use Permit for construction of an artificial lake of 1 or more acres in area in the AG-1 Agriculture Zoning District on the property described below.

Case 975-V-20

Authorize a variance from Section 9.1 A.2. of the Storm Water Management and Erosion Control Ordinance for an artificial lake in the AG-1 Zoning District for using the Rational Method rather than the TR-55 Method for calculating required storm water storage for a development watershed area more than 10 acres in area but less than 2,000 acres in area.

Subject Property:

An 18.93 acre tract that is part of the West Half of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 23 of Township 21 North, Range 7 East of the Third Principal Meridian in Newcomb Township, commonly known as the vacant tract just west of the residence with an address of 485 CR 2675N, Mahomet.

All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: FRIDAY, JULY 1, 2020 ONLY

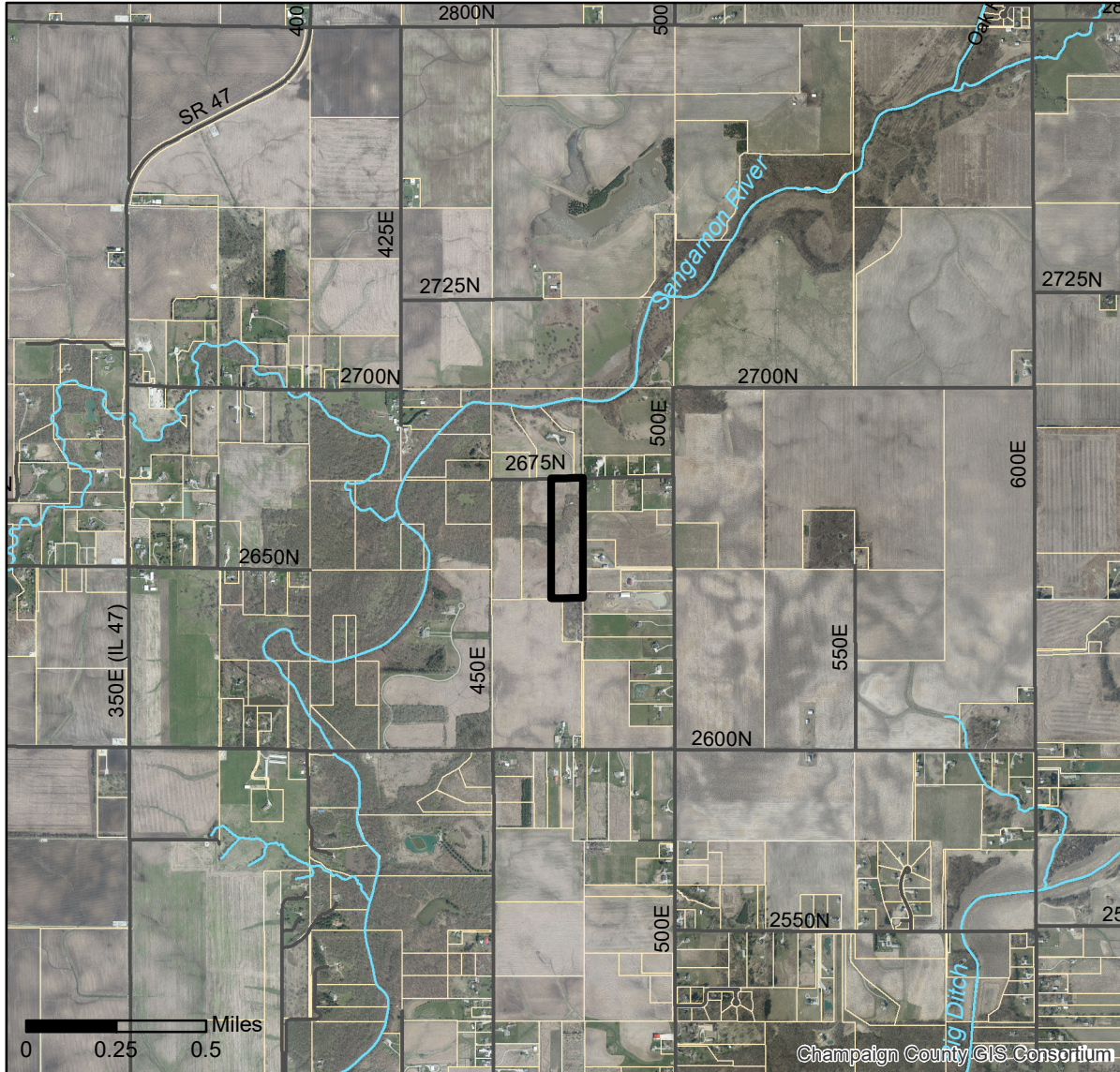
Send bill and one copy to: Champaign County Planning and Zoning Dept.
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802

Phone: 384-3708

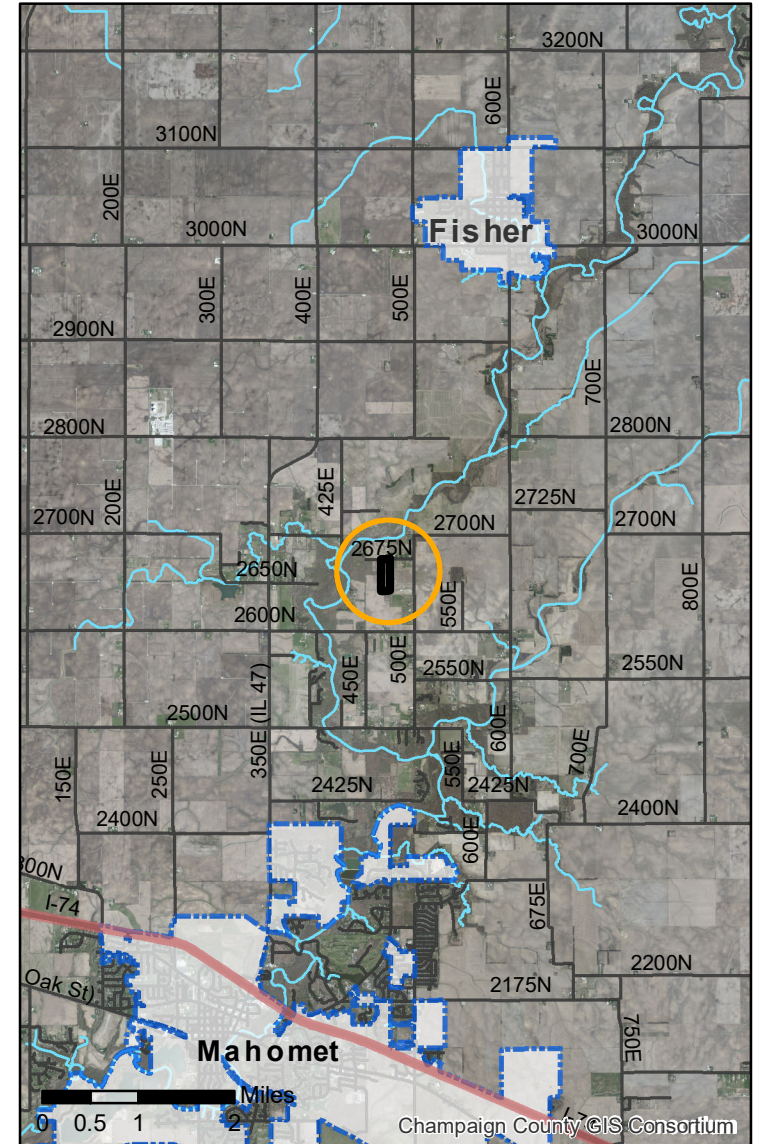
Location Map

Case 960-V-19
October 31, 2019




Subject Property



Property location in Champaign County



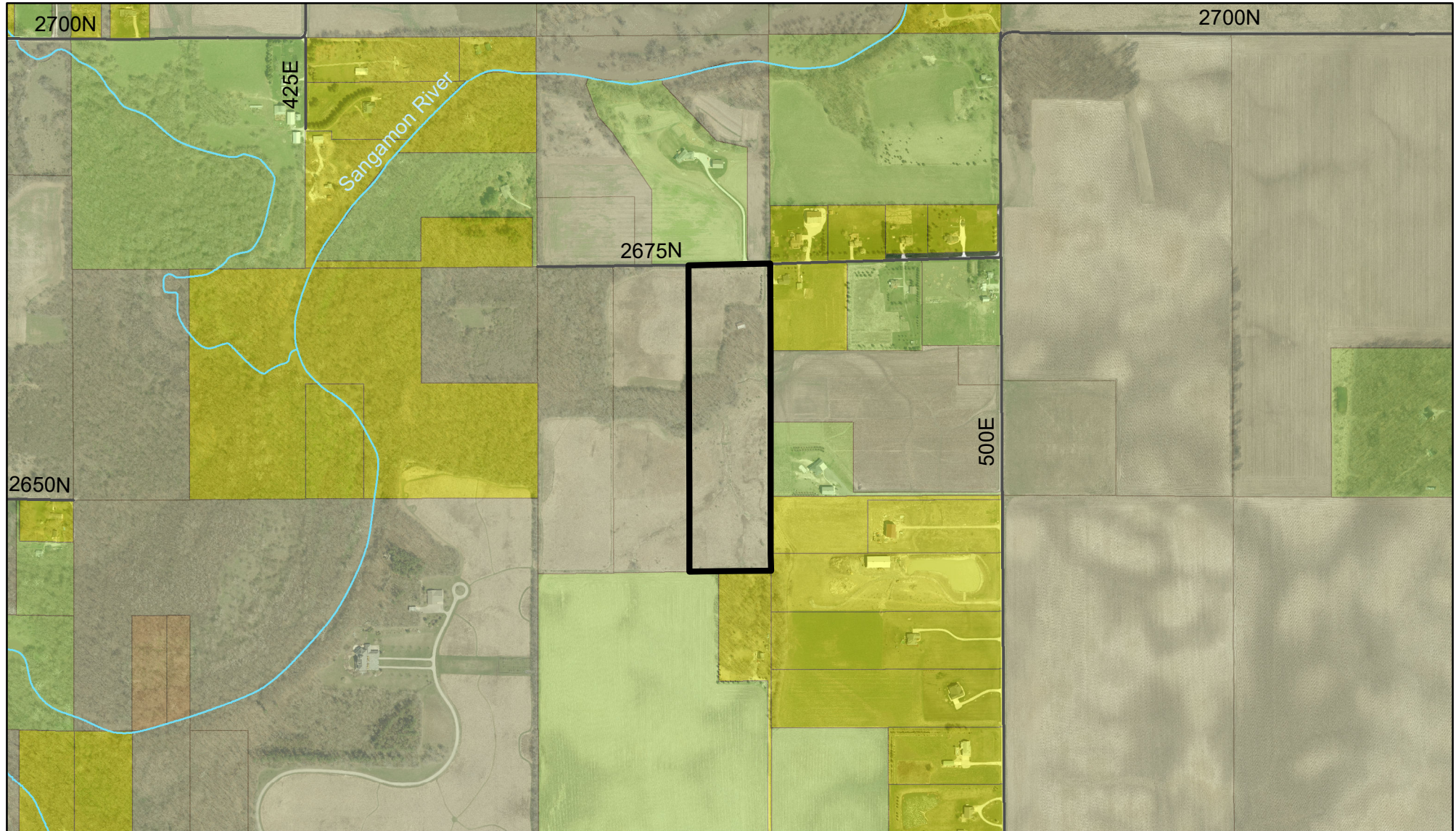
Legend

-  Subject Property
-  Parcels
-  Streams




Land Use Map

Case 960-S-19
October 31, 2019



Legend

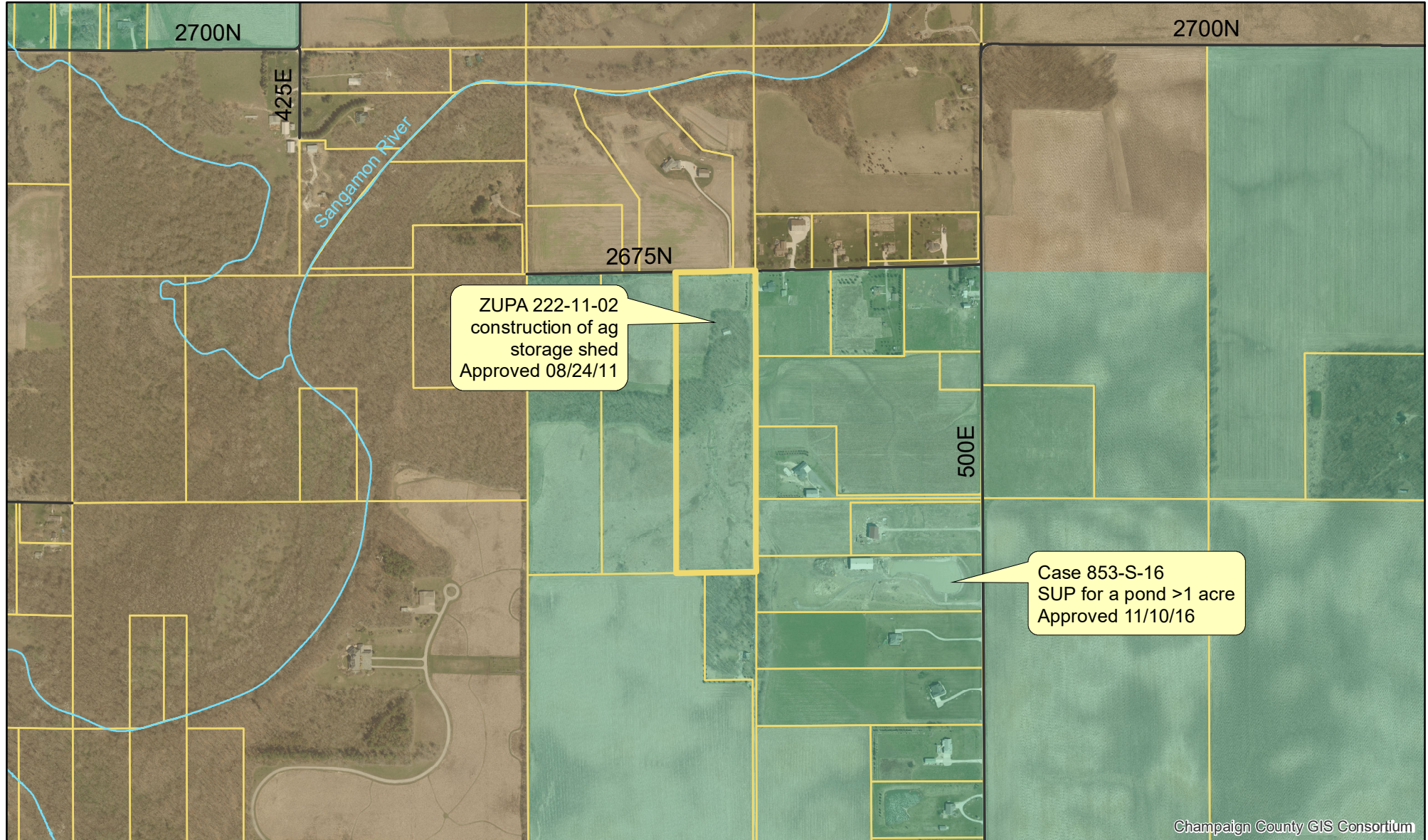
-  Subject Property
-  Residential
-  Agriculture
-  Tax Exempt
-  Ag-Residential

0 200 400 800 Feet



Zoning Map

Case 960-S-19
October 31, 2019



Legend

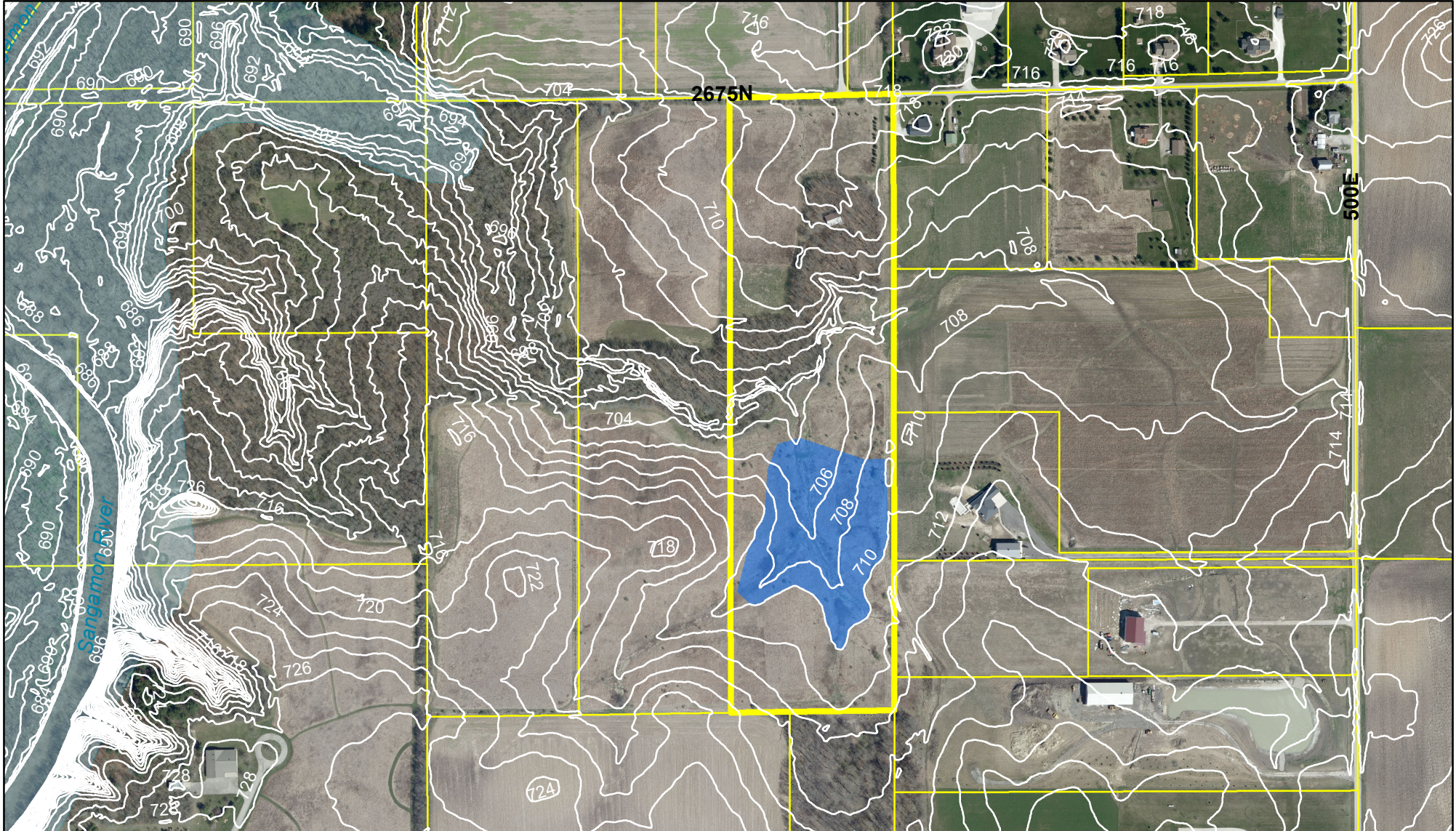
- Subject Property
- AG-1 Agriculture
- CR Conservation Recreation
- Parcels

0 200 400 800 Feet








2008 Elevation Contours on 2017 aerial

Case 960-S-19
October 31, 2019



Legend

-  Subject Property
-  Approximate Proposed Pond Area
-  Parcels
-  700 Elevation contours (2008)
-  Mapped Floodplain

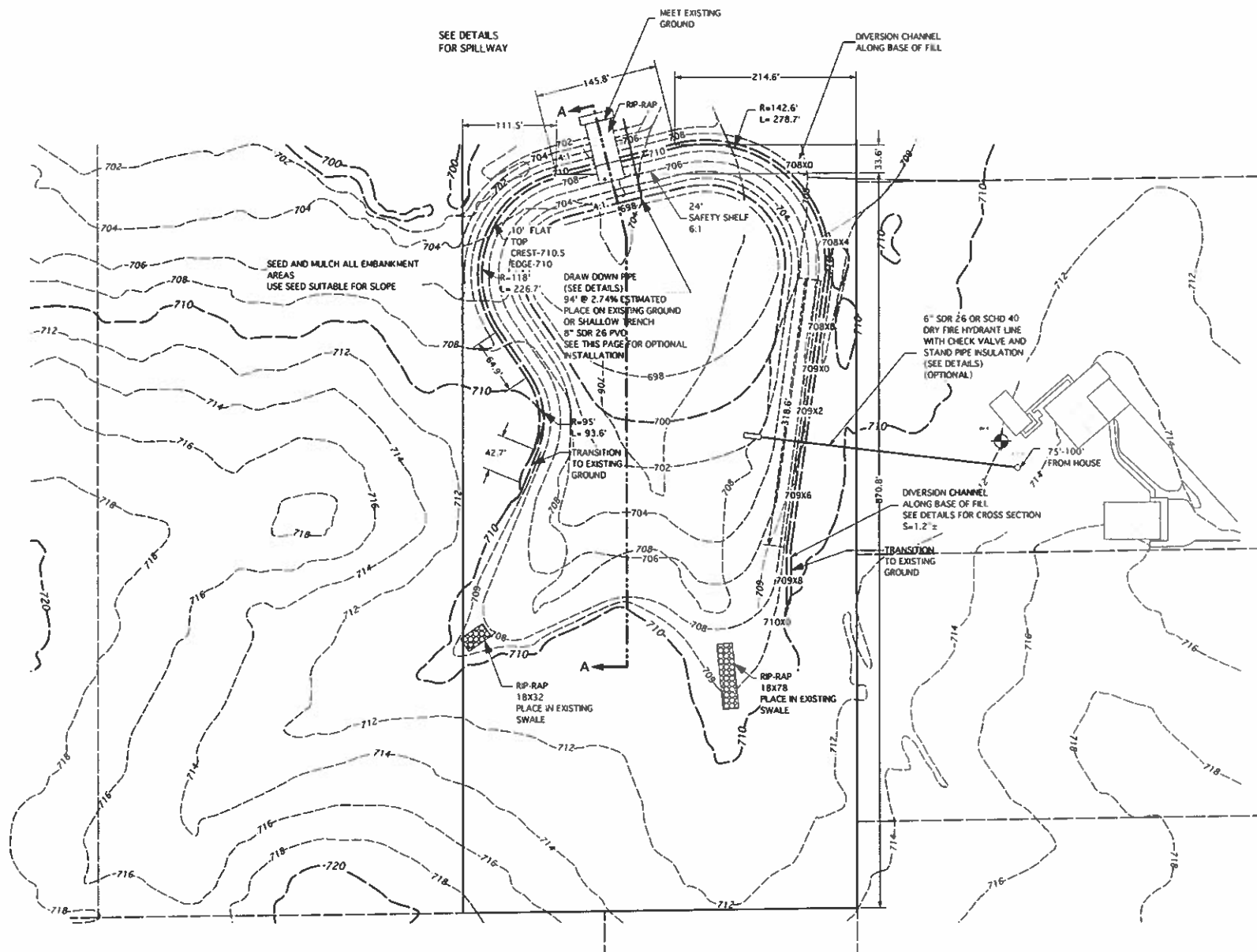
0 100 200 400 Feet



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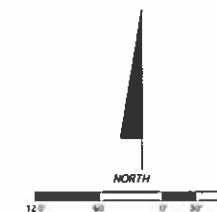
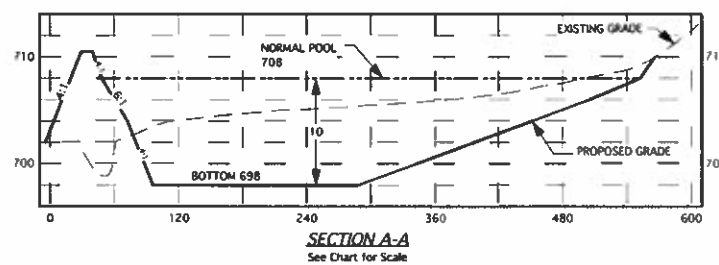
JUL 06 2020

CHAMPAIGN CO P & Z DEPARTMENT



NOTES

1. Champaign County Storm Water Management and Erosion Control Ordinance and also the Champaign County Subdivision Ordinance (if necessary) and the latest edition of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction in Illinois.
2. All areas shall be protected by the Construction Erosion Control methods as defined by the State of Illinois and Champaign County ordinances. The Contractor shall submit a Construction Control Plan to the Engineer prior to commencing construction. The Contractor shall determine the methods and apprentices for his operation, but those methods shall be according to the IDOT standards.
3. All materials shall comply with the Standard Specifications.
4. All methods and equipment shall comply with the Standard Specifications.
5. All seeding and mulch shall comply with the Standard Specifications.
6. The drain down PVC culvert shall be locked to prevent accidental drain down.
7. The elevations are referenced to the Champaign County 2008 Contours shown on the GIS mapping. A reference benchmark has been provided on the property of the Owner. That benchmark R-1 is an iron rod bearing a cap stamped Rex and is Elevation 712.3 reference elevation for these plans.
8. The Owner will consult with local Fire Officials to determine the most useful location for the Optional Dry Pipe Fire Water System. Generally, the hydrant pipe shall be 75'-100' from the house.

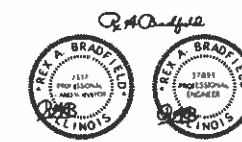


ENGINEER/SURVEYOR CERTIFICATION

I, REX A. BRADFIELD, ILLINOIS PROFESSIONAL ENGINEER NO. 37893 AND ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2537, DO HEREBY CERTIFY THAT I HAVE PREPARED THE ATTACHED PLANS AND CALCULATIONS.

GIVEN MY HAND AND SEAL ON THIS DATE IN URBANA, ILLINOIS.

Rex A. Bradfield
 7/6/2020
 ILLINOIS P.E. NO. 37893, L.C. EXP. 11/21
 ILLINOIS P.L.S. NO. 2537, L.C. EXP. 11/20



Prepared by	Rev. Bradfield
Checked by	
Drawn by	
App. by	
Date	7/1/20
Scale	AS SHOWN
Sheet	1 of 1
Project	GRADING & PLAN VIEW & NOTES
Client	Kevin Pagel for Travis J. Heath
Address	E1/2, S3-21N 7E, 3rd P.M.
City	Urbana, Illinois
State	Illinois
Year	19-0019-003



Kevin Pagel
 for
 Travis J. Heath
 E1/2, S3-21N 7E, 3rd P.M.
 Urbana, Illinois

EARTHWORK NOTES

1. SCOPE
 THE WORK CONSISTS OF THE CONSTRUCTION OF EARTH EMBANKMENTS, OTHER EARTHFILLS, AND EARTH BACKFILLS REQUIRED BY THE DRAWINGS AND SPECIFICATIONS.
 EARTHFILL IS COMPOSED OF NATURAL EARTH MATERIALS THAT CAN BE PLACED AND COMPACTED BY CONSTRUCTION EQUIPMENT OPERATED IN A CONVENTIONAL MANNER.
 EARTH BACKFILL IS COMPOSED OF NATURAL EARTH MATERIAL PLACED AND COMPACTED IN CONFINED SPACES OR ADJACENT TO STRUCTURES (INCLUDING PIPES) BY HAND TAMPING, MANUALLY DIRECTED POWER TAMPERS OR VIBRATING PLATES, OR THEIR EQUIVALENT.

2. MATERIALS
 ALL FILL MATERIAL SHALL BE OBTAINED FROM REQUIRED EXCAVATIONS AND DESIGNATED BORROW AREAS. THE SELECTION, BLENDING, ROUTING, AND DISPOSITION OF MATERIAL IN THE VARIOUS FILLS SHALL BE SUBJECT TO APPROVAL BY THE ENGINEER. FILL MATERIALS SHALL CONTAIN NO FROZEN SOIL, SOO, BRUSH, ROOTS, OR OTHER PERSHABLE MATERIAL. ROCK PARTICLES LARGER THAN THE MAXIMUM SIZE SPECIFIED FOR EACH TYPE OF FILL SHALL BE REMOVED PRIOR TO COMPACTION OF THE FILL. THE TYPES OF MATERIAL USED IN THE VARIOUS FILLS SHALL BE AS LISTED AND DESCRIBED IN THE SPECIFICATIONS AND DRAWINGS. NO MATERIAL CONTAINING ANY TOP SOIL SHALL BE PLACED IN THE DAM/EMBANKMENT. THE MATERIALS IN THE DAM/EMBANKMENT SHALL BE CLAY MATERIAL WITH LOW LEVELS OF PERMEABILITY.

3. FOUNDATION PREPARATION
 FOUNDATIONS FOR EARTHFILL SHALL BE STRIPPED TO REMOVE VEGETATION AND OTHER UNSUITABLE MATERIAL OR SHALL BE EXCAVATED AS SPECIFIED. SEE SECTION 10 (BELOW FOR ADDITIONAL INFORMATION).
 EXCEPT AS OTHERWISE SPECIFIED, EARTH FOUNDATION SURFACES SHALL BE GRADED TO REMOVE SURFACE IRREGULARITIES AND SHALL BE SCARIFIED PARALLEL TO THE AXIS OF THE FILL OR OTHERWISE ACCEPTABLY SCORED AND LOOSENED TO A MINIMUM DEPTH OF 2 INCHES. THE MOISTURE CONTENT OF THE LOOSENED MATERIAL SHALL BE CONTROLLED AS SPECIFIED FOR THE EARTHFILL, AND THE SURFACE MATERIAL OF THE FOUNDATION SHALL BE COMPACTED AND BONDED WITH THE FIRST LAYER OF EARTHFILL AS SPECIFIED FOR SUBSEQUENT LAYERS OF EARTHFILL.
 EARTH ABUTMENT SURFACES SHALL BE FREE OF LOOSE, UNCOMPACTED EARTH IN EXCESS OF 2 INCHES IN DEPTH NORMAL TO THE SLOPE AND SHALL BE AT SUCH A MOISTURE CONTENT THAT THE EARTHFILL CAN BE COMPACTED AGAINST THEM TO PRODUCE A GOOD BOND BETWEEN THE FILL AND THE ABUTMENTS.
 ROCK FOUNDATION AND ABUTMENT SURFACES SHALL BE CLEARED OF ALL LOOSE MATERIAL BY HAND OR OTHER EFFECTIVE MEANS AND SHALL BE FREE OF STANDING WATER WHEN FILL IS PLACED UPON THEM. OCCASIONAL ROCK OUTCROPS IN EARTH FOUNDATIONS FOR EARTHFILL, EXCEPT IN DAMS AND OTHER STRUCTURES DESIGNED TO RESTRAIN THE MOVEMENT OF WATER, SHALL NOT REQUIRE SPECIAL TREATMENT IF THEY DO NOT INTERFERE WITH COMPACTION OF THE FOUNDATION AND INITIAL LAYERS OF THE FILL OR THE BOND BETWEEN THE FOUNDATION AND THE FILL.
 FOUNDATION AND ABUTMENT SURFACES SHALL BE NO STEEPER THAN ONE HORIZONTAL TO ONE VERTICAL UNLESS OTHERWISE SPECIFIED.
 TEST PITS OR OTHER CAVITIES SHALL BE FILLED WITH COMPACTED EARTHFILL CONFORMING TO THE SPECIFICATIONS FOR THE EARTHFILL TO BE PLACED UPON THE FOUNDATION.
 ADDITIONAL EARTHWORK SPECIFICATIONS SHALL BE ACCORDING TO DIVISION 200, SECTION 205 OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION IN ILLINOIS (HEREAFTER KNOWN AS THE STANDARD SPECIFICATIONS). ANY CONFLICTING INFORMATION BETWEEN THE NATIONAL ENGINEERING HANDBOOK (HEREAFTER KNOWN AS NEH) AND SAID DOT STANDARD SPECIFICATIONS SHALL USE THE MORE RESTRICTIVE OR DETAILED SPECIFICATIONS OR AS SPECIFICALLY NOTED IN THESE NOTES.

CONSTRUCTION SPECIFICATION 23-EARTHFILL
 23.1 (210) - 1996, JANUARY 2009)

4. PLACEMENT
 EARTHFILL SHALL NOT BE PLACED UNTIL THE REQUIRED EXCAVATION AND FOUNDATION PREPARATION HAVE BEEN COMPLETED AND THE FOUNDATION HAS BEEN INSPECTED AND APPROVED BY THE ENGINEER. EARTHFILL SHALL NOT BE PLACED UPON A FROZEN SURFACE NOR SHALL SNOW, ICE, OR FROZEN MATERIAL BE INCORPORATED IN THE EARTHFILL MATRIX.
 EARTHFILL SHALL BE PLACED IN APPROXIMATELY HORIZONTAL LAYERS. THE THICKNESS OF EACH LAYER BEFORE COMPACTION SHALL NOT EXCEED THE MAXIMUM THICKNESS SPECIFIED IN SECTION 10 (BELOW) OR SHOWN ON THE DRAWINGS. MATERIALS PLACED BY DUMPING IN PILES OR WINDROWS SHALL BE SPREAD UNIFORMLY TO NOT MORE THAN THE SPECIFIED THICKNESS BEFORE BEING COMPACTED.
 HAND COMPACTED EARTH BACKFILL SHALL BE PLACED IN LAYERS WHOSE THICKNESS BEFORE COMPACTION DOES NOT EXCEED THE MAXIMUM THICKNESS SPECIFIED FOR LAYERS OF EARTH BACKFILL COMPACTED BY MANUALLY DIRECTED POWER TAMPERS.
 EARTH BACKFILL SHALL BE PLACED IN A MANNER THAT PREVENTS DAMAGE TO THE STRUCTURES AND ALLOWS THE STRUCTURES TO ASSUME THE LOADS FROM THE EARTH BACKFILL GRADUALLY AND UNIFORMLY. THE HEIGHT OF THE EARTH BACKFILL ADJACENT TO A STRUCTURE SHALL BE INCREASED AT APPROXIMATELY THE SAME RATE ON ALL SIDES OF THE STRUCTURE. THE PVC DRAINAGE DRAW DOWN PIPE AS SHOWN ON THE PLANS SHALL BE LAID ON THE EXISTING GROUND AT THE UPSTREAM AND DOWNSTREAM ENDS. THE DAM BACKFILL SHALL BE PLACED AND HAND TAMPED AROUND THE PIPE AND COLLARS. THIS PIPE SHALL NOT BE TRENCH CUT INTO THE FINISHED DAM. CARE SHALL BE EXERCISED TO NOT SUBJECT THE PIPE TO THE HEAVY EQUIPMENT LOADING WITHOUT ADEQUATE EMBANKMENT COVER.
 EARTHFILL AND EARTH BACKFILL IN DAMS, LEVEES, AND OTHER STRUCTURES DESIGNED TO RESTRAIN THE MOVEMENT OF WATER SHALL BE PLACED TO MEET THE FOLLOWING ADDITIONAL REQUIREMENTS SEE SECTION 10 (BELOW FOR ADDITIONAL INFORMATION):
 (A) THE DISTRIBUTION OF MATERIALS THROUGHOUT EACH ZONE SHALL BE ESSENTIALLY UNIFORM, AND THE EARTHFILL SHALL BE FREE FROM LENSES, POCKETS, STREAKS, OR LAYERS OF MATERIAL DIFFERING SUBSTANTIALLY IN TEXTURE, MOISTURE CONTENT, OR GRADATION FROM THE SURROUNDING MATERIAL. ZONE EARTHFILLS SHALL BE CONSTRUCTED CONTINUOUSLY UNLESS OTHERWISE SPECIFIED.
 (B) THE SURFACE OF EACH LAYER SHALL BE SCARIFIED PARALLEL TO THE AXIS OF THE FILL TO A DEPTH OF NOT LESS THAN 2 INCHES BEFORE THE NEXT LAYER IS PLACED.
 (C) THE TOP SURFACE OF EMBANKMENTS SHALL BE MAINTAINED APPROXIMATELY LEVEL DURING CONSTRUCTION WITH TWO EXCEPTIONS: A CROWN OR CROSS-SLOPE OF ABOUT 2 PERCENT SHALL BE MAINTAINED TO ENSURE EFFECTIVE DRAINAGE, OR AS OTHERWISE SPECIFIED FOR DRAINFILL OR SECTIONAL ZONES. THE CROWN FOR THE TOP OF THE DAM/EMBANKMENT SHALL BE CROWNED FROM THE CENTERLINE OF THE TOP. UNLESS OTHERWISE NOTED THE TOP ELEVATION(S) WILL REFERENCE THE EDGES OF THE TOP OF THE EMBANKMENT, 710.5 WITH THE C.L. BGNW 710.6.
 (D) DAM EMBANKMENTS SHALL BE CONSTRUCTED IN CONTINUOUS LAYERS FROM ABUTMENT TO ABUTMENT EXCEPT WHERE OPENINGS TO FACILITATE CONSTRUCTION OR TO ALLOW THE PASSAGE OF STREAM FLOW DURING CONSTRUCTION ARE SPECIFICALLY AUTHORIZED IN THE CONTRACT.
 (E) EMBANKMENTS BUILT AT DIFFERENT LEVELS AS DESCRIBED UNDER (C) OR (D) ABOVE SHALL BE CONSTRUCTED SO THAT THE SLOPE OF THE BONDING SURFACES BETWEEN EMBANKMENT IN PLACE AND EMBANKMENT TO BE PLACED IS NOT STEEPER THAN 3 FEET HORIZONTAL TO 1 FOOT VERTICAL. THE BONDING SURFACE OF THE EMBANKMENT IN PLACE SHALL BE STRIPPED OF ALL MATERIAL NOT MEETING THE REQUIREMENTS OF THIS SPECIFICATION AND SHALL BE SCARIFIED, MOISTENED, AND RECOMPACTED WHEN THE NEW EARTHFILL IS PLACED AGAINST IT. THIS ENSURES A GOOD BOND WITH THE NEW EARTHFILL AND OBTAINS THE SPECIFIED MOISTURE CONTENT AND DENSITY AT THE CONTACT OF THE IN PLACE AND NEW EARTHFILLS. SEE SECTION 10 (BELOW FOR ADDITIONAL INFORMATION).

5. CONTROL OF MOISTURE CONTENT
 DURING PLACEMENT AND COMPACTION OF EARTHFILL AND EARTH BACKFILL, THE MOISTURE CONTENT OF THE MATERIAL BEING PLACED SHALL BE MAINTAINED WITHIN THE SPECIFIED RANGE. THE APPLICATION OF WATER TO THE EARTHFILL MATERIAL SHALL BE ACCOMPLISHED AT THE BORROW AREAS INsofar AS PRACTICABLE.
 WATER MAY BE APPLIED BY SPRINKLING THE MATERIAL AFTER PLACEMENT ON THE EARTHFILL, IF NECESSARY. UNIFORM MOISTURE DISTRIBUTION SHALL BE OBTAINED BY DISKING.
 MATERIAL THAT IS TOO WET WHEN DEPOSITED ON THE EARTHFILL SHALL EITHER BE REMOVED OR BE DRIED TO THE SPECIFIED MOISTURE CONTENT PRIOR TO COMPACTION.
 IF THE TOP SURFACE OF THE PRECEDING LAYER OF COMPACTED EARTHFILL OR A FOUNDATION OR ABUTMENT SURFACE IN THE ZONE OF CONTACT WITH THE EARTHFILL BECOMES TOO DRY TO PERMIT SUITABLE BOND, IT SHALL EITHER BE REMOVED OR SCARIFIED AND MOISTENED BY SPRINKLING TO AN ACCEPTABLE MOISTURE CONTENT BEFORE PLACEMENT OF THE NEXT LAYER OF EARTHFILL.

6. COMPACTION
 EARTHFILL-EARTHFILL SHALL BE COMPACTED ACCORDING TO THE FOLLOWING REQUIREMENTS FOR THE CLASS OF COMPACTION SPECIFIED:
CLASS A COMPACTION-EACH LAYER OF EARTHFILL SHALL BE COMPACTED AS NECESSARY TO PROVIDE THE DENSITY OF THE EARTHFILL MATRIX NOT LESS THAN THE MINIMUM DENSITY SPECIFIED IN SECTION 10 (BELOW) OR IDENTIFIED ON THE DRAWINGS. THE EARTHFILL MATRIX IS DEFINED AS THE PORTION OF THE EARTHFILL MATERIAL FINER THAN THE MAXIMUM PARTICLE SIZE ALLOWED IN THE REFERENCE COMPACTION TEST METHOD SPECIFIED (ASTM D698 OR ASTM D1557).
CLASS B COMPACTION-EACH LAYER OF EARTHFILL SHALL BE COMPACTED TO A MASS DENSITY NOT LESS THAN THE MINIMUM DENSITY SPECIFIED IN SECTION 10 (BELOW).
CLASS C COMPACTION-NOT APPLICABLE. EACH LAYER OF EARTHFILL SHALL BE COMPACTED BY THE SPECIFIED NUMBER OF PASSES OF THE TYPE AND WEIGHT OF ROLLER OR OTHER EQUIPMENT SPECIFIED OR BY AN APPROVED EQUIVALENT METHOD. EACH PASS SHALL CONSIST OF AT LEAST ONE PASSAGE OF THE ROLLER WHEEL OR DRUM OVER THE ENTIRE SURFACE OF THE LAYER.

EARTH BACKFILL-EARTH BACKFILL ADJACENT TO STRUCTURES SHALL BE COMPACTED TO A DENSITY EQUIVALENT TO THAT OF THE SURROUNDING IN PLACE EARTH MATERIAL OR ADJACENT REQUIRED EARTHFILL OR EARTH BACKFILL. COMPACTION SHALL BE ACCOMPLISHED BY HAND TAMPING OR MANUALLY DIRECTED POWER TAMPERS, PLATE VIBRATORS, WALK BEHIND, MINIATURE, OR SELF-PROPELLED ROLLERS. UNLESS OTHERWISE SPECIFIED HEAVY EQUIPMENT INCLUDING BACKHOE MOUNTED POWER TAMPERS OR VIBRATING COMPACTIONERS AND MANUALLY DIRECTED VIBRATING ROLLERS SHALL NOT BE OPERATED WITHIN 3 FEET OF ANY STRUCTURE. TOWED OR SELF-PROPELLED VIBRATING ROLLERS SHALL NOT BE OPERATED WITHIN 5 FEET OF ANY STRUCTURE. COMPACTION BY MEANS OF DROP WEIGHTS OPERATING FROM A CRANE OR HOIST IS NOT PERMITTED. SEE ABOVE SECTION 4 FOR PLACEMENT AROUND THE PVC DRAWDOWN PIPE.
 THE PASSAGE OF HEAVY EQUIPMENT WILL NOT BE ALLOWED:
 o OVER CAST-IN-PLACE CONDUITS WITHIN 14 DAYS AFTER PLACEMENT OF THE CONCRETE
 o OVER CRADLED OR BEDDED PRECAST CONDUITS WITHIN 7 DAYS AFTER PLACEMENT OF THE CONCRETE CRADLE OR BEDDING
 o OVER ANY TYPE OF CONDUIT UNTIL THE BACKFILL HAS BEEN PLACED ABOVE THE TOP SURFACE OF THE STRUCTURE TO A HEIGHT EQUAL TO ONE-HALF THE CLEAR SPAN WIDTH OF THE STRUCTURE OR PIPE OR 3 FEET, WHICHEVER IS GREATER, EXCEPT AS MAY BE SPECIFIED IN SECTION 10 (BELOW).
 COMPACTION OF EARTH BACKFILL ADJACENT TO STRUCTURES SHALL NOT BE STARTED UNTIL THE CONCRETE HAS ATTAINED THE STRENGTH SPECIFIED IN SECTION 10 (BELOW) FOR THIS PURPOSE. THE STRENGTH IS DETERMINED BY COMPRESSION TESTING OF TEST CYLINDERS CAST BY THE CONTRACTOR'S QUALITY CONTROL PERSONNEL FOR THIS PURPOSE AND CURED AT THE WORK SITE IN THE MANNER SPECIFIED IN ASTM C 31 FOR DETERMINING WHEN A STRUCTURE MAY BE PUT INTO SERVICE.
 WHEN THE REQUIRED STRENGTH OF THE CONCRETE IS NOT SPECIFIED AS DESCRIBED ABOVE, COMPACTION OF EARTH BACKFILL ADJACENT TO STRUCTURES SHALL NOT BE STARTED UNTIL THE FOLLOWING TIME INTERVALS HAVE ELAPSED AFTER PLACEMENT OF THE CONCRETE.
STRUCTURE TIME INTERVAL (UNITS IN DAYS)
 VERTICAL OR NEAR-VERTICAL WALLS WITH EARTH LOADING ON ONE SIDE ONLY 14
 WALLS BACKFILLED ON BOTH SIDES SIMULTANEOUSLY 7
 CONDUITS AND SPILLWAY RISERS, CAST-IN-PLACE (WITH INSIDE FORMS IN PLACE) 7
 CONDUITS AND SPILLWAY RISERS, CAST-IN-PLACE (INSIDE FORMS REMOVED) 14
 CONDUITS, PRE-CAST CRADLED 2
 CONDUITS, PRE-CAST BEDDED 1
 CANTILEVER OUTLET BENTS (BACKFILLED BOTH SIDES SIMULTANEOUSLY) 3
7. REWORKING OR REMOVAL AND REPLACEMENT OF EARTHFILL
 EARTHFILL PLACED AT DENSITIES LOWER THAN THE SPECIFIED MINIMUM DENSITY OR AT MOISTURE CONTENTS OUTSIDE THE SPECIFIED ACCEPTABLE RANGE OF MOISTURE CONTENT OR OTHERWISE NOT CONFORMING TO THE REQUIREMENTS OF THE SPECIFICATIONS SHALL BE REWORKED TO MEET THE REQUIREMENTS OR REMOVED AND REPLACED BY ACCEPTABLE EARTHFILL. THE REPLACEMENT EARTHFILL AND THE FOUNDATION, ABUTMENT, AND EARTHFILL SURFACES UPON WHICH IT IS PLACED SHALL CONFORM TO ALL REQUIREMENTS OF THIS SPECIFICATION FOR FOUNDATION PREPARATION, APPROVAL, PLACEMENT, MOISTURE CONTROL, AND COMPACTION.

8. TESTING
 DURING THE COURSE OF THE WORK, THE CONTRACTOR SHALL PERFORM QUALITY CONTROL TESTS, AS APPLICABLE, TO IDENTIFY EARTHFILL AND EARTH BACKFILL MATERIALS, DETERMINE THE REFERENCE MAXIMUM DENSITY AND OPTIMUM MOISTURE CONTENT, AND DOCUMENT THAT THE MOISTURE CONTENT OF MATERIAL AT THE TIME OF COMPACTION AND THE DENSITY OF EARTHFILL AND EARTH BACKFILL IN PLACE CONFORM TO THE REQUIREMENTS OF THIS SPECIFICATION.
DETERMINING REFERENCE MAXIMUM DENSITY AND OPTIMUM MOISTURE CONTENT FOR CLASS A COMPACTION, THE REFERENCE MAXIMUM DENSITY AND OPTIMUM MOISTURE CONTENT SHALL BE DETERMINED IN ACCORDANCE WITH THE COMPACTION TEST AND METHOD SPECIFIED ON THE DRAWINGS OR IN SECTION 10 (BELOW).
DOCUMENTING SPECIFICATION CONFORMANCE-IN-PLACE DENSITIES OF EARTHFILL AND EARTH BACKFILL REQUIRING CLASS A COMPACTION SHALL BE MEASURED IN ACCORDANCE WITH ASTM D1556, D2167, D2937, OR D6938. MOISTURE CONTENTS OF EARTHFILL AND EARTH BACKFILL AT THE TIME OF COMPACTION SHALL BE MEASURED IN ACCORDANCE WITH ASTM D2216, D4643, OR D6938.
 VALUES OF MOISTURE CONTENT DETERMINED BY ASTM D2216 ARE CONSIDERED THE TRUE VALUE OF THE SOIL MOISTURE. VALUES OF MOISTURE CONTENT DETERMINED BY ASTM D4643 OR D6938 SHALL BE VERIFIED BY COMPARISON TO VALUES OBTAINED BY ASTM D2216. VALUES OF IN-PLACE DENSITY AND MOISTURE CONTENT DETERMINED BY THESE TESTS SHALL BE COMPARED TO THE MINIMUM DENSITY AND MOISTURE CONTENT RANGE SPECIFIED ON THE DRAWINGS OR IN SECTION 10 (BELOW).
CORRECTION FOR OVERSIZE PARTICLES-IF THE MATERIALS TO BE USED FOR EARTHFILL OR EARTH BACKFILL CONTAIN MORE THAN 5 PERCENT BY DRY WEIGHT OF OVERSIZE ROCK PARTICLES (PARTICLES LARGER THAN THOSE ALLOWED IN THE SPECIFIED COMPACTION TEST AND METHOD), CORRECTIONS FOR OVERSIZE PARTICLES SHALL BE MADE USING THE APPROPRIATE PROCEDURES EXPLAINED IN ASTM D4718. SEE SECTION 10 (BELOW FOR ADDITIONAL INFORMATION).

9. SEEDING AND GRADING
 ALL BARE SOIL SURFACES SHALL BE SEEDED ACCORDING TO SECTION 250 OF THE STANDARD SPECIFICATIONS WITH SEEDING AND MULCH APPROVED BY THE VILLAGE ENGINEER. ANY SEEDS SHALL MEET THE REQUIREMENTS OF SECTION 250.07 AND SECTION 1001 OF THE STANDARD SPECIFICATIONS WITH PREFERENCE GIVEN TO THE EROSION RESISTANT MATERIALS, CLASS 3, NORTHERN ILLINOIS SLOPE MIXTURE BEING PLACED IN THE AREAS OF DITCH GRADING AND DAM/EMBANKMENT. THE REMAINING LOT AREAS SHALL BE SEEDED WITH CLASS 4, NATIVE GRASS MIXTURE. CLASS 4B, WETLAND GRASS AND SEDGE MIXTURE CAN BE USED IN WETLAND AREAS REALIZED DURING CONSTRUCTION. THE METHOD OF MULCH SHALL BE MULCH METHOD 1. ARTICLE 251.03 OF THE STANDARD SPECIFICATIONS WITH THE CONTRACTOR EXERCISING GREAT CARE NOT TO BROADCAST ANY MULCH MATERIALS ONTO SURROUNDING PROPERTIES.

10. ITEMS OF WORK AND CONSTRUCTION DETAILS
EMBANKMENT/DAM MATERIAL SIZES AND LIFT THICKNESSES SHALL BE CONSTRUCTED ACCORDING TO DOT STANDARD SPECIFICATIONS SECTION 205.04. PARAGRAPH 2 OF THAT SECTION SHALL NOT BE ALLOWED.
 THE COMPACTION SHALL BE MODIFIED CLASS A AND B ABOVE, SUBJECT TO THE REQUIREMENTS OF SECTION 205.06 OF THE STANDARD SPECIFICATIONS. THE MINIMUM COMPACTION DENSITY FOR ANY LIFT AS DESCRIBED IN SECTION 205.06 SHALL BE 95%. SEE SECTION 8 ABOVE FOR TESTING STANDARDS IN ADDITION TO THOSE LISTED IN SECTION 205.06 OF THE STANDARD SPECIFICATIONS.
TOPSOIL SHALL BE REMOVED AND STORED ACCORDING TO THE REQUIREMENTS OF SECTION 205.03 OF THE STANDARD SPECIFICATIONS. SEE PLANS FOR DETAILS OF STORAGE PILE. THE OWNER WILL DESIGNATE THE AVAILABLE AREA.
11. RIP RAP SPILLWAY AND EROSION CONTROL
11A. RIP MATERIAL AND BEDDING SHALL CONFORM TO SECTION 281 OF THE STANDARD SPECIFICATIONS.
 THE SPILLWAY AREA RIP RAP SHALL CONSIST OF FURNISHING AND PLACING BEDDING MATERIAL. A PROTECTIVE COURSE OF STONE OR BROKEN CONCRETE LAID AS RIPRAP FOR EROSION PROTECTION OR SEDIMENT CONTROL. THERE SHALL ALSO BE A WAVE PROTECTION LAYER OF RIP RAP MATERIAL AND GEOTECHNICAL FABRIC PLACED FROM 2 FEET (2') ABOVE THE NORMAL POOL ELEVATION OF 708 TO TWO (2') BELOW THE NORMAL POOL. SEE SECTION 10 (ABOVE FOR ADDITIONAL INFORMATION). THIS WAVE PROTECTION SHALL BE PLACED ONLY ON THE POOLSIDE FACE OF THE DAM. IT IS NOT REQUIRED ON THE SURROUNDING EMBANKMENT AREA OF THE POOL.
11A1 SPILLWAY
 THE RIP RAP MATERIAL SHALL BE R3 GRADATION AND CONFORM TO SECTION 281.02 AND SECTION 1005.01 OF THE STANDARD SPECIFICATIONS. THE BEDDING MATERIAL SHALL BE CLASS A1 C&G OR CA 10 CONFORMING TO THE REQUIREMENTS OF SECTION 1004 OF THE STANDARD SPECIFICATIONS. RIP RAP SHALL BE A MINIMUM OF ONE FOOT (1') THICK AND CONSTRUCTED ACCORDING TO SECTION 281 OF THE STANDARD SPECIFICATIONS. THE BEDDING MATERIAL SHALL BE A MINIMUM OF SIX INCHES (6") THICK AND CONSTRUCTED ACCORDING TO SECTION 281 OF THE STANDARD SPECIFICATIONS. THE BEDDING SHALL BE PLACED ON GEOTECHNICAL FABRIC CONFORMING TO THE REQUIREMENTS OF SECTION 282 AND ARTICLE 1008.03 OF THE STANDARD SPECIFICATIONS. SEE PLAN DETAILS AND SECTION 10 (ABOVE FOR ADDITIONAL INFORMATION).
11A2 WAVE PROTECTION
 THE RIP RAP MATERIAL SHALL BE CA 3 GRADATION AND CONFORM TO SECTION 281.02 AND SECTION 1005.01 OF THE STANDARD SPECIFICATIONS ALSO CONFORMING TO THE REQUIREMENTS OF SECTION 1004 OF THE STANDARD SPECIFICATIONS. RIP RAP SHALL BE A MINIMUM OF FOUR INCHES (4") THICK AND CONSTRUCTED ACCORDING TO SECTION 281 OF THE STANDARD SPECIFICATIONS. THE RIP RAP SHALL BE PLACED ON GEOTECHNICAL FABRIC CONFORMING TO THE REQUIREMENTS OF SECTION 282 AND ARTICLE 1008.03 OF THE STANDARD SPECIFICATIONS. SEE PLAN DETAILS AND SECTION 10 (ABOVE FOR ADDITIONAL INFORMATION).
 THE CONTRACTOR MAY SUBSTITUTE BROKEN CONCRETE, BROKEN BRICKS OR WASHED RIVER ROCK STONE AS A SUBSTITUTE FOR THE CA 3 MATERIAL THIS MATERIAL MUST CONFORM TO 1005.02 OF THE STANDARD SPECIFICATIONS, WITH THE MINIMUM SIZE BEING 3".

12. CONCRETE SPILLWAY AND MISCELLANEOUS CONCRETE STRUCTURES.
12A CONCRETE SPILLWAY
 THE CONCRETE SPILLWAY NOSE AND STEEL REINFORCEMENT SHALL CONFORM TO SECTION 503 OF THE STANDARD SPECIFICATIONS. THE CONCRETE SPILLWAY NOSE SHALL BE A CAST IN PLACE STRUCTURE CONSTRUCTED INTO AND ON THE EMBANKMENT AND PLACED ON GEOTECHNICAL FABRIC. IT SHALL NOT BE CONSTRUCTED UNTIL THE EMBANKMENT MEETS THE REQUIREMENTS OF THE PLANS AND SPECIFICATIONS AND IS PROPERLY COMPACTED. ALL REINFORCEMENT BARS SHALL MEET THE REQUIREMENTS OF SECTION 503 OF THE STANDARD SPECIFICATIONS.
12B MISCELLANEOUS CONCRETE PADS AND STRUCTURES.
 THE MISCELLANEOUS CONCRETE STRUCTURES AND WWF FABRIC SUCH AS THE DRAW DOWN PIPE FILTER PAD SHALL CONFORM TO SECTION 503 OF THE STANDARD SPECIFICATIONS.

GENERAL NOTES - DRAW DOWN PIPE

- THE PVC DRAWDOWN PIPE SHALL BE INSTALLED ACCORDING TO THE PLANS AND ACCORDING TO THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS (SSPWSMC) AND THE LATEST EDITION OF THE STANDARD SPECIFICATIONS. IN THE CASE OF CONFLICTING SPECIFICATIONS, THE MORE RESTRICTIVE SPECIFICATION(S) SHALL GOVERN.
- THIS PIPE SHALL BE CONSTRUCTED ACCORDING TO SECTION 4 - PLACEMENT OF THE EMBANKMENT NOTES..
- THIS PIPE INSTALLATION SHALL BE TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS (SSPWSMC). THE CONTRACTOR SHALL TEST USING THE AIR TEST METHODS SPECIFIED THEREIN.
- ALL PVC DRAWDOWN PIPE SHALL CONFORM TO ASTM D3034, TYPE PSH, SDR 26. MINIMUM CELL CLASSIFICATION 12454-C. THE JOINTS SHALL BE BELL AND FLEXIBLE ELASTOMERIC "O" RING JOINTS CONFORMING TO ASTM D3212. THE DIAMETERS SHALL BE EIGHT INCHES (8") AS SHOWN AND ALL PIPE SHALL CONFORM TO DIVISION II, §30 OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION. THE PIPE SHALL BE CONSTRUCTED WITH CIRCULAR SEEPAGE COLLARS AS SHOWN ON THE PLANS. THE CONTRACTOR SHALL TAKE GREAT CARE TO INSURE THE COLLARS ARE BEDDED IN CLAY MATERIAL TO PREVENT SEEPAGE.
- A TRASH RAKE OR GALVANIZED BASKET WILL BE INSTALLED ON THE UPSTREAM END TO PREVENT DEBRIS AND ANIMAL HABITAT FROM PLUGGING THE PIPE. THE DOWNSTREAM END SHALL HAVE A TRASH RACK TO PREVENT ANIMAL INVASION INTO THE PIPE.
- ON THE UPSTREAM END OF THE PIPE, THE CONTRACTOR SHALL INSTALL AN AGRY DRAIN INLINE WATER LEVEL CONTROL STRUCTURE VALVE WITH A STEEL LOCKING COVER.



ENGINEER/SURVEYOR CERTIFICATION

I, REX A. BRADFIELD, ILLINOIS PROFESSIONAL ENGINEER NO. 37893 AND ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2537, DO HEREBY CERTIFY THAT I HAVE PREPARED THE ATTACHED PLANS AND CALCULATIONS.

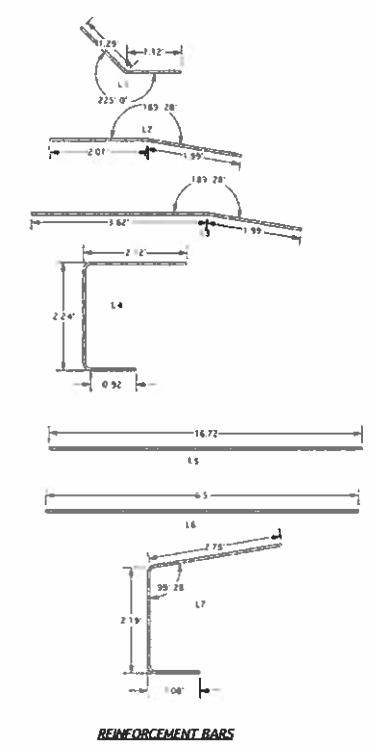
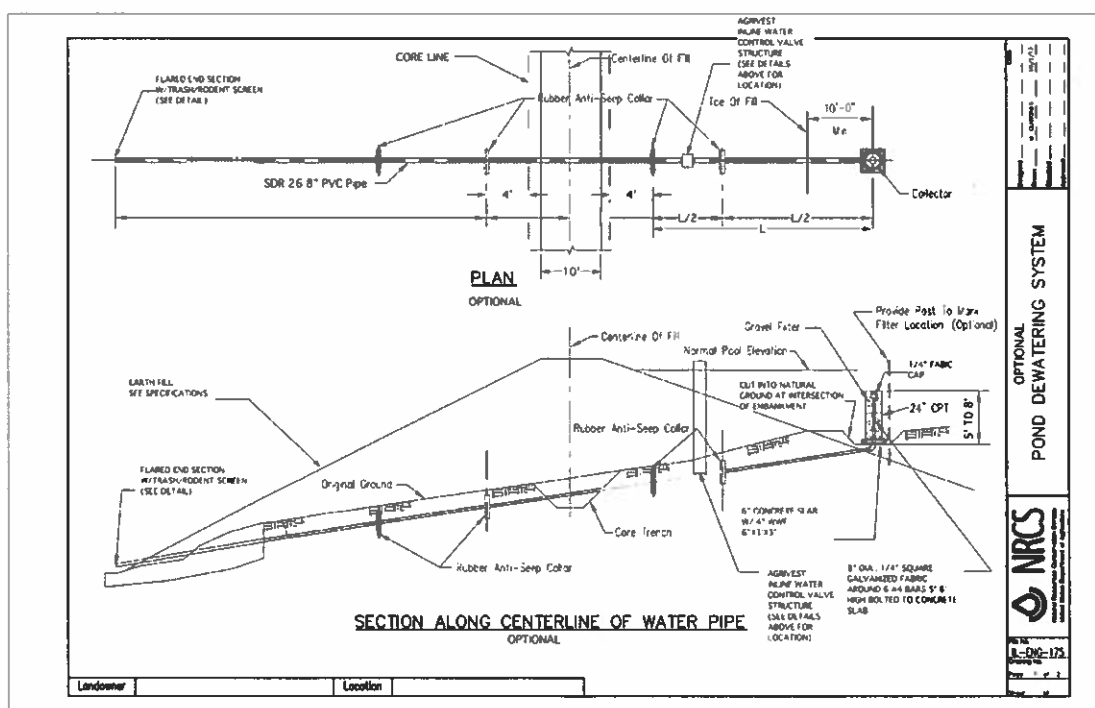
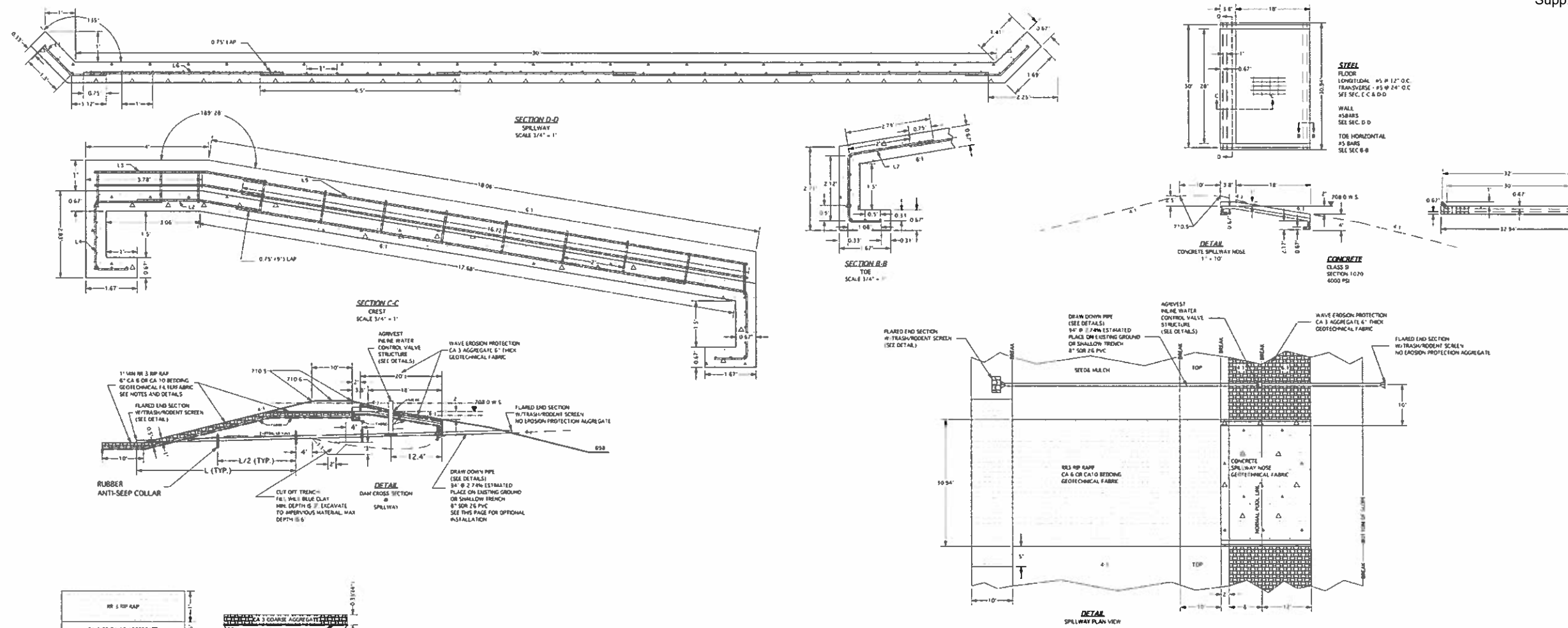
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Rex A. Bradfield
 7/6/2020
 ILLINOIS P.E. NO. 37893, L.C. EXP. 11/21
 ILLINOIS P.L.S. NO. 2537, L.C. EXP. 11/20



103 12/3/19 2/11/20 8/1/20	RAB CAB RAB RAB	SPECIFICATIONS & NOTES	Kevin Page for Travis J. Heath E1/2, 23-21N-7E, 3rd PM	1A of 03
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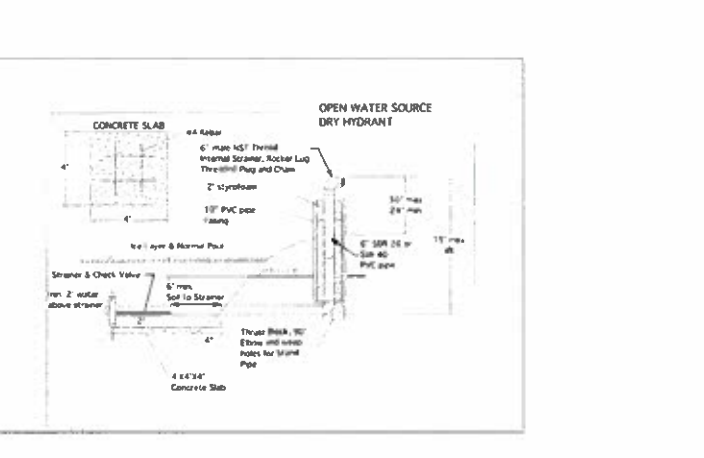
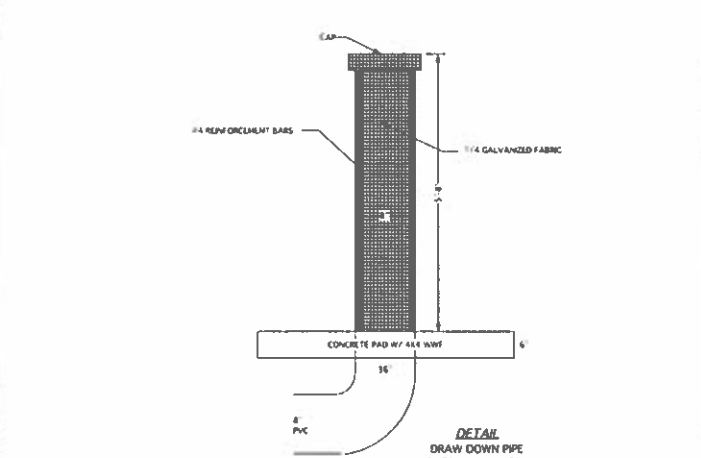
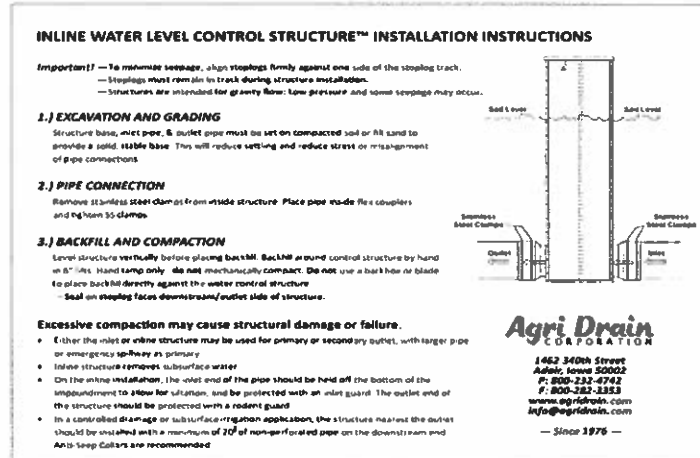
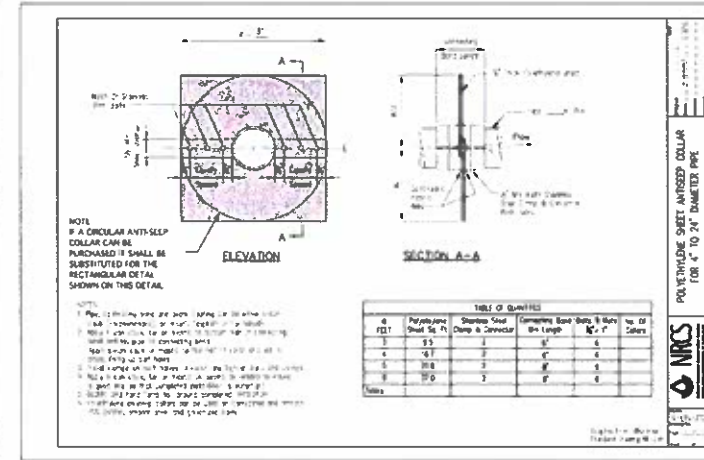
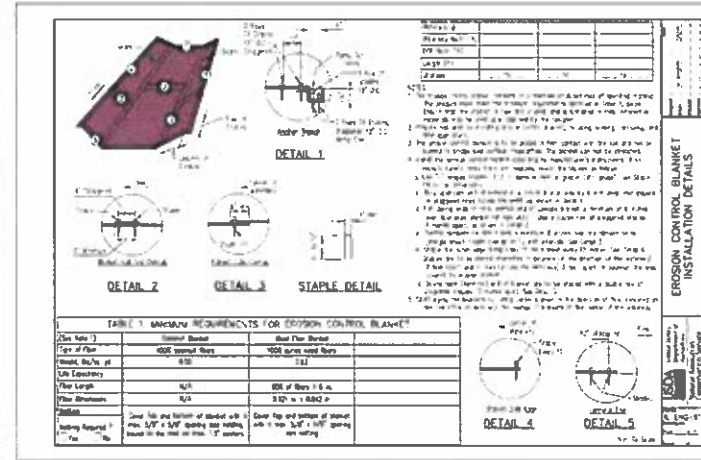
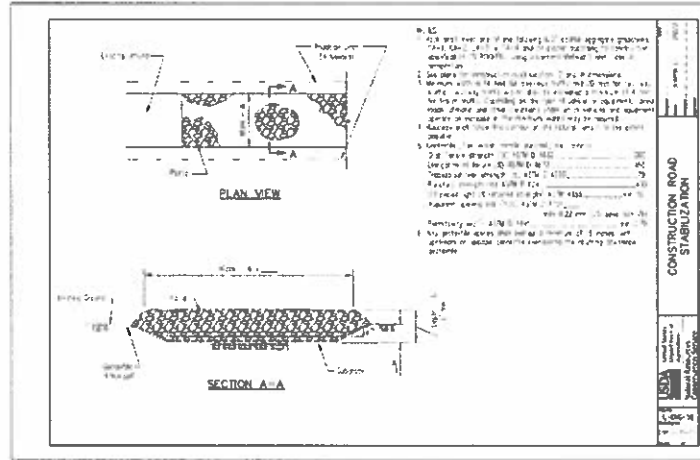
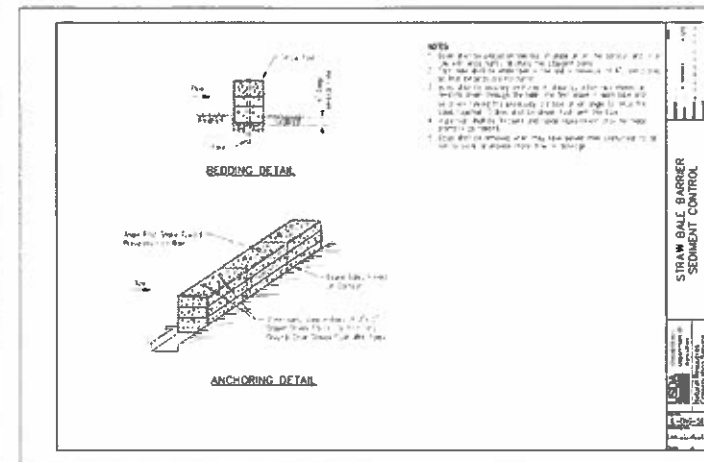
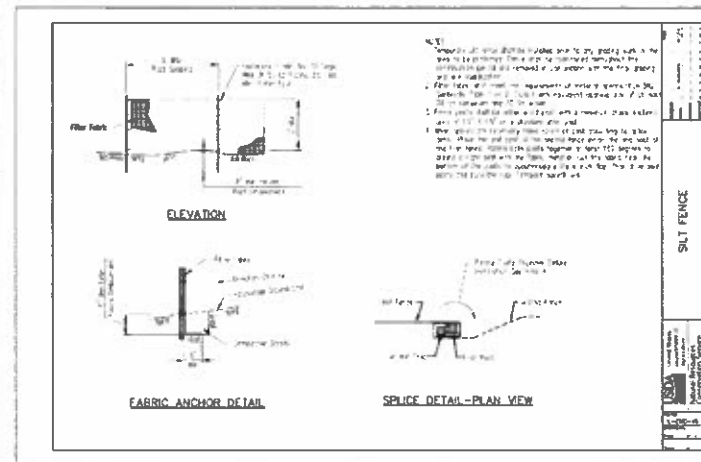
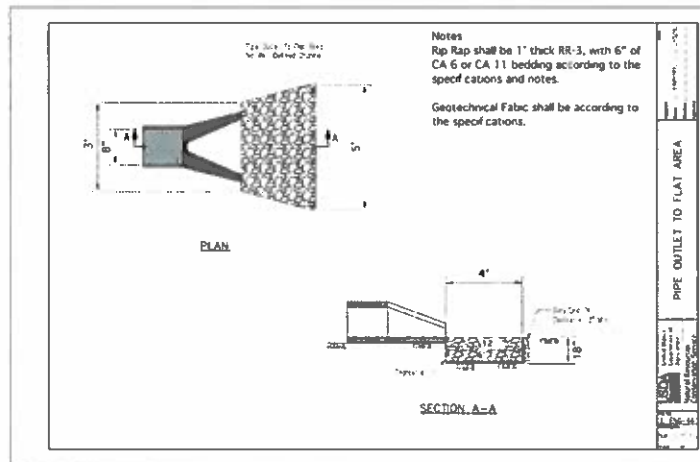
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GIVEN MY HAND AND SEAL ON THIS DATE IN URBANA, ILLINOIS
Rex A. Bradfield
7/6/2020
ILLINOIS P.E. NO. 37893, L.C. EXP. 11/21
ILLINOIS P.L.S. NO. 2537, L.C. EXP. 11/20



<p>Rev. 1/1/20 REX BRADFIELD 2101 1/2 POND ST URBANA, ILLINOIS 61801 LANDCON@comcast.net 217-337-1717 217-332-3264</p>	<p>Kevin Paget for Travis J. Heath E1/2, 23-214-ZE, 3rd P.M.</p>	<p>Sheet 2 of 10</p>
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I, REX A. BRADFELD, ILLINOIS PROFESSIONAL ENGINEER NO. 37893 AND ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2537, DO HEREBY CERTIFY THAT I HAVE PREPARED THE ATTACHED PLANS AND CALCULATIONS.

GIVEN MY HAND AND SEAL ON THIS DATE IN URBANA, ILLINOIS:
Rex A. Bradfield
 7/6/2020
 ILLINOIS P.E. NO. 37893, L.C. EXP. 11/21
 ILLINOIS P.L.S. NO. 2537, L.C. EXP. 11/20

REX A. BRADFELD
 17819
 PROFESSIONAL ENGINEER
 ILLINOIS

REX A. BRADFELD
 17819
 PROFESSIONAL LAND SURVEYOR
 ILLINOIS

Kevin Pagel
 for
 Travis J. Heath
 E1/2, 23-21N 26, 3rd P.M.

DETAILS & STANDARD DETAILS

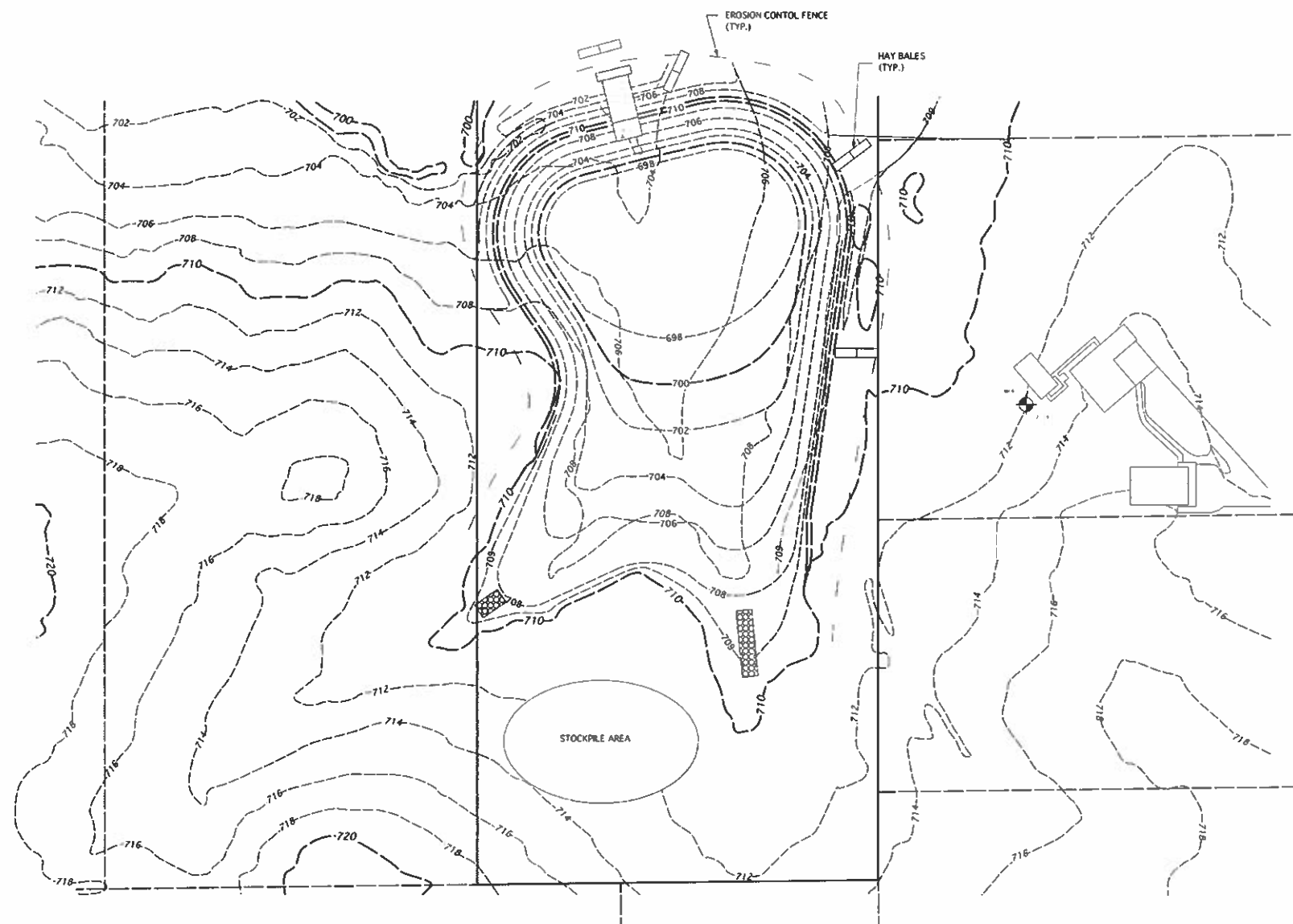
Drawn: 3
 of 02

Prepared by: Rex Bradfield

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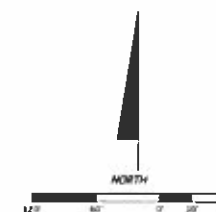
JUL 06 2020

CHAMPAIGN CO. P & Z DEPARTMENT



NOTES

1. All areas shall be protected by the Construction Erosion Control methods as defined by the State of Illinois and Champaign County ordinances. The Contractor shall submit an Construction Control Plan to the Engineer prior to commencing Construction. The Contractor shall determine the methods and appurtenances for his operation, but those methods shall be according to the IDOT standards.
2. All materials and construction shall comply with the Details and the Natural Resources Conversation Service requirements.
3. All methods and equipment shall comply with the Standard Specifications.
4. All seeding and mulch shall comply with the Standard Specifications.
5. The Owner and Contractor shall determine the access to the site and that access shall be protected according to the Stabilization Entrance Detail(s).
6. The Contractor will be able to alter this plan and the schedule of these protections as determined by site conditions and weather.



ENGINEER/SURVEYOR CERTIFICATION

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GIVEN MY HAND AND SEAL ON THIS DATE IN URBANA, ILLINOIS.

Rex A. Bradfield
 7/6/2020
 ILLINOIS P.E. NO. 37893, L.C. EXP. 11/21
 ILLINOIS P.L.S. NO. 2537, L.C. EXP 11/20

REX A. BRADFIELD
 2101-1/2 POND ST
 URBANA, ILLINOIS 61801
 ZAMCONC@comcast.net
 217-327-5277 HR.
 217-252-2064 M.



Date: 12/31/19 Drawn: [Signature] 3/1/20 6/1/20	Scale: 1"=40' App: [Signature]	EROSION CONTROL FOR CONSTRUCTION	Kevn Pagel for Travis J. Heath E1/2, 23-21N 7E, 3rd PM	Sheet 4 of 10
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Contact Information

Owner Name: Travis Heath

Site/Compliance/Misc. Information

Facility Name: Land 1

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Mailing Address: 2653 cr 500e

Facility Location: 2653 CR 500E
CHAMPAIGN CO. P & Z DEPARTMENT

City: MAHOMET
State: IL
Zip: 61853
Contact Person: Travis Heath
Owner Type: Private
Area Code: 217
Phone #: 493-4555
Extension:

City: MAHOMET
State: IL
Zip: 61853
Latitude Degrees: 40.260400
Longitude Degrees: -88.370900
County: CHAMPAIGN
Section: 23
Township: 21N
Range: 7E
Construction Type: Residential
SIC:
Constr. Start Date: 05/01/2020
Constr. End Date: 11/01/2020

Contractor Name: Midstate Excavation
INC

Project Brief Description: Digging a
residential pond.

Area Code: 217
Phone #: 202-0574
Ext.

Mailing Address: P O Box 708
City: MAHOMET
State: IL
Zip: 61853

Historic Preservation: Yes
Endangered Species: Yes
Impaired Water:
Discharge Type: Waters of the State
Storm Sewer Owner: Travis Heath
Closest Receiving Water: Sangamon River

Location of SWPPP: on site

Location City: Rural Mahomet
Contact First Name: Travis
Contact Last Name: Heath
Contact Phone #: 217-493-4555-
Contact FAX #: --
Contact Inspector
Qualifications: NONE
Other Description
Inspector First Name: Rex
Inspector Last Name: Bradfield
Inspector Phone #: --
Inspector FAX #: --
Inspector Qualifications: P.E.
Other Description

NPDES Permit Number: ILR10BG41
Permit Id: 38178
Received Date: 02/11/2020
NOI Submitted Date: 02/07/2020
Approved Date:
Permit Issue Date
Permit Coverage Date: 03/09/2020
Termination Date:
Stabilization Date
Expiration Date: 07/31/2023
Modification Date:

REVISED DRAFT 07/16/2020

960-S-19 & 975-V-20

**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: *{July 16, 2020}*

Petitioners: **Travis Heath**

Request: **Case 960-S-19**

Authorize a Special Use Permit for construction of an artificial lake of 1 or more acres in area in the AG-1 Agriculture Zoning District on the property described below.

Case 975-V-20

Authorize a variance from Section 9.1 A.2. of the Storm Water Management and Erosion Control Ordinance for an artificial lake in the AG-1 Zoning District for using the Rational Method rather than the TR-55 Method for calculating required storm water storage for a development watershed area more than 10 acres in area but less than 2,000 acres in area.

Table of Contents

General Application Information.....	2 - 3
Specific Ordinance Requirements.....	5 - 8
Special Use Evidence	8 - 16
Variance Evidence	16 - 17
Documents of Record.....	19
Case 960-S-19 Finding of Fact	20 - 21
Case 975-V-20 Finding of Fact	22
Case 960-S-19 Final Determination.....	23
Case 975-V-20 Final Determination	24

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **October 31, 2019, December 12, 2019, and for cases 960-S-19 and 975-V-20 on July 16, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioners Travis and Amanda Heath own the subject property.
2. The subject property is an 18.93 acre tract that is part of the West Half of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 23 of Township 21 North, Range 7 East of the Third Principal Meridian in Newcomb Township, commonly known as the vacant tract just west of the residence with an address of 485 CR 2675N, Mahomet.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.
 - B. The subject property is located within Newcomb Township, which has a Plan Commission. Townships with Plan Commissions do not have protest rights on Special Use Permits; however, they do receive notice of such cases and they are invited to comment. Townships with Plan Commissions do have protest rights on a Variance, and notification has been sent.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Land use and zoning on the subject property and in the vicinity adjacent to the subject property are as follows:
 - A. The subject property is zoned AG-1 Agriculture and is partially in agricultural production and partially wooded area, and has an agricultural shed.
 - B. Land to the north of the subject property is zoned CR Conservation Recreation and is partially residential in use and partially in agricultural production.
 - C. Land to the east of the subject property, also owned by the petitioner, is zoned AG-1 Agriculture and is partially residential in use and partially in agricultural production.
 - D. Land to the south of the subject property is zoned AG-1 Agriculture and is partially residential in use and partially in agricultural production.
 - E. Land to the west of the subject property, also owned by the petitioner, is zoned CR Conservation Recreation and is partially in agricultural production and partially wooded area.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the site plan for the proposed Special Use:
 - A. The Site Plan received September 9, 2019, indicates the following proposed features:
 - (1) A 3.78-acre pond with an outlet located on the north side of the pond; and
 - (2) A storage shed located on the north end of the subject property.

- B. The required engineering drawings have not been received as of October 24, 2019. Engineering plans created by Rex Bradfield, P.E., P.L.S., were received on January 29, 2020, and include:
- (1) Sheet 1: Grading
 - a. The proposed 4.09-acre pond is overlaid on existing Champaign County GIS Consortium contour lines from 2008.
 - b. Annotations on the design refer to inlet and outlet details, safety shelf design, and slopes.
 - c. Notes 1 through 7 refer to maintaining general compliance with accepted engineering practices and existing regulations.
 - d. Section A-A represents a cross-section of the proposed pond area.
 - e. A Spillway Detail diagram illustrates a three--dimensional version of the proposed pond.
 - (2) Sheet 2: Drainage & Hydrology
 - a. The proposed 4.09-acre pond is within the subject property boundary.
 - b. Contour lines and three sub-basins totaling 75.9 acres illustrate that the proposed pond is influenced by a drainage basin that is much larger than the 18.93-acre subject property. Note that only sub-basin 2 (28.3 acres) and sub-basin 3 (28.2 acres) totaling 56.5 acres would drain into the pond.
 - c. Rational Method calculations are shown for existing and proposed pond conditions.
 - d. 50-year storm calculations are shown for existing and proposed conditions.
- C. A General Engineering Report on Design also created by Mr. Bradfield was received on February 6, 2020.
- (1) The report includes descriptions of the proposed pond, slopes, outlet control structure, safety overflow, and other elements.
 - (2) The report also specifies the parameters Mr. Bradfield used in his calculations.
 - (3) The existing runoff rate is 10.09 cubic feet per second (cfs) and the proposed runoff rate is 12.34 cfs for the 56.5-acre runoff area.
- D. Revised Engineering Plans and Report were received on March 23, 2020 based on comments from John Hall, Zoning Administrator.
- E. Revised Engineering Plans were received on July 6, 2020, based on the Berns, Clancy & Associates (BCA) report received May 5, 2020 and additional consultation with John Hall and Don Wauthier, BCA Vice-President.

(1) P&Z Staff found that Mr. Bradfield’s revisions resolved the 13 items needed for approval from the BCA report, meaning that the engineering plans are sufficient for the Board to make determinations for Cases 960-S-19 and 975-V-20.

F. There is one previous Zoning Use Permit on the subject property:

- (1) ZUPA #22-11-02 was approved on August 24, 2011, for construction of a storage shed for agricultural equipment only.

G. There are no previous zoning cases on the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

6. Regarding authorization for an artificial lake of 1 acre or more in the AG-1 Agriculture Zoning DISTRICT in the *Zoning Ordinance*:

A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (capitalized words are defined in the Ordinance):

- (1) “ACCESS” is the way MOTOR VEHICLES move between a STREET or ALLEY and the principal USE or STRUCTURE on a LOT abutting such STREET or ALLEY.
- (2) “BEST PRIME FARMLAND” is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:
 - a. Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County LESA system;
 - b. Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system;
 - c. Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils as determined by the Champaign County LESA system.
- (3) “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.
- (4) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (5) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- (6) “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.

- (7) “SUITED OVERALL” is a discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be SUITED OVERALL if the site meets these criteria:
 - a. The site features or site location will not detract from the proposed use;
 - b. The site will not create a risk to health, safety or property of the occupants, the neighbors or the general public;
 - c. The site is not clearly inadequate in one respect even if it is acceptable in other respects;
 - d. Necessary infrastructure is in place or provided by the proposed development; and
 - e. Available public services are adequate to support the proposed development effectively and safely.
 - (8) “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.
 - (9) WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be WELL SUITED OVERALL if the site meets these criteria:
 - a. The site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public; and
 - b. The site is reasonably well-suited in all respects and has no major defects.
- B. Regarding authorization for “artificial lake” in the Zoning Ordinance:
- (1) “Artificial lake of one or more acres” has always been authorized only as a Special Use Permit in the Zoning Ordinance.
 - (2) Section 6.1.3 of the *Zoning Ordinance* establishes Standard Conditions that are applicable to Special Use Permits. The only standard condition for an artificial lake of one or more acres is a minimum lot area of one acre.
- C. Subsection 6.1 contains standard conditions that apply to all SPECIAL USES, standard conditions that may apply to all SPECIAL USES, and standard conditions for specific types of SPECIAL USES. Relevant requirements from Subsection 6.1 are as follows:
- (1) Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
 - a. All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
 - b. No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.

- c. Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.
- d. The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
- e. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.

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 that 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. 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 except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:
 - a. The property is either BEST PRIME FARMLAND and the property with proposed improvements in WELL SUITED OVERALL or the property is not

BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.

- b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
 - c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
- (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. Regarding the proposed variance:

- (1) Minimum requirements for pond design methods are established in Section 9.1 A.2.b. of the SWMEC Ordinance: For a DEVELOPMENT WATERSHED Area Less Than or Equal to 2,000 Acres - the method utilized for calculation of required volume of storage shall be the Natural Resources Conservation Service TR-55 Methodology for DEVELOPMENT WATERSHEDS less than or equal to 2,000 acres in area.
- (2) Paragraph 17.A. of the SWMEC Ordinance states that any part of the SWMEC Ordinance may be varied in accord with Section 9.1.9 of the Zoning Ordinance.

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

- 7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
 - A. The Petitioner has testified on the application, **“Low area best suited for pond vs crop land/ag use.”**
 - B. The petitioner’s residence is located on the adjacent tract to the east, and the petitioner also owns the parcel west of the proposed pond.

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, **“Will be a private pond, not injurious to anyone.”**
 - B. Regarding surface drainage:
 - (1) The Champaign County Soil and Water Conservation District Natural Resource Report received October 7, 2019, states:
 - a. “The subject property slopes towards a water source. Care should be taken during and after construction to make sure sediments are contained on construction site.”
 - b. “Construction sites can experience 20 to 200 tons/acre/year of soil loss, which is greater than other land uses, like agriculture, averaging 4-5 tons/acre/year. It is extremely important that the developer employ Best Management Practices, like the ones listed below, to help reduce soil erosion and protect water quality during and after construction.
 - (a) Silt Fencing: A woven geotextile fabric stretched across and attached to supporting posts used to intercept sediment-laden runoff from small drainage areas of disturbed soil. The purpose is to filter out sediment from runoff before it enters a water body.
 - (b) Construction Road Stabilization: The stabilization of temporary construction access routes, subdivision roads, on-site vehicle transportation routes, and construction parking areas with stone immediately after grading the area to reduce erosion.
 - (c) Vegetative Cover: One of the most important means to control runoff is to plant temporary vegetation around the perimeter of the construction site. This provides a natural buffer to filter sediment and chemicals. The CCSWCD recommends that temporary grass be planted (i.e. smooth brome grass, oats, cereal rye) to help protect soil from erosion during construction.”
 - (2) A Notice of Intent for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit was submitted to Illinois EPA on February 7, 2020, and was approved as NPDES Permit #ILR10BGF41. The permit is valid from March 9, 2020 to July 31, 2023.
 - C. Regarding traffic in the subject property area:
 - (1) The subject property has a grass access on the south side of CR 2675N.
 - (2) CR 2675N is a gravel lane that is approximately 14 feet wide.

- (3) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). CR 2675N does not have a traffic count available, which means that its traffic volume is less than 50 ADT. The most recent ADT data is from 2016 near the subject property. CR 500E had an ADT of 300 approximately 0.5 miles south of the intersection with CR 2675N.
 - (4) The Newcomb Township Road Commissioner has been notified of this case and no comments have been received.
- D. Regarding fire protection on the subject property, the subject property is located 6.7 road miles from the Cornbelt Fire Protection District station in Mahomet. The FPD Chief was notified of this case and no comments have been received.
- E. No part of the subject property is located within a mapped floodplain.
- F. The subject property is considered Best Prime Farmland. The soil on the subject property consists of Drummer silty clay loam 152A, Blount silt loam 23A, Blount silt loam 23B2, Ozaukee silt loam 530B and Ozaukee silt loam 530D2, and has an average Land Evaluation Factor of 81. Despite the LE score of 81, which is less than the Best Prime Farmland minimum score of 91, the property is still Best Prime Farmland because the definition also includes properties where greater than 10% of the land area has an LE score of at least 91.
- G. Regarding outdoor lighting on the subject property: the Petitioner did not include information on their Site Plan.
- H. Regarding wastewater treatment and disposal on the subject property: there is no septic system on the property and one is not required for a pond.
- I. Regarding neighborhood concerns, no comments have been received as of July 8, 2020.
- J. Berns, Clancy & Associates, consulting engineer for the P&Z Department, reviewed the plans and report submitted on March 23, 2020, and provided a report on May 5, 2020, indicating that the proposed pond does not meet local ordinance requirements. They provided a list of 13 items needed for approval on page 5 of their report:
- (1) Earth embankment materials and compaction requirements must be specified.
 - (2) A detail and specification for a core/cutoff trench to prevent seepage beneath the dam must be included.
 - (3) Provide specific temporary erosion control measures with locations shown on the plans.
 - (4) Designate permanent erosion protection of the diverted flow path of Sub-basin 1 around the pond.
 - (5) Install a concrete weir to prevent overflow down cutting of the spillway.

- (6) Provide a riprap design detail drawing showing riprap thickness, bedding/filter fabric and stabilization. Stabilization of riprap is key because of the pass-through low flow.
 - (7) Spillway riprap must be RR-3 or larger, a minimum of 1.0 feet thickness. Not less than 6-inch thickness of CA-6 or CA-10 should be placed as bedding for the spillway riprap. Geotextile fabric should be placed below the bedding.
 - (8) The size of the drainpipe must be indicated. The type and location of the valve must be indicated.
 - (9) The drainpipe must be provided with a proper anti-seep collar.
 - (10) The top elevation of the dam must be raised to 710.5 feet minimum, after allowance for settlement.
 - (11) The top width of the dam must be 10.0 feet minimum.
 - (12) Specifications requiring creation of a proper foundation for the dam must be provided.
 - (13) A detail and specifications must be provided for installation of erosion protection for the face of the dam.
- K. Revised Engineering Plans were received on July 6, 2020, based on the BCA report received May 5, 2020 and additional consultation with John Hall and Don Wauthier, BCA Vice-President.
- (1) P&Z Staff found that Mr. Bradfield’s revisions resolved the 13 items needed for approval, meaning that the engineering plans are sufficient for the Board to make determinations for Cases 960-S-19 and 975-V-20.
- L. Other than as reviewed in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

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

9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conform to all applicable regulations and standards and preserve the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
- A. The Petitioner has testified on the application: **“Will meet all applicable ordinances.”**
 - B. Regarding compliance with the *Zoning Ordinance*:
 - (1) Section 5.2: Table of Authorized Principal Uses states that an artificial lake of 1 acre or more can be established with a Special Use Permit in the AG-1 Agriculture Zoning District.

- (2) Regarding Best Prime Farmland, the subject property is non-conforming with respect to the current definition of Best Prime Farmland by virtue of a Warranty Deed for the subject property that was recorded on December 11, 1997, prior to the adoption of Case 711-AT-12 on November 27, 2012, which established the current definition of Best Prime Farmland.
 - a. The minimum Land Evaluation Factor for Best Prime Farmland at the time of survey was 85.
 - b. Even though the site includes a significant amount (approximately 26%) of Agriculture Value Group 2 soils which would make it Best Prime Farmland by current definition, this lot was lawfully created and is therefore nonconforming with respect to the maximum lot size requirement.

- C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*, because more than 1 acre of land will be disturbed, the project is subject to this Ordinance and any relevant State of Illinois regulations regarding erosion and sedimentation.
 - (1) Engineering design submittals were received on January 29, 2020, and February 6, 2020, and were preliminarily reviewed by John Hall, Zoning Administrator, for compliance with the *Storm Water Management and Erosion Control Ordinance*. Mr. Hall determined that the design and analysis was not compliant with SWMEC, and comments were provided to Rex Bradfield.
 - (2) The petitioners submitted a Notice of Intent for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit to Illinois EPA on February 7, 2020, and it was approved as NPDES Permit #ILR10BGF41. The permit is valid from March 9, 2020 to July 31, 2023.
 - (3) Revised engineering documents were received from Rex Bradfield on March 23, 2020, and they were sent to Berns, Clancy & Associates to be reviewed for compliance with SWMEC and Illinois Department of Natural Resources Division of Water Resources dam requirements.
 - a. BCA submitted their review report to the P&Z Department on May 5, 2020, and P&Z Staff reviewed the findings, which again determined that the project design was not compliant with SWMEC. P&Z Staff sent the report to Mr. Heath and Mr. Bradfield on May 19, 2020, highlighting changes that would need to be made.
 - (4) Revised Engineering Plans were received on July 6, 2020, based on the BCA report and additional consultation with John Hall and Don Wauthier, BCA Vice-President.
 - a. P&Z Staff found that Mr. Bradfield’s revisions were sufficient for the Board to make determinations for Cases 960-S-19 and 975-V-20.
 - (5) The petitioners have requested that Rex Bradfield complete a Storm Water Drainage Plan for review. A special condition has been added to ensure compliance.

- D. Regarding the Special Flood Hazard Areas Ordinance, no portion of the subject property is located within the mapped floodplain.

- E. Regarding the Subdivision Regulations, the subject property is located in Champaign County's subdivision jurisdiction and the subject property is in compliance.
- F. Regarding the requirement that the Special Use preserve the essential character of the AG-1 Agriculture Zoning District:
 - (1) Artificial lakes of 1 acre or more are allowed with a Special Use Permit in the AG-1 Agriculture Zoning District.

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 be in harmony with the general intent and purpose of the Ordinance:
 - A. Section 5.2: Table of Authorized Principal Uses states that an artificial lake of 1 acre or more can be established with a Special Use Permit in the AG-1 Agriculture Zoning District.
 - B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
 - (1) Subsection 5.1.1 of the Ordinance states the general intent of the AG-1 Agriculture 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 AGRICULTURE 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.
 - 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 zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.
 - (2) Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.
 - a. It is not clear whether the proposed special use will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.

- b. In regard to the value of the subject property, it also is not clear if the requested Special Use Permit would have any effect. Regarding the effect on the value of the subject property, the subject property has been a vacant lot, so any development on the property should increase its value.
- (3) Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed Special Use is unlikely to increase traffic.

- (4) Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.
 - a. The subject property is not located in a mapped floodplain.
 - b. The Champaign County Soil and Water Conservation District Natural Resource Report received October 7, 2019, states:
 - (a) “The subject property slopes towards a water source. Care should be taken during and after construction to make sure sediments are contained on construction site.”
 - (b) “Construction sites can experience 20 to 200 tons/acre/year of soil loss, which is greater than other land uses, like agriculture, averaging 4-5 tons/acre/year. It is extremely important that the developer employ Best Management Practices, like the ones listed below, to help reduce soil erosion and protect water quality during and after construction.
 - i. Silt Fencing: A woven geotextile fabric stretched across and attached to supporting posts used to intercept sediment-laden runoff from small drainage areas of disturbed soil. The purpose is to filter out sediment from runoff before it enters a water body.
 - ii. Construction Road Stabilization: The stabilization of temporary construction access routes, subdivision roads, on-site vehicle transportation routes, and construction parking areas with stone immediately after grading the area to reduce erosion.
 - iii. Vegetative Cover: One of the most important means to control runoff is to plant temporary vegetation around the perimeter of the construction site. This provides a natural buffer to filter sediment and chemicals. The CCSWCD recommends that temporary grass be planted (i.e. smooth brome grass, oats, cereal rye) to help protect soil from erosion during construction.”
 - c. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*, because more than 1 acre of land will be disturbed, the

project is subject to this Ordinance and any relevant State of Illinois regulations regarding erosion and sedimentation.

- a. Engineering design submittals were received on January 29, 2020, and February 6, 2020, and were preliminarily reviewed by John Hall, Zoning Administrator, for compliance with the Storm Water Management and Erosion Control Ordinance. Mr. Hall determined that the design and analysis was not compliant with SWMEC, and comments were provided to Rex Bradfield.
 - b. The petitioners submitted a Notice of Intent for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit to Illinois EPA on February 7, 2020, and it was approved as NPDES Permit #ILR10BGF41. The permit is valid from March 9, 2020 to July 31, 2023.
 - c. Revised engineering documents were received from Rex Bradfield on March 23, 2020, and they were sent to Berns, Clancy & Associates to be reviewed for compliance with SWMEC and Illinois Department of Natural Resources Division of Water Resources dam requirements.
 - (a) BCA submitted their review report to the P&Z Department on May 5, 2020, and P&Z Staff reviewed the findings, which again determined that the project design was not compliant with SWMEC. P&Z Staff sent the report to Mr. Heath and Mr. Bradfield on May 19, 2020, highlighting changes that would need to be made.
 - d. Revised Engineering Plans were received on July 6, 2020, based on the BCA report and additional consultation with John Hall and Don Wauthier, BCA Vice-President.
 - (a) P&Z Staff found that Mr. Bradfield's revisions were sufficient for the Board to make determinations for Cases 960-S-19 and 975-V-20.
 - e. The petitioners have requested that Rex Bradfield complete a Storm Water Drainage Plan for review. A special condition has been added to ensure compliance.
- (5) Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote 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.
 - c. No comments have been received to date.

- (6) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

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

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

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate any problematic conditions.

- (8) Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent 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.

This purpose is directly related to maintaining compliance with the Zoning Ordinance requirements for the District and the specific types of uses and the proposed Special Use will have to be conducted in compliance with those requirements.

- (9) Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.
- a. The proposed Special Use does not meet the definition of either “urban development” or “urban land use” as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
 - b. The subject property is partially in agricultural production, but the proposed pond area is not in production.

- (10) Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The subject property does not contain any natural features. The Natural Resource Report received October 7, 2019, states that the Sangamon River INAI Site may be in the vicinity of the project location. This INAI Site is approximately 0.34 mile west of the subject property.

- (11) Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.
- a. The proposed Special Use does not meet the definition of either “urban development” or “urban land use” as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
- b. No public utilities or transportation facilities improvements are needed.

- (12) Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The subject property is partially in agricultural production, but the proposed pond area is not in production.

- (13) Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed Special Use will not hinder the development of renewable energy sources.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

11. Regarding the *Zoning Ordinance* requirement that in the case of an existing NONCONFORMING USE the granting of the Special Use Permit will make the use more compatible with its surroundings:
- A. The Petitioner has testified on the application: “N/A”
- B. The existing use on the property is not a nonconforming use.

RELATED TO THE VARIANCE, GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

12. Generally regarding the *Zoning Ordinance* requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved that are not applicable to other similarly situated land or structures elsewhere in the same district:

- A. In his design report received March 23, 2020, Rex Bradfield, Engineer, stated, “After reviewing the Natural Resource Information Report and the general site conditions as determined by a site visit and the Champaign County GIS Information, containing parcel sizes, aerial photos and 2008, 2 ft. contour information and combing that information with my client’s request that he wanted to construct a new pond having a natural appearance and no other improvements would be constructed except local access paths or roads and necessary erosion control protection. This information was some of the deciding functions resulting in the use of the very simple Rational Method for any necessary Hydrology/Hydraulic Calculations.”

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

13. 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. In his evaluation of the pond’s engineering design received May 5, 2020, Don Wauthier, Engineer with Berns, Clancy & Associates, stated, “Very rigorous, modern-day, hydrologic and hydraulic computation methods are available to engineers to more accurately characterize existing and proposed drainage conditions. However, the more accurate methods are considered to be too costly for small projects such as this.”
- B. Regarding the proposed Variance:
- (1) Without the proposed variance, the petitioners would have to invest in another engineering report that uses the TR-55 method that would in turn require a second review by the Department’s consulting engineer.

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

14. 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 acquired engineering services from an Illinois Professional Engineer, and depended on the engineer to provide services that are compatible with local ordinance requirements. A petitioner does not determine what methods an engineer should utilize.

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

15. 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. Paragraph 17.A. of the SWMEC Ordinance states that any part of the SWMEC Ordinance may be varied in accord with Section 9.1.9 of the Zoning Ordinance.
- B. Regarding the proposed variance from Section 9.1 A.2. of the Storm Water Management and Erosion Control Ordinance, for using the Rational Method rather than the TR-55 Method: the requested variance is 0% of the minimum required, for a variance of 100%.

C. Regarding the project design using the Rational Method by Rex Bradfield received March 23, 2020, practical recommendations from the P&Z Department’s consulting engineer ensured that the pond’s design will lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters (Zoning Ordinance Purpose (d)).

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

16. 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 testified on the Special Use Permit application: **“Will be a private pond not injurious to anyone.”**
 - B. The Newcomb Township Road Commissioner has been notified of this case and no comments have been received.
 - C. The Cornbelt Fire Protection District Chief was notified of this case and no comments have been received.

D. No public comments have been received to date.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

17. Generally regarding any other circumstances that justify the Variance:
- A. The Petitioner did not provide a response.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL FOR CASE 960-S-19

18. Regarding proposed special conditions of approval:
- A. Construction of the pond shall be consistent with the Revised Engineering Plans received July 6, 2020, A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit approval process and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.

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

The construction of the pond conforms to the approved plans in Zoning Cases 960-S-19 and the requirements of the Storm Water Management and Erosion Control Ordinance subject to variance authorized in Case 975-V-20.

- B. **A Change-of-Zoning Use Permit application shall be submitted within two weeks with the Storm Water Drainage Plan after approval of Zoning Cases 960-S-19 and 975-V-20.**

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

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

DOCUMENTS OF RECORD

1. Application for Special Use Permit received September 9, 2019, with attachments:
 - A Site Plan received September 9, 2019
2. Natural Resources Report received October 7, 2019 from Champaign County Soil and Water Conservation District
3. Preliminary Memorandum dated October 24, 2019, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received September 9, 2019
 - C Map: 2008 Elevation Contours on 2017 aerial created by P&Z Staff
 - D Natural Resources Report received October 7, 2019 from CCSWCD
 - E Site photos taken September 19, 2019
 - F Summary of Evidence, Finding of Fact, and Final Determination dated October 31, 2019
4. Engineering plans prepared by Rex Bradfield, received January 29, 2020
5. General Engineering Report on Design prepared by Rex Bradfield, received February 6, 2020
6. Supplemental Memorandum #1 dated February 6, 2020, with attachments (*note – this memo was distributed prior to the February 13, 2020 ZBA meeting cancellation*):
 - A Engineering plans prepared by Rex Bradfield, received January 29, 2020
 - B General Engineering Report on Design prepared by Rex Bradfield, received February 6, 2020
 - C Revised Summary of Evidence, Finding of Fact, and Final Determination dated Feb. 13, 2020
7. Revised Engineering plans prepared by Rex Bradfield, received March 23, 2020
8. Revised General Engineering Report on Design prepared by Rex Bradfield, received March 23, 2020
9. Heath Pond Special Use Evaluation prepared by Don Wauthier, Vice-President, Berns, Clancy & Associates, received May 5, 2020 (*available on ZBA meetings website*)
10. Letter from Susan Burgstrom to Travis Heath and Rex Bradfield dated May 19, 2020
11. Legal re-advertisement to include case 960-S-19 and new case 975-V-20
12. Notice of Intent printout for Heath pond from IEPA website, accessed June 2, 2020
13. Revised Engineering plans prepared by Rex Bradfield, received July 6, 2020
14. Supplemental Memorandum #2 dated July 9, 2020, with attachments:
 - A Legal re-advertisement notice
 - B Case Maps
 - C Map: 2008 Elevation Contours on 2017 aerial created by P&Z Staff
 - D Revised Engineering plans prepared by Rex Bradfield, received July 6, 2020
 - E IEPA Notice of Intent printout for Heath pond from IEPA website, accessed June 2, 2020
 - F Revised Summary of Evidence, Finding of Fact, and Final Determination for Cases 960-S-19 and 975-V-20 dated July 16, 2020

FINDINGS OF FACT FOR CASE 960-S-19

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **960-S-19** held on **October 31, 2019, December 12, 2019, and for cases 960-S-19 and 975-V-20 on July 16, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit *{IS / IS NOT}* necessary for the public convenience at this location because:
2. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL NOT / WILL}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
 - a. The street has *{ADEQUATE / INADEQUATE}* traffic capacity and the entrance location has *{ADEQUATE / INADEQUATE}* visibility.
 - b. Emergency services availability is *{ADEQUATE / INADEQUATE} {because*}*:
 - c. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses *{because*}*:
 - d. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE} {because*}*:
 - e. Public safety will be *{ADEQUATE / INADEQUATE} {because*}*:
 - f. The provisions for parking will be *{ADEQUATE / INADEQUATE} {because*}*:
 - g. The property *{IS / IS NOT}* WELL SUITED OVERALL for the proposed improvements.
 - h. Existing public services *{ARE / ARE NOT}* available to support the proposed SPECIAL USE without undue public expense.
 - i. Existing public infrastructure together with the proposed development *{IS / IS NOT}* adequate to support the proposed development effectively and safely without undue public expense.

(Note the Board may include other relevant considerations as necessary or desirable in each case.)

*The Board may include additional justification if desired, but it is not required.

- 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.
- 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/ 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 / DOES NOT}* preserve the essential character of the DISTRICT in which it is located.
5. The requested Special Use *IS NOT* an existing nonconforming use.
6. *{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:*

- A. ~~Construction of the pond shall be consistent with the Revised Engineering Plans received July 6, 2020. A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit approval process and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.~~

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

The construction of the pond conforms to the approved plans in Zoning Cases 960-S-19 and the requirements of the Storm Water Management and Erosion Control Ordinance subject to variance authorized in Case 975-V-20.

- B. ~~A Change of Zoning Use Permit application shall be submitted within two weeks with the Storm Water Drainage Plan after approval of Zoning Cases 960-S-19 and 975-V-20.~~

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

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

FINDINGS OF FACT FOR CASE 975-V-20

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **975-V-20** held on **July 16, 2020**, 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:}***

FINAL DETERMINATION FOR CASE 960-S-19

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, 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 **960-S-19** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicants, **Travis and Amanda Heath**, to authorize the following as a Special Use on land in the AG-1 Agriculture Zoning District:

Authorize a Special Use Permit for construction of an artificial lake of 1 or more acres in area in the AG-1 Agriculture Zoning District.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}

- A. ~~Construction of the pond shall be consistent with the Revised Engineering Plans received July 6, 2020, A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit approval process and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.~~
- B. A ~~Change of Zoning~~ Use Permit application shall be submitted within two weeks with the Storm Water Drainage Plan after approval of Zoning Cases 960-S-19 and 975-V-20.

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

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals
Date

FINAL DETERMINATION FOR CASE 975-V-20

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 **975-V-20** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicants, **Travis and Amanda Heath**, to authorize the following variance in the AG-1 Agriculture Zoning District:

Authorize a variance from Section 9.1 A.2. of the Storm Water Management and Erosion Control Ordinance for an artificial lake in the AG-1 Zoning District for using the Rational Method rather than the TR-55 Method for calculating required storm water storage for a development watershed area more than 10 acres in area but less than 2,000 acres in area.

{ SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS: }

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

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date