

CASE 992-V-20

PRELIMINARY MEMORANDUM

November 24, 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: Leslie Meier of Meier Farms II LLC, via agent Les Hoveln

Request: Authorize a variance for a proposed outdoor commercial recreational enterprise (baseball field facility) with no loading berth and not using all-weather dustless material for parking in lieu of the minimum required one loading berth and the use of all-weather dustless material for parking in the I-1 Light Industry Zoning District, per Section 7.4 of the Zoning Ordinance.

Location: A 33.24-acre tract in the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 15, which lies North of Old Police Park Rd, Township 19 North, Range 10 East of the Third Principal Meridian, in St. Joseph Township.

Site Area: 33.24 acres

Time Schedule for Development: As soon as possible

**Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator**

BACKGROUND

Petitioner Leslie Meier, via agent Les Hoveln, proposes to construct a baseball facility on the western outskirts of St. Joseph to be used by an area league and for high school practices. An outdoor commercial recreational enterprise is allowed by-right in the I-1 Light Industry Zoning District, but the petitioners request a variance from two I-1 requirements that they believe are unnecessary for the proposed facility: a loading berth and paved parking. They have concluded that the increased cost for pavement would make the project financially infeasible.

The 33.24-acre subject property is split-zoned I-1 Light Industry and CR Conservation-Recreation. An outdoor commercial recreational enterprise is allowed only by Special Use Permit in the CR district, so the petitioner has made sure to locate the proposed facility only in the I-1 part of the subject property.

No comments have been received to date.

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of St. Joseph, a municipality with zoning. Municipalities with zoning do not have protest rights on a variance case. The Village was notified of this case.

The subject property is located within St. Joseph Township, which does have a Planning Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Agriculture	I-1 Light Industry and CR Conservation-Recreation
Northwest	Agriculture seed facility (Pioneer Hi Bred)	I-1 Light Industry
North	Paintball business	Village of St. Joseph zoning
East (north)	Village maintenance	Village of St. Joseph zoning
East (south)	Residential	CR Conservation-Recreation
West	Agriculture	I-1 Light Industry
South	Agriculture	AG-1 Agriculture and CR Conservation-Recreation

PROPOSED SPECIAL CONDITIONS

- A. **The Petitioner will not allow parking within any road right-of-way.**

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

To maximize safety for residents and facility users.

- B. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the facility until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

The proposed Special Use Permit meets applicable State codes for accessibility.

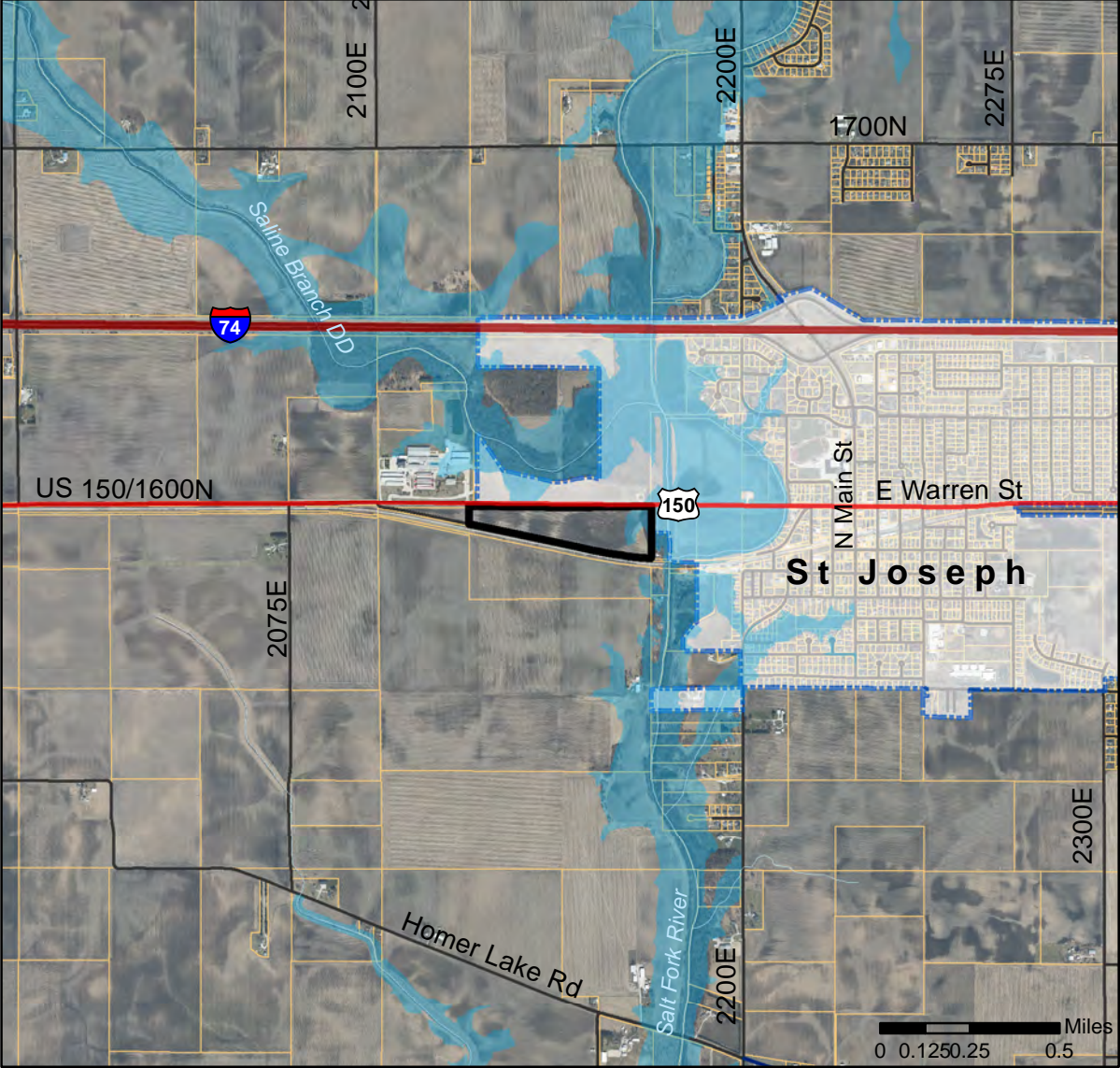
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received November 6, 2020
- C Site Visit Photos taken November 6, 2020
- D Preliminary Summary of Evidence, Finding of Fact, and Final Determination dated December 3, 2020

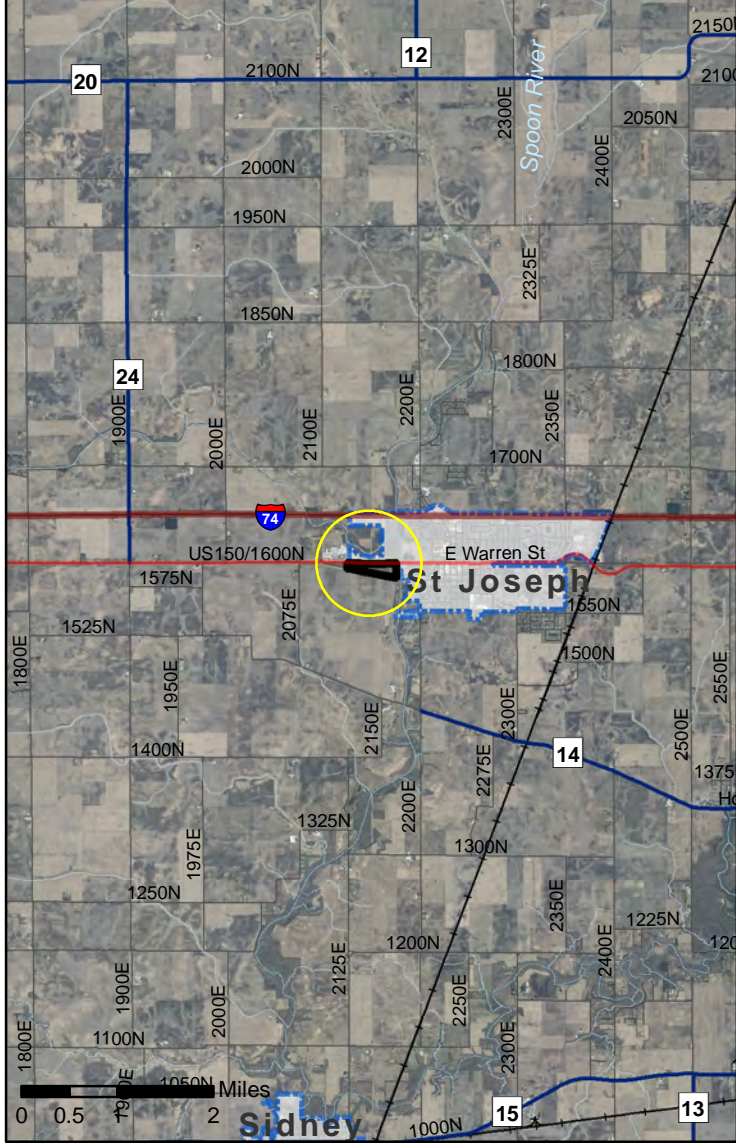
Location Map

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December 3, 2020

Subject Property



Property location in Champaign County

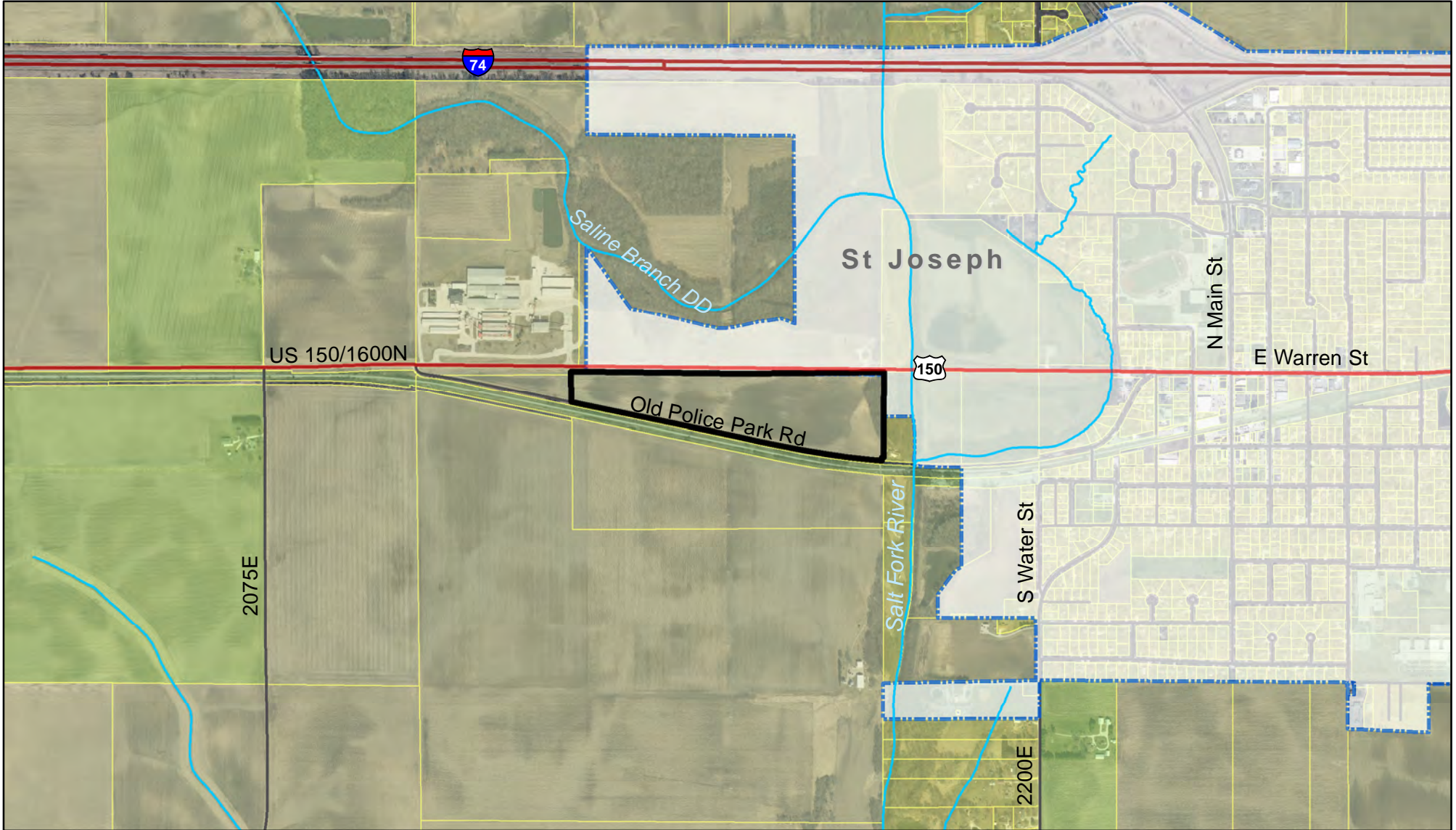


- Legend**
-  Subject Property
 -  Municipal Boundary
 -  Parcels
 -  Special Flood Hazard Area



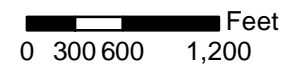
Land Use Map

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Legend

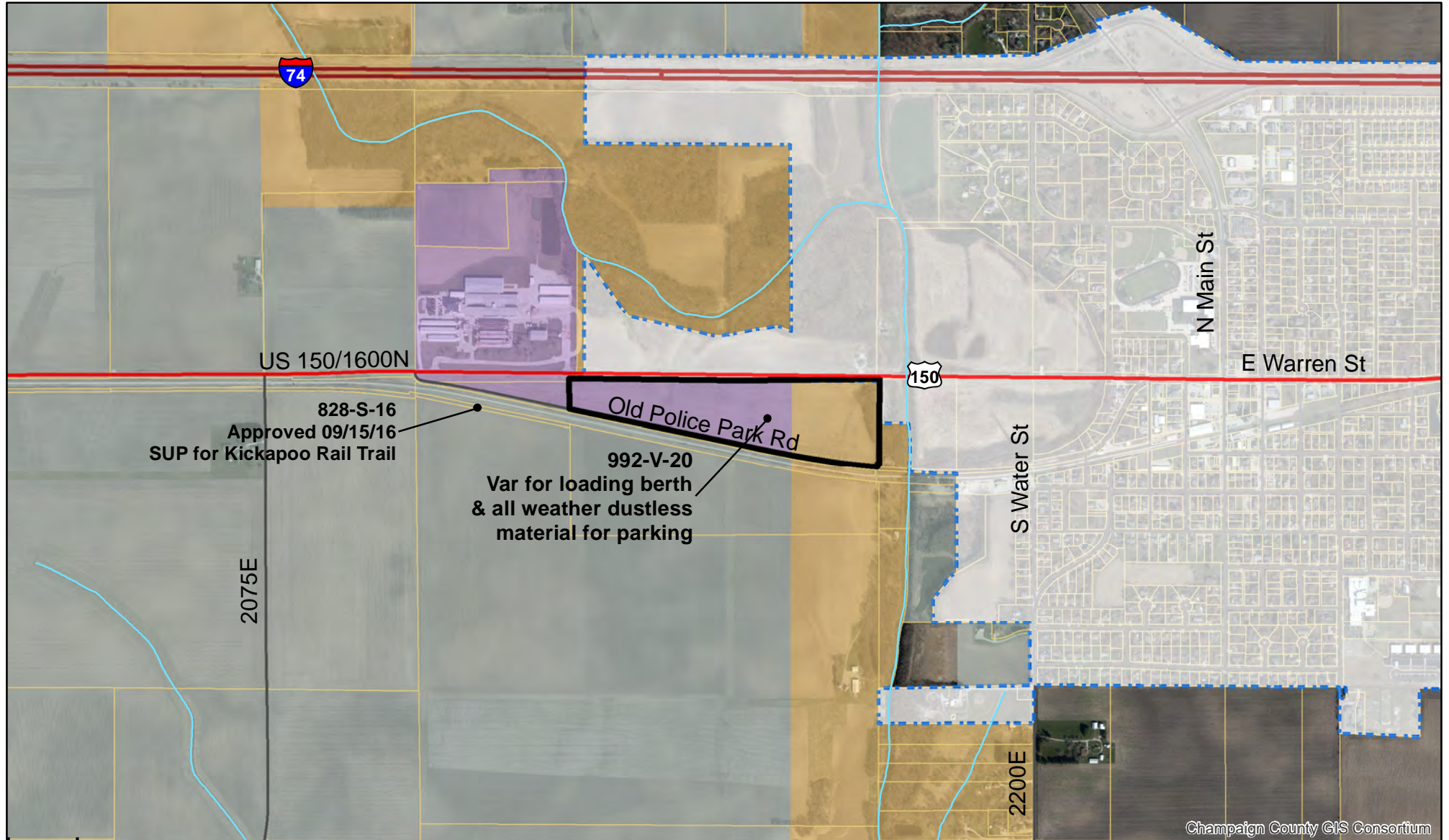
- Subject Property
- Agriculture
- Residential
- Parcels
- Ag/Residential
- Tax Exempt



Champaign County
Department of
PLANNING &
ZONING

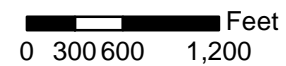
Zoning Map

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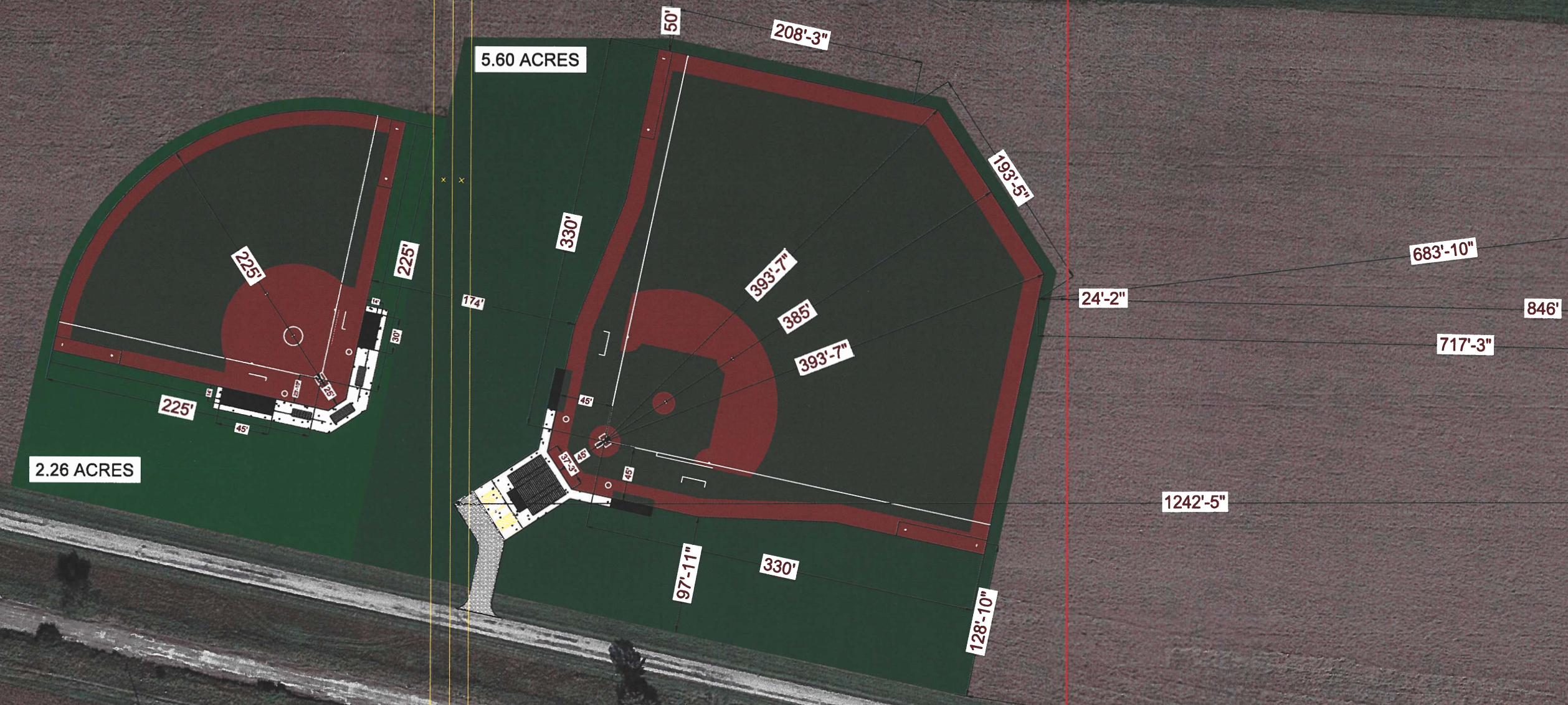


Legend

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



Champaign County
Department of
**PLANNING &
ZONING**

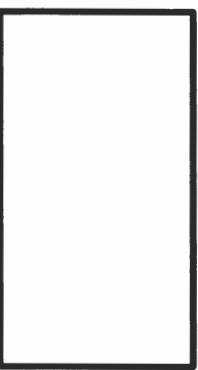


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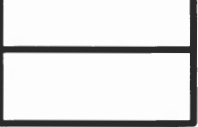
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CHAMPAIGN CO. P & Z DEPARTMENT

GRAPHIC SCALE



BASEBALL SITE PLAN



SHEET
C1.0

992-V-20 Site Images



From US150 at east end of subject property facing SW



From Old Police Park Road facing NE

992-V-20 Site Images



**At east end of Old Police Park Rd
(ends in one-lane gravel road after crossing the Kickapoo Rail Trail)**



Paintball property across US 150 to north of subject property

992-V-20 Site Images



From west end of Old Police Park Rd at intersection with US 150, facing east



From west end of Old Police Park Rd at intersection with US 150, facing west

PRELIMINARY DRAFT

Case 992-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: *{December 3, 2020}*

Petitioners: **Leslie Meier of Meier Farms II LLC, via agent Les Hovel**

Request: **Authorize a variance for a proposed outdoor commercial recreational enterprise (baseball field facility) with no loading berth and not using all-weather dustless material for parking in lieu of the minimum required one loading berth and the use of all-weather dustless material for parking in the I-1 Light Industry Zoning District, per Section 7.4 of the Zoning Ordinance.**

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 3, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. Leslie Meier of Meier Farms II LLC owns the subject property.
 - A. Les Hovel, agent for this zoning case, farms the subject property.
2. The subject property is a 33.24-acre tract in the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 15, which lies North of Old Police Park Rd, Township 19 North, Range 10 East of the Third Principal Meridian, in St. Joseph Township.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of St. Joseph, a municipality with zoning. Municipalities with zoning do not have protest rights on a variance case. The Village was notified of this case.
 - B. The subject property is located within St. Joseph Township, which does have a Planning Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is a 33.24-acre tract and is mixed-zoned I-1 Light Industry and CR Conservation-Recreation; land is in agricultural production.
 - (1) The proposed area for the outdoor commercial recreational enterprise (baseball field facility) is approximately 7.86 acres, located entirely within the I-1 Light Industry Zoning District.
 - B. Land on the other side of US 150 to the northwest is zoned I-1 Light Industry; land is occupied by a Pioneer Hi Bred seed facility.
 - C. Land on the other side of US 150 to the north is within the Village of St. Joseph and is in use as a paintball business.
 - D. Land to the west is zoned I-1 Light Industry; land is in agricultural production.
 - E. Land to the south is mixed-zoned CR Conservation-Recreation and AG-1 Agriculture; land is in agricultural production.
 - F. Land to the east (south) is zoned CR Conservation-Recreation, and is residential in use.
 - G. Land to the east (north) is within the Village of St. Joseph, and is in use for village maintenance.

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5. Regarding the site plan and operations of the proposed Special Use:
- A. The petitioner's Site Plan, received November 6, 2020, indicates the following proposed features:
- (1) One baseball diamond, with the following accessory amenities (not labeled):
 - a. One press box;
 - b. One set of restrooms;
 - c. One snack bar;
 - d. One set of bleachers behind home plate;
 - e. Two dugouts;
 - f. One septic system;
 - g. Accessible paved parking behind the bleachers; and
 - h. Grass parking for all non-accessible spaces, to be located south of the ballfields.
 - (2) One smaller diamond with bleachers and dugouts.
 - (3) Access to the facility will be via Old Police Park Road along the south lot line.
- C. There are no previous zoning cases on the subject property.
- D. There are no previous Zoning Use Permits on the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

6. Regarding authorization for the proposed variance:
- 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) "ACCESSORY BUILDING" is a BUILDING on the same LOT with the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE.
 - (3) "ACCESSORY STRUCTURE" is a STRUCTURE on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE,

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

- (4) “BERTH, LOADING” is a stall of dimensions herein specified, adjacent to a LOADING DOCK for the maneuvering and parking of a vehicle for loading and unloading purposes.
 - (5) “BUILDING” is an enclosed STRUCTURE having a roof supported by columns, walls, arches, or other devices and used for the housing, shelter, or enclosure of persons, animal, and chattels.
 - (6) “PARKING GARAGE or LOT” is a LOT, COURT, YARD, or portion thereof used for the parking of vehicles containing one or more PARKING SPACES together with means of ACCESS to a public way.
 - (7) “PARKING SPACE” is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
 - (8) “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.
 - (9) “STRUCTURE” is anything CONSTRUCTED or erected with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Among other things, STRUCTURES include BUILDINGS, walls, fences, billboards, and SIGNS.
 - (10) “VARIANCE” is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.
- B. The I-1 Light Industry DISTRICT is established in Section 5.1.14 to provide for storage and manufacturing USES not normally creating a nuisance discernible beyond its PROPERTY lines.
- C. Section 7.4 establishes requirements for off-street PARKING SPACES and LOADING BERTHS:
- (1) Section 7.4.2 refers to off-street LOADING BERTHS:
 - a. Section 7.4.2 A. establishes general provisions for LOADING BERTHS.
 - (a) All LOADING BERTHS shall have vertical clearance of at least 14 feet.

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- (b) All **LOADING BERTHS** shall be designed with appropriate means of vehicular access to a **STREET** or **ALLEY** in a manner which will least interfere with traffic movement.
 - (c) No **VEHICLE** repair or service work shall be performed on any **LOADING BERTH**.
 - (d) No **LOADING BERTH** shall be located less than 10 feet from any **FRONT LOT LINE** and less than five feet from any side or **REAR LOT LINE**.
- b. Section 7.4.2 C. states, “Off-street **LOADING BERTHS** for commercial **ESTABLISHMENTS** shall be provided as follows:
- (a) All **LOADING BERTHS** shall be located on the same **LOT** or tract of land as the **ESTABLISHMENT** served except when serving adjacent **ESTABLISHMENTS** when the **LOADING BERTH** requirement is sufficient to serve both **ESTABLISHMENTS**.
 - (b) No such **BERTH** shall be located within any **YARD** abutting a residential **DISTRICT** or located less than 100 feet from the **BUILDING RESTRICTION LINE** of any **LOT** in the **R DISTRICT** or any **LOT** containing a **DWELLING** conforming as to **USE** unless such **BERTH** is screened from public view by a **Type C SCREEN**. If the berth is located adjacent to an elevated loading dock, however, a **Type D SCREEN** shall be used to screen both the loading berth and the loading dock.
 - (c) No **LOADING BERTH** shall be located within 50 feet of the nearest point of intersection of two **STREETS**.
 - (d) All **LOADING BERTHS** shall be improved with a compacted base at least six inches thick and shall be surfaced with at least two inches of some all-weather dustless material.
 - (e) Schedule of off-street **LOADING BERTHS**:

Floor Area of ESTABLISHMENT in Square Feet (Thousands)	Minimum Required Number and Size of LOADING BERTHS
1 – 9.999	1 (12 x 40 feet)
10 – 24.999	2 (10 x 40 feet)
25 – 39.999	2 (10 x 70 feet)
40 – 99.999	3 (10 x 70 feet)
100 – 249.999	4 (10 x 70 feet)

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- 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. The requirement for using all-weather dustless material in parking areas for Industrial USES is established in Section 7.4.1 D.
- (1) Commercial uses do not have this requirement, but because the proposed baseball facility is in the I-1 Light Industry Zoning District, the Zoning Administrator determined that this requirement would be applicable.
- F. The loading berth requirement is established in Section 7.4.2.

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

7. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved that are not applicable to other similarly situated land or structures elsewhere in the same district:
- A. The Petitioners testified on the application, **“The proposed construction shall consist Baseball and Softball fields located in the middle of a farm field approximately ½ mile west of St. Joseph, IL. We are requesting a variance to allow for grass parking areas for our fans (except handicap parking which shall be concrete). This type of parking is consistent with other rural ball fields in our league and is consistent with other recreational facilities in the immediate area of the ball fields (Kickapoo Rail Trail and Salt fork Paintball) which are located only a few hundred feet from the ball**

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fields. In addition, we are requesting a variance for a loading berth. Again, due to the type of project, we would have no need to unload anything other than a player's equipment or small miscellaneous supplies which can be easily carried by hand."

- B. The landowner, Leslie Meier, offered to use his property for the creation of this facility.

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

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
- A. The Petitioner has testified on the application, **"By requiring us to comply with the current I-1 regulations, the additional cost, which has been estimated at over \$500,000 would unfortunately put this project substantially over budget and result in the project to not get built. In addition, I would have a concern if concrete or asphalt were required, what the negative effects to the drainage of the remaining farmland would be now or in the future."**
- B. Regarding the proposed variance for no loading berth and for not having parking areas made of all-weather dustless material: the petitioners would have to spend funds on a loading berth and paving that they consider to be unnecessary, which would make the project financial infeasible.

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

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioner has testified on the application, **"No."**

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

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **"By granting our variances, we feel that the subject ball fields would conform nicely to the area as it is in very close proximity to the Kickapoo Rail Trail and Salt Fork Paintball which also have grass parking areas and do not have loading berths. We also feel that the ball fields will be a valuable asset to the community. The ball fields could also exist in harmony with other types of businesses permitted by right in the I-1 Zone."**
- B. Regarding the proposed variance for no loading berth: the requested variance of no loading berth in lieu of one loading berth is a variance of 100%.
- (1) Off-street loading berths are presumably required to minimize congestion in the street when deliveries are made. For the ball fields, any loading and unloading would be for game equipment and other items that fit in a standard vehicle.

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- C. Regarding the proposed variance for grass parking in lieu of using all-weather dustless material: the requested variance is 100%.
 - (1) There will be paved, marked, and signed accessible parking, as required by the Illinois Accessibility Code.
 - (2) Using all-weather dustless material has been required since the adoption of the Zoning Ordinance on October 10, 1973. It is presumably required to improve access in any type of weather and to limit dust created within Industrial Zoning that could impact surrounding non-industrial districts.
- D. The requested variance is not prohibited by the *Zoning Ordinance*.

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

- 11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
 - A. The Petitioner has testified on the application: **“We feel that the ball fields would not create a “nuisance” to the local wildlife, our neighbors, or any other local businesses. In addition, we do not feel the ball fields would create any issues with surface drainage or run-off nor would they re-direct any water to any other surrounding properties. Parking for the ball fields shall enter off Old Police Park Road which will not create any traffic issues on Rt 150 and would allow easy access for any emergency vehicles (if needed). Rescue and Fire shall be provided by St. Joe Fire Protection District. The fire station is located approximately 1 ½ miles from the ball fields.”**
 - B. The St. Joseph Township Supervisor and Road Commissioner have been notified of this variance and no comments have been received.
 - C. The St. Joseph-Stanton Fire Protection District has been notified of this variance and no comments have been received.
 - D. The nearest building on neighboring property to the proposed ball field is a residence that is approximately 900 feet east.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

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

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

- 13. Regarding proposed special conditions of approval:
 - A. **The Petitioner will not allow parking within any road right-of-way.**

The special condition stated above is required to ensure the following:
To maximize safety for residents and facility users.

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- B. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the facility until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

The proposed Special Use Permit meets applicable State codes for accessibility.

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DOCUMENTS OF RECORD

1. Application for Variance received November 6, 2020, with attachments:
 - A Site Plan
 - B Plat of Survey by Phoenix Consulting Engineers dated November 5, 2018
 - C Property legal description

2. Preliminary Memorandum dated November 24, 2020
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received November 6, 2020
 - C Site Visit Photos taken November 6, 2020
 - D Preliminary Summary of Evidence, Finding of Fact, and Final Determination dated December 3, 2020

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FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **992-V-20** held on **December 3, 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:}***

- A. **The Petitioner will not allow parking within any road right-of-way.**

The special condition stated above is required to ensure the following:
To maximize safety for residents and facility users.

- B. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the facility until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

The special condition stated above is required to ensure the following:
The proposed Special Use Permit meets applicable State codes for accessibility.

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FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval in Section 9.1.9.C *{HAVE/ HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **992-V-20** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicants, **Leslie Meier of Meier Farms II LLC**, via agent **Les Hovel**, to authorize the following:

Authorize a variance for a proposed baseball field facility with no loading berth and not using all-weather dustless material for parking in lieu of the minimum required one loading berth and the use of all-weather dustless material for parking in the I-1 Light Industry Zoning District, per Section 7.4 of the Zoning Ordinance.

{ SUBJECT TO THE FOLLOWING SPECIAL CONDITION: }

- A. **The Petitioner will not allow parking within any road right-of-way.**
- B. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the facility until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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