

CASE 014-AT-21

SUPPLEMENTAL MEMORANDUM #4

October 14, 2021

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance to establish beekeeping requirements as summarized in the full legal advertisement and summarized as follows:

1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.
2. Add footnotes 29 to Section 5.2 Table of Authorized Principal Uses.
3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses.
4. Add new Section 7.8 Beekeeping in the R-1, R-2, and R-3 Districts, with new requirements for beekeeping.
5. Amend Section 9.3.1 G.6. by adding a \$33 Change of Use Permit Application Fee to establish beekeeping in the R-1, R-2, and R-3 Districts.

Location: Unincorporated Champaign County

Time Schedule for Development: As soon as possible

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

STATUS

P&Z Staff created a comparison of the R-1 requirements for the original proposed amendment and the revised amendment distributed in Supplemental Memo #3 dated October 5, 2021 – see Attachment A.

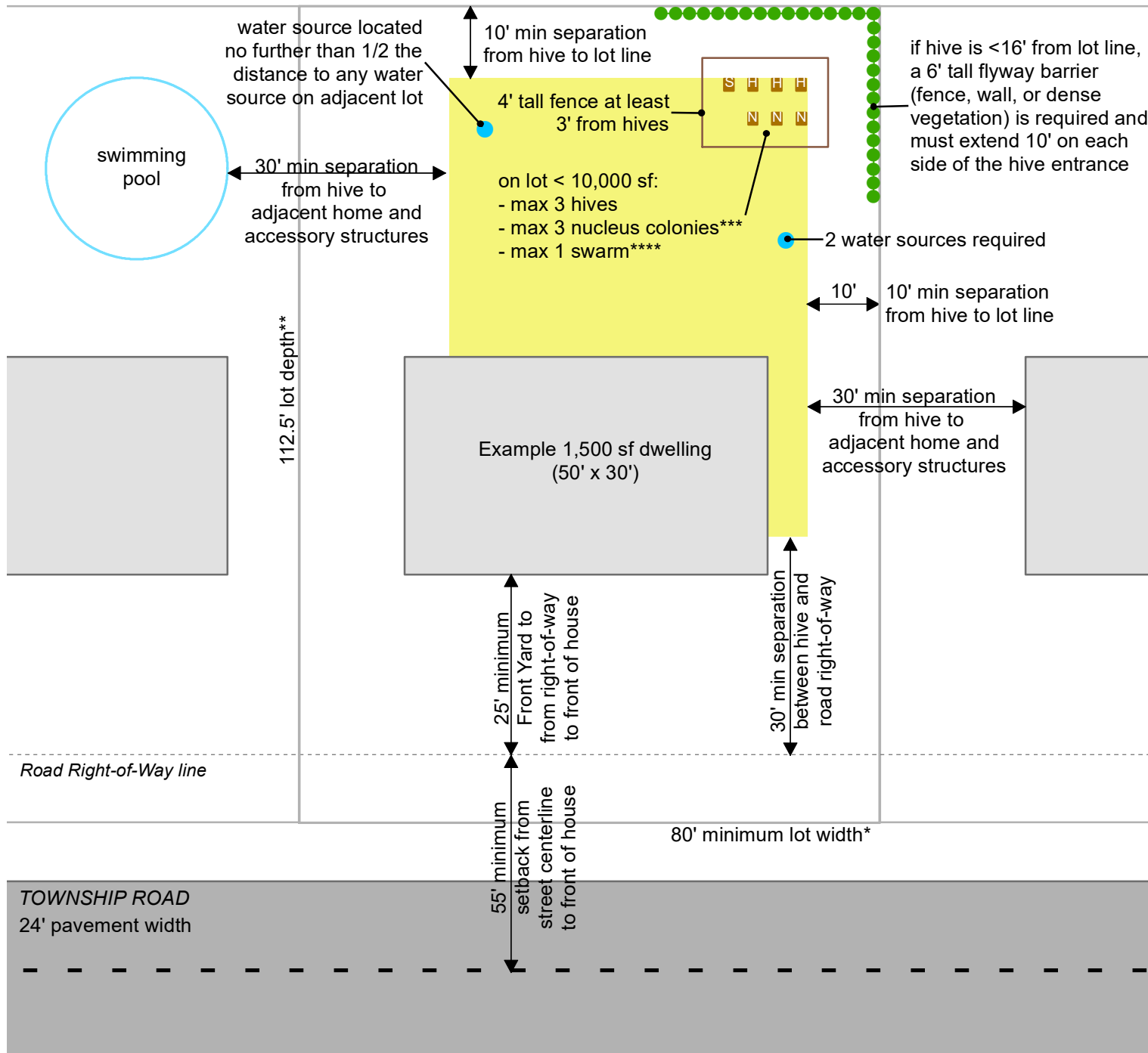
Comments were submitted via email to the P&Z Department; those emails are in Attachment B.

ATTACHMENTS

- A Comparison of R-1 requirements: original vs revised, created by P&Z Staff on October 13, 2021
- B Emails received up to close of business on October 14, 2021

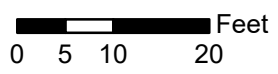
Example Beekeeping Regulations on a Typical 9,000 square foot Residential Lot in R-1 (Original Amendment)

Yellow area is 3,117 sf of 9,000 sf



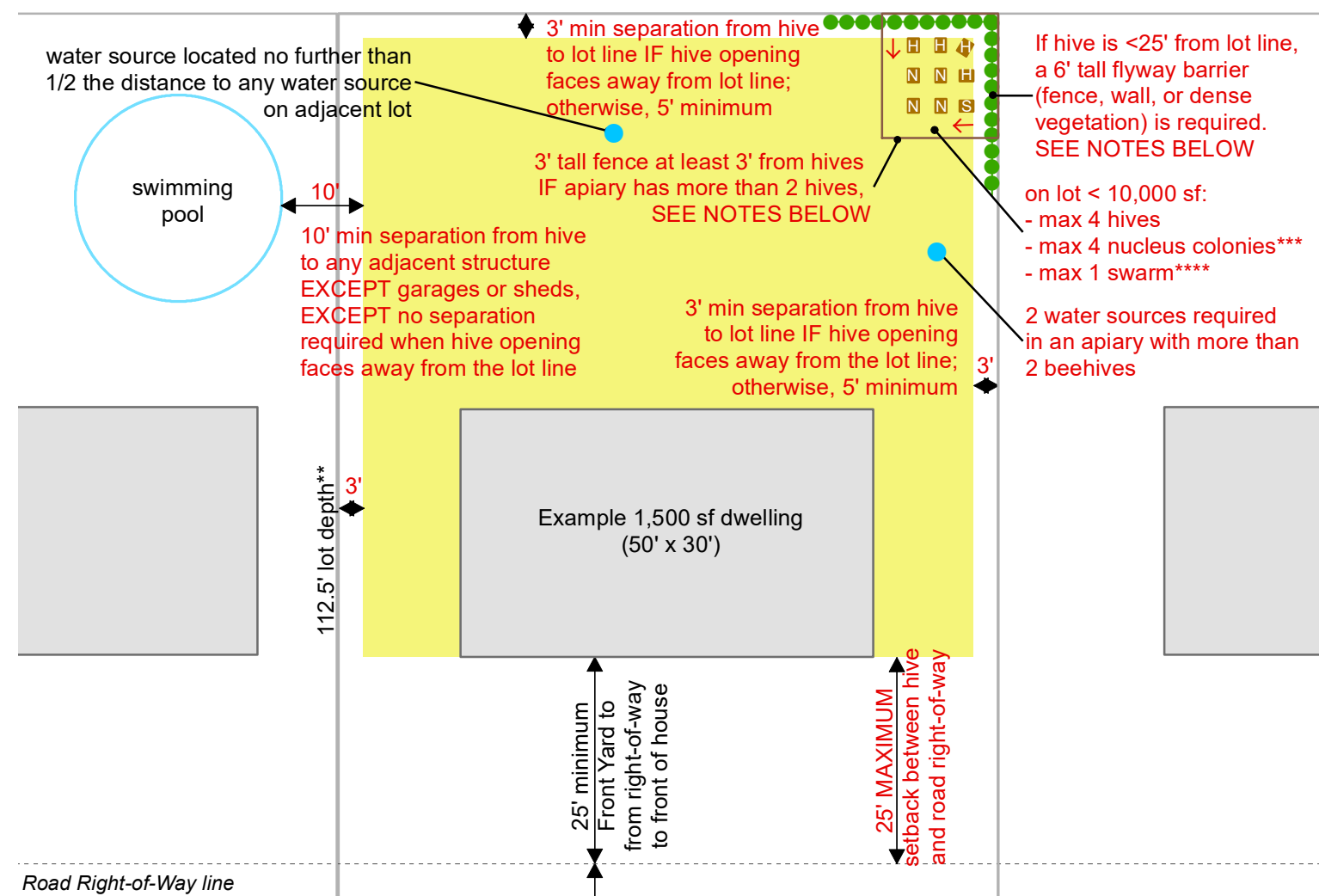
- Permissible area for beehives
- Fence around hives
- Flyway barrier
- 9,000 sf residential lot
- Hive
- Nucleus colony
- Swarm
- Hive opening direction

* minimum lot width in R-1 is 80'
 ** minimum lot size in R-1 is 9,000 sq ft
 *** nucleus colonies must be off site within 30 days
 **** swarms must be off site within 3 months



Example Beekeeping Regulations on a Typical 9,000 square foot Residential Lot in R-1 (Revised Amendment)

Yellow area is 5,643 sf of 9,000 sf (81% more than original)



- FLYWAY BARRIER NOTES**

 - minimum of 67% solid, as follows:
 - (1) No flyway barrier shall be required when the lot line borders land in the AG-1, AG-2, or CR DISTRICTS.
 - (2) If the flyway barrier is located in front of the hive opening and is located within 5 to 6 feet of the hive, the flyway barrier need only extend two feet past either side of the hive.
 - (3) If the flyway barrier is not located in front of the hive opening, the flyway barrier shall be located parallel to the nearest LOT LINE for a distance of 8 feet on either side of the centerline of the hive.

- If dense vegetation is used, the initial planting may be only 4 feet in HEIGHT or a temporary solid fence or wall that is a minimum of 67% solid shall be used until the planting attains 4 feet in height.

- Any required flyway barrier shall be indicated on the site plan for the Zoning Use Permit Application and the location of the bee opening in each hive shall also be indicated on the site plan.
- FENCE NOTES**

The fence may be replaced with a flyway barrier per Section 7.8 F.2. when the flyway barrier can serve the same purpose as a fence.

The fence can be permanently waived if all adjacent neighbors agree.

Susan Burgstrom

From: Lori Busboom
Sent: Thursday, October 7, 2021 6:12 PM
To: John Hall; Susan Burgstrom
Subject: Zoning Board Amendment for Beekeeping

From: Chris Graham <ladyhawke65@yahoo.com>
Sent: Thursday, October 7, 2021 5:46:35 PM
To: zoningdept <zoningdept@co.champaign.il.us>
Subject: Re: Zoning Board Amendment for Beekeeping

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OCT 08 2021

CHAMPAIGN CO P & Z DEPARTMENT

John Hall, administrator
Ryan Elwell, Chair
Board Members

I am sending you my thoughts on the last board meeting and the packet of information sent out on Tuesday. The revised proposed amendment is definitely progress. In fact the community in question has only 1 hive currently. The proposal will allow 4 hives for any home. That exponentially increases the number of hives possible in the neighborhood, thus resolves nothing for these people and potentially exacerbates it. The older woman who said 'please help us' obviously did not understand this when Mr. Elwell tried to explain that in the last meeting. I think this amendment is a reaction to a resolved problem, I don't believe for a second that Rena will again have numerous hives on her property – there are many people who learn from their mistakes, which includes Rena. You have heard from multiple beekeepers, keeping beehives successfully living in multiple neighborhoods. This 3 foot fence with a latch on the inside? I do not understand. Is this to keep trespassers from getting stung? All beehives are to be registered with the Illinois Dept. of Agriculture. You are now wanting beehives also registered with the county - is that not redundant? And a Zoning proposal for a permit along with registration with the state and registration with BeeWatch? Who has beekeeping experience on this board to review the zoning permits so approval is appropriately evaluated? You are proposing to be notified of every swarm caught and at an apiary and when it is moved? I reiterate the State Dept. of Agriculture has bee inspectors who are experienced bee keepers who will and do respond to bee keepers with problems and any community problems. I think the Best Bee Keeping Practice document labeled ATTACHMENT F is an excellent document, as is the Illinois Beekeeping Best Management Practices, and think any beekeeper would agree. I believe this amendment does not solve a resolved problem for this neighborhood, potentially creates more problems, is redundant of the State Program, and is serious over kill. It should be voted as denied since it redundant, over restrictive, and dictatorial to beekeepers from non beekeepers.

Sincerely
Chris Graham

Susan Burgstrom

From: Barney Bryson <bdbbryson@gmail.com>
Sent: Monday, October 11, 2021 12:45 PM
To: Susan Burgstrom
Subject: ZBA bee ordinance for the record

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OCT 12 2021

CHAMPAIGN CO. P & Z DEPARTMENT

Follow Up Flag: Follow up
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Hello Susan,

Would you include this in the upcoming meeting packet please?

Once again I find myself responding to misleading comments and/or simply false comments made by Rena Jones. Her statement suggesting I altered Mr. Ken Mills' letter is misleading and simply not true. I have enclosed a conversation on Messenger I had with him showing his investigating legal action and his agreement with Rena and Drew's bee being a nuisance. Which brings us back to the basic issue.

An excessive amount of bee hives create a nuisance in a neighborhood. Personally I feel five hives are too many. As we have heard other responsible beekeepers from twom mention they have several hives but only one on their property in town. Wise! As you will read we have a right to enjoy our property as long as we do not cause a negative effect to others, in short a nuisance. Drew and Rena have created a great nuisance in this neighborhood.

As for beekeepers' comment on having children being stung by bees as a right of passage. Yet another one of many ridiculous and embellishing comments I have heard in these meetings. This is not a "gang initiation". Statements like this show their lack of concern for others and lack of common sense reasoning as to why this Ordinance should not be enacted. As for the anticipated expense of their hobby in residential areas of the County, I can only tell you that hobbies can get expensive. I used to fly an airplane. I dropped my ticket due to the expense. I noticed no one has mentioned the tax breaks they receive for their beekeeping.

There is a reason this Ordinance should be passed. Rena has shown by her past actions and her continued misleading comments to this Board that once this issue is over, if it does not pass she will be right back to flooding the neighborhood with bees again. Why? Because she can! And you will be condoning the creation of a nuisance. There is a reason it is illegal to drink and drive. People did it because they could. The law is a deterrent, yet it does not stop it from happening. Just the same as texting and driving along with countless numbers of other Laws and Ordinances.

Here is the discussion Ken and I had on messenger:

9/13/18, 5:42 PM

Ken
Ken Mills
Still fighting but it is going well. Too bad about the bees. Drew and Rena need to be accomadating. Life is great.

9/13/18, 6:19 PM

You sent
Life is good. It's the speed bumps on the road of life that slow us down. Rena has shown a great lack of respect for her neighbors in the area. It,s beginning to come to a head. Hang tough the right will prevail.

9/13/18, 11:45 PM

Ken
Ken Mills

That's too bad, She is showing no understanding for her neighbors. I was told the best cost me money.

9/14/18, 6:07 AM

You sent

It's probably going to cost me money as well. We can't enjoy the pool anymore because of the infestation of bees. Sue now has been prescribed an EPI pen due to her reaction to the stings. On labor day while cooking on the smoker I pulled 192 bees out of the pool. Frankly her attitude towards people she needs to be in the country, not in a residential area.

9/14/18, 6:37 AM

Ken
Ken Mills

Yes she has gotten it completely out of hand.. Losing usage of part of your property, like the pool or value to your property can make them liable financially for the loss. I would start documenting everything, dates, bees in the pool, the prescription of eppie pin, the cost and the life threatening risk associated with extreme reaction to bee stings. While directly there are no laws governing bee hives outside the city you are entitled to the safe usage of your property and that is where the liability begins to accrue. Documenting the loss of enjoyment and significant risk to health impairment or even loss of life due to an extreme reaction to a bee sting is a cause for serious concern. These are all things that I was told by Legal Shield 1-312-782-2585. The cost for service is around \$20 a month. When NILAH died they put 5 lawyers on it to see me through it. A letter enumerating the risks of liability may encourage her and Drew to seek some reasonable conversation and answers.

9/14/18, 2:36 PM

You sent

Thank you Ken. I remember the issues you were having when you told me about them. Others in the neighbor hood have expressed the same concerns. I am very grateful for you contacting me with the Legal Shield information. I remember you telling me about that too. I can't find any Attorney's here in town that would even write a letter. Imaging that an Attorney turning down money. I have been to county zoning and the Environmental Land Use Committee of the county Board. They have been pretty apathetic in their response. There is no zoning in Urbana either. I was going to go the route of the 1 and 1/2 mile territorial jurisdiction of the city but they have nothing. My last resort is litigation. I have read once a bee keepers home owners insurance finds out there are issues their insurance goes up pretty high because of the liability. Thank you again and if you remember anything else please feel free to contact me. I'll keep you posted on progress if any.

Ken
Ken Mills

I appreciate that. There are several approaches to liability.

9/14/18, 3:55 PM

You sent

Well her first response has always been, How do you know they are my bees? I have one the stung Sue and several others. I have sterile ampules that I keep them in for DNA testing if needed.

9/14/18, 5:16 PM

Ken
Ken Mills

She is dreaming,her bees are all over. I used to stand and watch them, it was not safe for the uniformed, it has reached nuisance level and beyond.

9/15/18, 7:54 AM

You sent

Agreed. The UCSD guys were out cleaning the storm sewers. They left but were back the next week. I went to the Operations Manager and asked if any of the guys working at 2002 Barnes had any problems with bees. She said actually two of her guys were stung. Rena offered them bee suits to wear. In 90= degree weather and around rotating equipment. Indeed she has lost touch with reality.

9/15/18, 8:34 AM

Ken

Ken Mills

Yep

END OF OFFERED MESSAGE

We have kicked this dead horse into glue. Please elect to accept this Ordinance and put an end to this Nuisance once and for all.

Thank you for your time and consideration.

Barney Bryson

Susan Burgstrom

From: Bill <studley36@frontier.com>
Sent: Wednesday, October 13, 2021 3:00 PM
To: Susan Burgstrom
Subject: Oct. 14 Zoning Board of Appeals meeting

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OCT 13 2021

CHAMPAIGN CO P & Z DEPARTMENT

Follow Up Flag: Flag for follow up
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CAUTION: External email, be careful when opening.

Gentlefolks:

A review of the process resulting from Mr. Bryson's request for county wide regulations governing the placement of bee hives leads me to the following conclusions.

1. Mr Bryson has an available and considerably less restrictive solution to his complaint via modification of his subdivision home owner covenants.
2. Mr. Bryson's complaint is moot in that the honey bee colonies upon which his request for zoning restrictions was based have been removed from his neighborhood. The problem is highly unlikely to reoccur. As noted during an earlier hearing, the perusal of Mr. Bryson's request appears to be based on a solution in search of a problem.
3. Should any proposed regulations be approved, the monitoring and enforcement of these will result in continuous costs with very questionable benefits to the citizens of Champaign County.
4. As noted by others the proposals before the Zoning Board of Appeals are redundant with state requirements, overly restrictive, will discourage bee keeping and the pollination and other benefits derived, and impose an unnecessary expense on county tax payers.
5. Any proposed zoning regulations regarding bee keeping are unnecessary and should be denied.

Bill Studley

Susan Burgstrom

From: CHARLES GLASS <clgjlg1@comcast.net>
Sent: Thursday, October 14, 2021 10:53 AM
To: Susan Burgstrom
Subject: Bees

To whom it may concern, my name is Charles Glass. I live at 2407 Marylou Dr Urbana Illinois. I really wanted to speak at the last meeting but I didn't sign the list, I would like to say that although I've seen a decrease in bee population I hope whatever rules that have been placed on bee keepers remain in force. I'm not a bee hater at all but I like to enjoy my backyard pool without being disturbed by bees, it's like the guy at the beach that feeds the bird's and thinks it's cool but everyone around him is looking at him like an idiot. I'm not calling bee keepers idiots but I don't understand the logic of breeding bees in a residential neighborhood.

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OCT 14 2021

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