

CASE 217-S-26

PRELIMINARY MEMORANDUM

July 23, 2026

Petitioner: Frank Pagel d.b.a. HSI Assets LLC

Request: Authorize a “Contractor’s Facility with no Outdoor Storage and/or Outdoor Operations” as a Special Use Permit in the AG-2 Agriculture Zoning District, per Section 5.2. and Section 6.1.3 of the Zoning Ordinance.

Location: A 15 acre lot, in the Northeast Quarter of the Northeast Quarter of Section 2, Township 21 North, Range 7 East of the Third Principal Meridian, in Newcomb Township with PIN 16-07-02-200-008, commonly known as the property with an address of 2991 CR 500E, Fisher.

A 2.49 acre lot, in the Northeast Quarter of the Northwest Quarter of Section 1, Township 21 North, Range 7 East of the Third Principal Meridian, commonly known as the property with an address of 527 CR 3000N, Fisher.

Site Area: 15 acres and 2.49 acres

Time Schedule for Development: Currently in use

**Prepared by: Charlie Campo, Zoning Officer
John Hall, Zoning Administrator
Trevor Partin, Associate Planner**

BACKGROUND

The petitioner Frank Pagel d.b.a. HSI Assets LLC is the owner of the subject properties and operates a helicopter based agricultural chemical spraying company from the properties. The business previously operated from the 2.49-acre property and now operates from a portion of the 15-acre property. Currently the house on the 2.49-acre property is leased to a tenant, and the storage building on the property is used as extra storage space for business. The agricultural chemical spraying company primarily operates from a portion of the large building on the 15-acre property and an open field near the building. The majority of the property is used as a horse stable, and the dwelling is occupied by a family member.

The business primarily operates during a short period of time during the growing season. The business has six helicopters, eight tender trucks with trailers and one semi-truck that are kept on the property. The helicopters are flown from the property to customer fields where they work. The petitioner has stated that agricultural chemicals are not mixed or stored on the property and are delivered to the tender trucks at the customer location and then loaded onto a helicopter then applied to customers’ properties.

The business operates with a “Part 137 Agricultural Aircraft Operating certificate” through the FAA which permits the operation of the helicopter spraying business at the subject properties and the customer locations.

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one-and-one-half miles of the Village of Fisher. Zoned Municipalities do not have protest rights on Special Use Permit cases but are notified and are invited to comment.

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 Permit cases but are notified and are invited to comment.

EXISTING LAND USE AND ZONING

527 CR 3000N Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Residential, Commercial	AG-1 Agriculture
North	Residential	Village of Fisher R-1 & R-2
East	Self-Storage Warehouses	Village of Fisher A Agriculture
West	Agriculture	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

2991 CR 500E Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Agriculture, Commercial	AG-1 Agriculture
North	Agriculture, Commercial	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Residential	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

PROPOSED SPECIAL CONDITIONS

- A. **A Change of Use Permit or Zoning Use Permit shall be applied for within 30 days of the approval of Case 217-S-26 for each property.**

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.

- B. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed Special Use 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:

That the proposed Special Use meets applicable state requirements for accessibility.

- C. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- D. **Any outdoor operations that meet the definition of Outdoor Operations” in the Zoning Ordinance shall be screened in accordance with Section 7.6 of the Zoning Ordinance.**

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

That outdoor operations are screened in accordance with the Zoning Ordinance.

- E. **Agricultural chemicals shall not be mixed or stored on the property. Any agricultural chemicals on the property shall be in amounts to support the agricultural operations on the property.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- F. **All fuel stored on the subject properties shall be stored in accordance with State regulations including State Fire Marshal regulations.**

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

That fuel stored on the subject properties in accordance with all State regulations.

- G. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

ATTACHMENTS

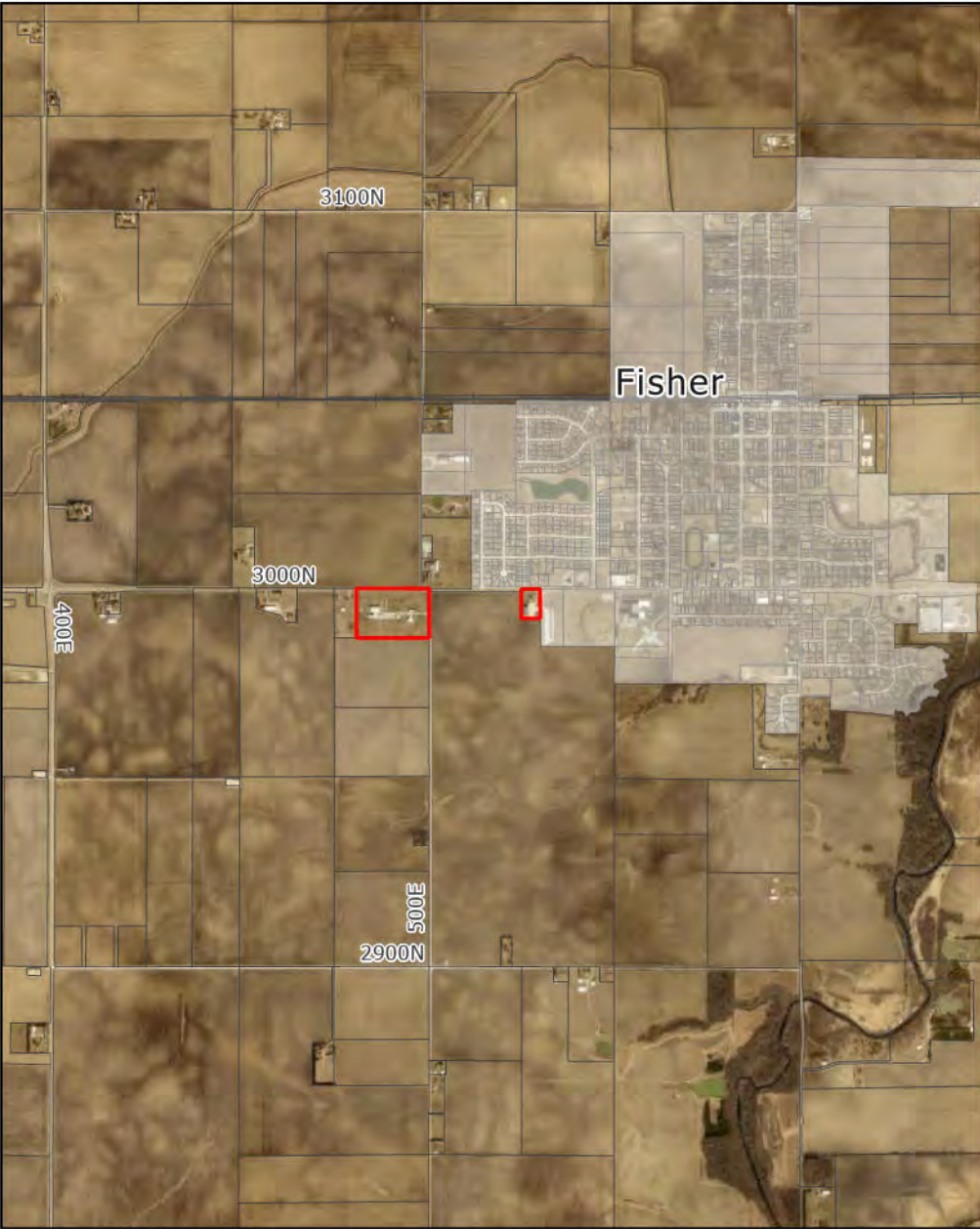
- A Case Maps (Location, Land Use, Zoning)
- B Site Plan and Floor Plan received March 19, 2026
- C Description of the Proposed Use of the Property received February 3, 2026
- D Annotated 2026 Aerial Photos
- E Site photos taken July 23, 2026
- F Summary of Evidence, Finding of Fact, and Final Determination dated July 30, 2026

Location Map

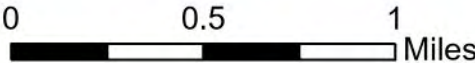
Case 217-S-26

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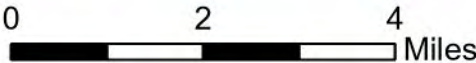
Subject Parcel



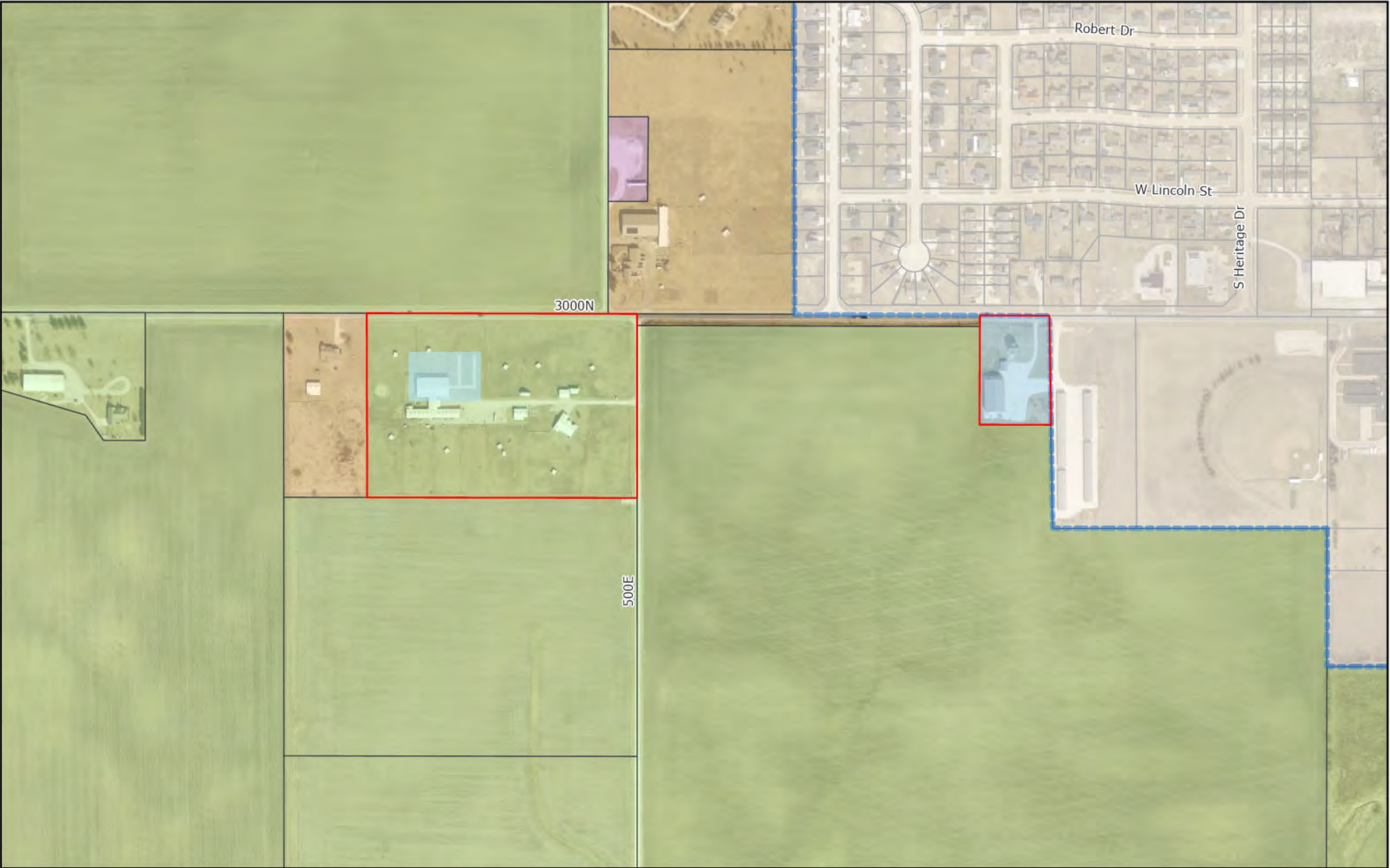
 Subject Parcels



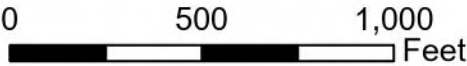
Property location in Champaign County



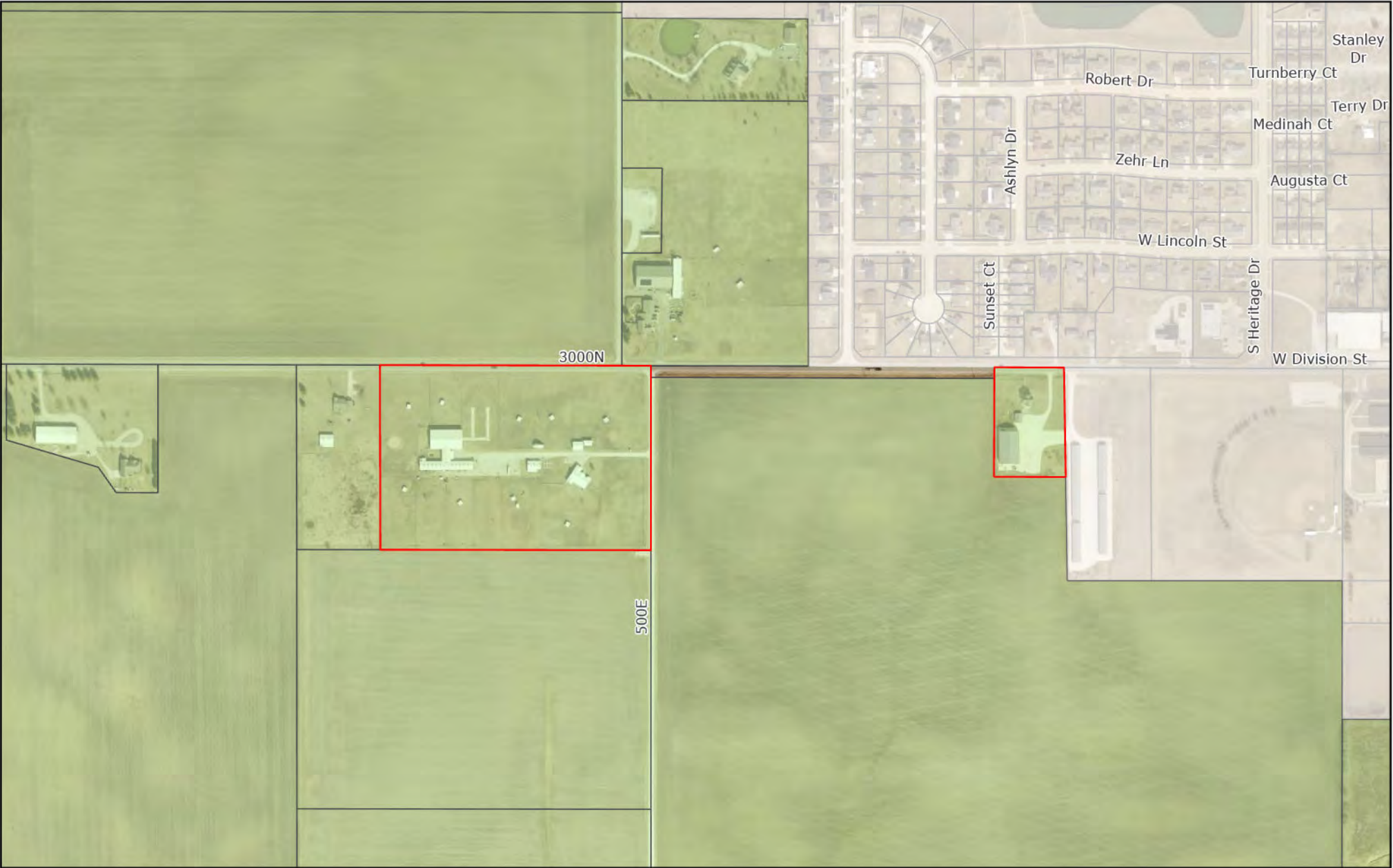
Land Use Map
Case 217-S-26
July 30, 2026



- | | | |
|----------------------------|-------------------------|-------------------------------|
| <div></div> Subject Parcel | <div></div> Residential | <div></div> Commercial |
| <div></div> Agricultural | <div></div> Utility | <div></div> Village of Fisher |

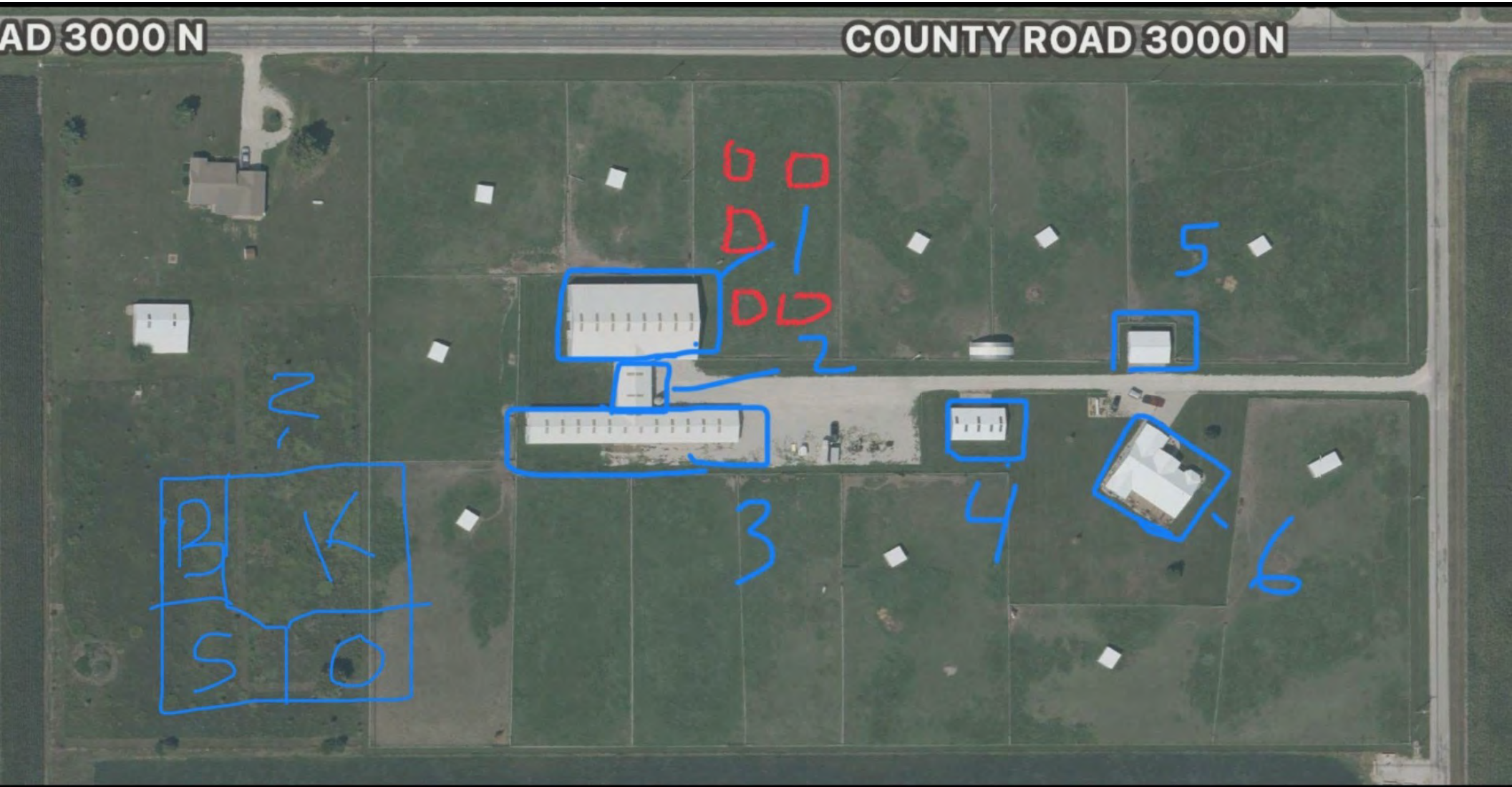


Zoning Map
Case 217-S-26
July 30, 2026



AD 3000 N

COUNTY ROAD 3000 N



Application here with a handout explaining the process, as well as a fee schedule so that you may anticipate any future payments. If you fill it out to the best of your abilities, our office can help with the rest if the need arises.

From: Frank Pagel <frank@hsihelicopters.com>
Sent: Friday, February 20, 2026 9:26 AM
To: Spencer Z. Durnell <spencer.durnell@champaigncountyil.gov>
Subject: Layout of property

CAUTION: External email, be careful when opening.

Spencer,

I am attaching an overhead picture of the property. Hope this works for what you need. Not much has changed since we bought it except to spot #2.

- 1 - storage for trucks, aircraft, parts.
- 2 - kitchen 25x20, bathroom 6x15, office 15x18, storage 12x18
- 3 - still horse stalls, hay storage all animal stuff
- 4 - old machine shed still used for storage for fencing, and stuff to maintain the property
- 5 - 3 car garage
- 6 - house

Red is concrete to land on that is already out there. #2 and the red spots are used temporarily in the summer when corn and beans are being sprayed in the area. Normally 21 - 30 days of work in that area every year.

Let me know if you need anything else. thanks

<image0.jpeg>

Frank Pagel
217 390-0656
Hsihelicopters.com
<Application_Special_Use_Permit.pdf>
<Fee_Listing.pdf>



Helicopter services of Illinois.

Spencer,

Locations –

527 cr 3000 n, this property is just storage for some trucks and trailers nothing else.

2991 cr 500 e, is used for a few weeks when crops are ready in the area. aircraft will come out and we park trucks overnight in the lot. Also used to store equipment when not in use after the few weeks of work. Most office work is run out of Florida as it is all done on computer and remotely sent. Florida is where I live.

Employees –

We are a part-time business with no employees. I get work from coops and farmers then we contract hire for the few weeks we have work available (2025 was 25 days total) My daughter lives there full time on the property. We have offered the subcontractors that there are spare bedrooms in the house they are welcome to use for free when in the area to save them from driving to a hotel since fisher is a small town without one. Some stay there and some drive to Rantoul. If that is an issue they can all stay in hotels as it's a traveling job and they are not always onsite anyway.

Equipment –

We own 6 aircraft that do get stored at 2991 when not at the shop in St louis at HeliRx the Mechanics shop that maintains the aircraft. Aircraft do take off from 2991 when they are used in this area for spraying. It's not always all aircraft every day as some stay in the area they are working. We have 8 trailers, 1 semi, and 8 trucks that get stored here or in the shed at 527.

Chemicals –

We operate as application only and do not mix or store Pesticides on our premises. We get all loads delivered from the places we work for like Sunrise Fs Etc directly to the tender trucks.

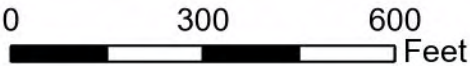
Fuel –

As of now we do not have fuel storage at either location. We called Fs to set 2 tanks this coming year for fuel at 2991, We are debating a 1,000 and a 2,000 gallon fuel tank on the property. Not set as if now still in the planning phase.

Annotated 2026 Aerial
Case 217-S-26
July 30, 2026



Subject Parcels Village of Fisher



217-S-26 Site Images



From 3000N at neighbor's driveway looking southeast toward subject property (2991).



From 3000N looking south toward subject property (2991).

217-S-26 Site Images



From CR 500E looking southwest toward subject property (2991).



From 3000N looking southwest toward subject property (2991).

217-S-26 Site Images



From adjacent property looking west toward subject property (527).



From 3000N looking southwest toward subject property (527).

217-S-26 Site Images



From 3000N looking south toward subject property (527).

PRELIMINARY DRAFT

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**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 30, 2026}***

Petitioner: **Frank Pagel d.b.a. HSI Assets LLC**

Request: **Authorize a helicopter based custom agrichemical application contractor as a “Contractors Facility with Outdoor Storage and Outdoor Operations” as a Special Use Permit in the AG-1 Agriculture Zoning District, per Section 5.2. and Section 6.1.3 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 **July 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Frank Pagel d.b.a. HIS Assets LLC is the owner of the subject properties.
2. The subject properties are two separate lots:
 - A. A 15-acre lot, in the Northeast Quarter of the Northeast Quarter of Section 2, Township 21 North, Range 7 East of the Third Principal Meridian, in Newcomb Township with PIN 16-07-02-200-008, commonly known as the property with an address of 2991 CR 500E, Fisher.
 - B. A 2.49-acre lot, in the Northeast Quarter of the Northwest Quarter of Section 1, Township 21 North, Range 7 East of the Third Principal Meridian, commonly known as the property with an address of 527 CR 3000N, Fisher.
4. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is located within the one-and-one-half miles of the Village of Fisher. Zoned Municipalities do not have protest rights on Special Use Permit cases but are notified and are invited to comment.
 - 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 Permit cases but are notified and are invited to comment.

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 eastern 2.49-acre subject property is zoned AG-1 Agriculture and contains a single-family residence, a detached garage and an approximately 8,600 sf. storage building.
 - B. The western 15-acre subject property is zoned AG-1 Agriculture and contains a single-family residence, a detached garage, a smaller storage building and a larger combined business storage, office and horse barn building.
 - C. Regarding the 2.49-acre eastern property with address 527, CR 3000N
 - (1) Land to the north is within the Village of Fisher and is zoned R-1 and R-2 Residential and is in use as single family residential.
 - (2) Land to the east is within the Village of Fisher and is zoned A Agricultural and is a mini warehouse development.
 - (3) Land to the south and west is zoned AG-1 Agriculture and is in agricultural production.
 - D. Regarding the 15-acre western property with address 2991, CR 500E.

- (1) Land to the north is zoned AG-1 Agriculture and is in use as single family residential and agriculture.
- (2) Land to the west is zoned AG-1 Agriculture and is in use as single family residential.
- (3) Land to the east and south is zoned AG-1 Agriculture and is in agricultural production.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the site plan and operations of the proposed Special Use:
 - A. The Site Plan and application information received March 19, 2026, indicates the following existing and proposed features:
 - (1) The 2.49-acre eastern property with address 527, CR 3000N contains an 8,600 sf. storage building and parking area that is used for the storage of equipment and the temporary parking of vehicles during the crop spraying season. The house and garage on the property are leased by a residential tenant.
 - (2) The 15-acre western property with address 2991, CR 500E has a storage building for vehicles, helicopters and equipment and an accessory kitchen, bathroom, office and storage area. There is also a paved helicopter take-off and landing area to the east of the storage building. Also on the property is a single-family residence that is occupied by a family member who operates a horse stable on the property.
 - B. Information regarding the operations of the proposed Special Use, is summarized as follows:
 - (1) The business uses helicopters for spraying agricultural chemicals during the crop growing season. The petitioner states that they work spraying crops for up to 30 days per year.
 - (2) The applicant has a “Part 137 Agricultural Aircraft Operating certificate” which permits the operation of the helicopter spraying business at the subject properties and the customer locations.
 - (2) The business previously operated from the 2.49-acre eastern property with address 527, CR 3000N. Currently the storage building on that property is used for overflow business storage and the parking area is used for temporary parking of vehicles.
 - (3) The business primarily operates from the 15-acre western property with address 2991, CR 500E. The storage building is used for the storage of helicopters, vehicles, parts and equipment and the kitchen, bathroom and office area is used to support the staff when they are working during the crop spraying season. To the east of the storage building is an area used for the takeoff and landing of helicopters.

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- (4) Helicopters and tender vehicles travel from the property to farm fields in the area where the helicopters apply chemicals to fields and are refueled and refilled with agricultural chemicals from specialized trucks and trailers.
- (5) Agricultural chemicals are delivered to the vehicles at the customer location, and are not mixed or stored on the subject properties.
- C. There are no previous Zoning Use Permits for the subject properties.
- D. The subject property is not Best Prime Farmland.
- E. There are no previous zoning cases for the subject properties.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

- 6. Regarding authorization for a “Contractors Facility with Outdoor Storage and Outdoor Operations” 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) “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 USE” is a USE on the same LOT customarily incidental and subordinate to the main or principal USE or MAIN or PRINCIPAL STRUCTURE.
 - (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) “BUILDING, MAIN or PRINCIPAL” is the BUILDING in which is conducted the main or principal USE of the LOT on which it is located.
 - (7) “HELICOPTER” is any rotary wing AIRCRAFT including those helicopters registered as Special Purpose Aircraft by the Illinois Department of Transportation, Division of Aeronautics.

- (8) “HELIPORT/HELISTOP” is any area described or defined as a heliport or helistop under the Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14) and which is further regulated under the rules for airports by the Illinois Department of Transportation, Division of Aeronautics.
- (9) “HELIPORT-RESTRICTED LANDING AREA” is any area described or defined as a restricted landing area – heliport under the Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14) and which is further regulated under the rules for restricted landing areas by the Illinois Department of Transportation, Division of Aeronautics.
- (10) “LOT” is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
- (11) “OPERATIONS” are processing, assembly, fabrication, or handling of materials or products or movement of bulk materials or products not in containers or pipelines.
- (12) “PARKING SPACE” is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
- (13) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (14) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- (15) “STORAGE” is the presence of equipment, or raw materials or finished goods (packaged or bulk) including goods to be salvaged and items awaiting maintenance or repair and excluding the parking of operable vehicles.
- (16) “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.
- (17) “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;

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- 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.
- (18) “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.
- (19) 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. Section 4.2.1.C. states that it shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-2, Agriculture Zoning District.
- C. Section 5.2: Table of Authorized Principal Uses states that Contractors Facilities with outdoor STORAGE and outdoor OPERATIONS can be established with a Special Use Permit in the AG-1 Agriculture Zoning District.
- D. Section 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.
- (2) Subsection 6.1.3 establishes the following standard conditions for Contractors Facilities with or without Outdoor STORAGE and/or Outdoor OPERATIONS:
- a. In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/or outdoor OPERATIONS are allowed as an ACCESSORY USE subject to subsection 7.6.
- E. Section 7.4 establishes requirements for off-street PARKING SPACES and LOADING BERTHS:
- (1) Section 7.4.1 A. states, "All off-street PARKING SPACES shall be located on the same LOT or tract of land as the USE served."
 - (2) For parking purposes, the Zoning Administrator has determined that a Contractor's Facility is most similar to the parking requirements for industrial uses.
 - (3) Section 7.4.1 C.4. states, "Required parking SCREENS for commercial ESTABLISHMENTS shall be provided as follows:
 - a. Parking areas for more than four vehicles of no more than 8,000 pounds gross vehicle weight each, excluding any vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials, located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type A SCREEN except that a TYPE B SCREEN may be erected along the rear LOT LINE of the business PROPERTY.
 - b. Parking areas for any number of vehicles exceeding 8,000 pounds in gross vehicle weight each or any number of vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type D SCREEN."
 - (4) Section 7.4.1 D.1. states, "One space shall be provided for each three employees based upon the maximum number of persons employed during one work period during the day or night, plus one space for each VEHICLE used in the conduct of such USE. A minimum of one additional space shall be designated as a visitor PARKING SPACE."

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- (5) Section 7.4.1 D.2. states, “All such spaces shall be surfaced with an all-weather dustless material.”
 - (6) Section 7.4.1 D.3. states, “Required parking SCREENS for industrial USES shall be provided as required in paragraph 7.4.1 C.4.”
 - (7) Section 7.4.2 refers to off-street LOADING BERTHS:
 - a. All LOADING BERTHS shall have vertical clearance of at least 14 feet.
 - b. All LOADING BERTHS shall be designed with appropriate means of vehicular access to a STREET or ALLEY in a manner which will least interfere with traffic movement.
 - c. No VEHICLE repair or service work shall be performed on any LOADING BERTH.
 - d. No LOADING BERTH shall be located less than 10 feet from any FRONT LOT LINE and less than five feet from any side or REAR LOT LINE.
 - e. Section 7.4.2 D. states, “Off-street LOADING BERTHS for Industrial USES shall be provided as follows:
 - (a) All LOADING BERTHS shall be located on the same LOT or tract of land as the Industrial USE served.
 - (b) No such BERTH shall be located within any YARD abutting a residential DISTRICT or located less than 100 feet from the BUILDING RESTRICTION LINE of any LOT in an R DISTRICT or any lot containing a DWELLING conforming as to USE unless such BERTH is screened from public view by a Type D SCREEN.
 - (c) No LOADING BERTH shall be located less than 50 feet from the nearest point of intersection of two STREETS.
 - (d) All LOADING BERTHS shall be improved with a compacted base at least seven inches thick and shall be surfaced with at least two inches of some all-weather dustless material.
 - (e) The schedule of off-street LOADING BERTHS for commercial ESTABLISHMENTS shall also apply to Industrial USES.
 - i. For an establishment with a floor area of less than 9,999 square feet, one 12 feet by 40 feet loading berth is required.
- F. Subsection 7.6 establishes the following conditions for Outdoor Storage and/or Outdoor Operations:
- (1) Paragraph 7.6.1 states: “Outdoor STORAGE and/or OPERATIONS shall be allowed in all DISTRICTS only as ACCESSORY USES unless permitted as a principal USE in Section 5.2 and shall be allowed in any YARD in all DISTRICTS subject to the provisions of Section 7.2 without a permit provided that outdoor

STORAGE and/or outdoor OPERATIONS shall not be located in any required off-street PARKING SPACES or LOADING BERTHS.”

- (2) Paragraph 7.6.2 states: “A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE and/or outdoor OPERATIONS which is visible within 1,000 feet from any of the following circumstances:
 - a. Any point within the BUILDING RESTRICTION LINE of any LOT located in any R DISTRICT or any LOT occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or HOSPITAL; recreational business USE with outdoor facilities; or
 - b. Any designated urban arterial street or MAJOR STREET.”
- G. 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.
 - (6) Approval of a Special Use Permit shall authorize use, construction and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner’s agent.

- H. 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.

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 testified on the application, **“It’s a central location for Farmers in the area to have access to the services we provide.”**
- B. The subject properties is located along US Route 136/CR 3000N just west of the Village of Fisher.
- C. The business serves customers in and around Champaign County.

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, **“It is located in a large property away from people for safe operation.”**
- B. Regarding surface drainage:
- (1) The 2.49-acre eastern property with address 527, CR 3000N generally drains to the south. The amount of impervious area on the subject property is below the threshold to require a stormwater drainage plan.
- (2) The 15-acre western property with address 2991, CR 500E is relatively flat and generally drains to the east. The amount of impervious area on the subject property is below the threshold to require a stormwater drainage plan.
- C. Regarding traffic in the subject property area:
- (1) The subject properties are located along US Route 136/CR 3000N approximately 1-1.25 miles from IL Route 47.
- a. US Route 136/CR 3000N is a State Highway that is paved with asphalt and approximately 24 ft. wide.
- b. The entrance for the 2.49-acre eastern property with address 527, CR 3000N is on US Route 136/CR 3000N.

- c. The entrance for the 15-acre western property with address 2991, CR 500E is on CR 500E approximately 300 ft. south of US Route 136/CR 3000N which is a Newcomb Township Rd. approximately 17 ft. wide.
 - d. 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). The most recent ADT data is from 2025 near the subject property. US Route 136/CR 3000N had an ADT of 2800.
 - e. The proposed Special Use should not create a significant increase in traffic.
 - f. Notice was sent to the IDOT, Newcomb Township Supervisor and Newcomb Township Road Commissioner, and no comments have been received.
- D. Regarding fire protection on the subject property, the subject property is located approximately 1-1.4 road miles from the Sangamon Valley Fire Protection District station in Fisher. Notice of this zoning case was sent to the Fire Protection District, and no comments have been received.
- E. No part of the subject property is located within a mapped floodplain.
- F. Soils on the subject properties are not Best Prime Farmland.
- G. Regarding outdoor lighting on the subject property:
 - (1) No additional outdoor lighting was indicated on the Site Plan. A special condition has been added regarding any future outdoor lighting for the Special Use Permit area.
- H. Regarding wastewater treatment and disposal on the subject property:
 - (1) There are existing septic systems that serve the properties.
 - (2) No new construction is being proposed that will require wastewater treatment.
- I. A Natural Resource Information Report by the Champaign County Soil and Water Conservation District was not required.
- J. Regarding life safety considerations related to the proposed Special Use:
 - (1) Champaign County has not adopted a building code. Life safety considerations are considered to a limited extent in Champaign County land use regulation as follows:
 - a. The Office of the State Fire Marshal has adopted the Code for Safety to Life from Fire in Buildings and Structures as published by the National Fire Protection Association (NFPA 101) 2000 edition, Life Safety Code, as the code for Fire Prevention and Safety as modified by the Fire Prevention and Safety Rules, 41 Ill. Adm Code 100, that applies to all localities in the State of Illinois.

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- b. The Office of the State Fire Marshal is authorized to enforce the Fire Prevention and Safety Rules and the code for Fire Prevention and Safety and will inspect buildings based upon requests of state and local government, complaints from the public, or other reasons stated in the Fire Prevention and Safety Rules, subject to available resources.
- c. The Office of the State Fire Marshal currently provides a free building plan review process subject to available resources and subject to submission of plans prepared by a licensed architect, professional engineer, or professional designer that are accompanied by the proper Office of State Fire Marshal Plan Submittal Form.
- d. Compliance with the code for Fire Prevention and Safety is mandatory for all relevant structures anywhere in the State of Illinois whether or not the Office of the State Fire Marshal reviews the specific building plans.
- e. Compliance with the Office of the State Fire Marshal's code for Fire Prevention and Safety is not required as part of the review and approval of Zoning Use Permit Applications.
- f. The Illinois Environmental Barriers Act (IEBA) requires the submittal of a set of building plans and certification by a licensed architect that the specific construction complies with the Illinois Accessibility Code for all construction projects worth \$50,000 or more and requires that compliance with the Illinois Accessibility Code be verified for all Zoning Use Permit Applications for those aspects of the construction for which the Zoning Use Permit is required.
- g. The Illinois Accessibility Code incorporates building safety provisions very similar to those of the code for Fire Prevention and Safety.
- h. The certification by an Illinois licensed architect that is required for all construction projects worth \$50,000 or more should include all aspects of compliance with the Illinois Accessibility Code including building safety provisions very similar to those of the code for Fire Prevention and Safety.
- i. When there is no certification required by an Illinois licensed architect, the only aspects of construction that are reviewed for Zoning Use Permits and which relate to aspects of the Illinois Accessibility Code are the number and general location of required building exits.
- j. Verification of compliance with the Illinois Accessibility Code applies only to exterior areas. With respect to interiors, it means simply checking that the required number of building exits is provided and that they have the required exterior configuration. This means that other aspects of building design and construction necessary to provide a safe means of egress from all parts of the building are not checked

- (2) The Sangamon Valley Fire Protection District has been notified of the proposed Special Use and no comments have been received.
- K. Other than as reviewed elsewhere 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, **“Yes, I believe so since we are operating in a farming community.”**
 - B. Regarding compliance with the *Zoning Ordinance*:
 - (1) A “Contractor’s Facility with Outdoor Storage and Outdoor Operations” is authorized by Special Use Permit in the AG-1 Zoning District.
 - (2) Regarding parking on the subject property:
 - a. The office portion of the building will require one space for each 200 sq. ft. of floor area totaling two parking spaces.
 - b. The warehouse portion of the building will require one space for every three employees totaling two parking spaces.
 - c. One space will be required for each business vehicle totaling 17 spaces.
 - d. The required 21 parking spaces need 300 sq. ft. of area each, totaling 6,300 sq. ft. of parking area required. There is sufficient existing area for the required parking.
 - (3) Regarding loading berths:
 - a. Loading berth requirements are based on building square footage. All loading berths must be surfaced with an all-weather dustless material.
 - b. With a total existing floor area of 10,300 square feet, the subject property would require two 10 feet by 40 feet loading berths.
 - c. There is sufficient area on the subject property for the required loading berths.
 - (4) Regarding screening for vehicle parking.

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- a. The petitioner stated that they have 1 semi-truck, 8 pick-up trucks and 8 trailers that are parked outside when in use and stored inside during the rest of the year.
 - b. No screening is required for parking, per paragraph 7.4.1 C.4.b. of the Zoning Ordinance.
- (5) Regarding screening of outdoor STORAGE and/or outdoor OPERATIONS:
- a. Both properties are located within 1000 ft. of US Route 136/CR 3000N and lots that are occupied by dwellings.
 - b. Outdoor operations include the moving, take-off and landing of helicopters which does not meet the definition of “Operations” in the Zoning Ordinance therefore no screening is required for the outdoor operations.
 - c. A special condition has been added to require outdoor screening for any other use that occurs on the property in the future that meets the definition of outdoor operations.
- C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*:
- (1) The existing improvements on both properties do not require a stormwater drainage plan because the amount of impervious area on each property is below the area required to necessitate a stormwater drainage plan.
- 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 the Village of Fisher 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) A “Contractor’s Facility with Outdoor Storage and/or Outdoor Operations” is authorized by Special Use Permit in the AG-1 Zoning District.
- G. The proposed Special Use must comply with the Illinois Accessibility Code, which is not a County ordinance or policy and the County cannot provide any flexibility regarding that Code. A Zoning Use Permit cannot be issued for any part of the proposed Special Use until full compliance with the Illinois Accessibility Code has been indicated in drawings. The petitioner is not proposing any changes to the building.

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. Regarding the proposed Special Use:
- (1) A “Contractor’s Facility with Outdoor Storage and Outdoor Operations” is authorized by Special Use Permit in the AG-1 Zoning District
- B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
- (1) Subsection 5.1.2 of the Ordinance states the general intent of the AG-1 District 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. The proposed Special Use could only have an effect on the value of real estate in the immediate vicinity. Regarding the effect on the value of real estate in the immediate vicinity other than the subject property, no new construction is anticipated for the proposed Special Use, so adjacent property values should not be impacted
 - (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 should not create a significant increase in 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 proposed special use is not exempt from the *Storm Water Management and Erosion Control Ordinance*. The existing improvements on both properties do not require a stormwater drainage plan because the amount of impervious area on each property is below the area required to necessitate a stormwater drainage plan.
 - b. The subject property is not in a Special Flood Hazard Area.
 - c. The subject property is exempt from requiring a Storm Water Drainage Plan.
- (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. Regarding public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
 - b. Regarding 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. A special condition has been added to require screening for any outdoor operations that meet the definition of operations in the Zoning Ordinance.
- (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 proposed Special Use will not take any land out of agricultural 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.

There are no natural features on the subject properties, and both properties have been developed for many years.

- (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.

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.

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- (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.

No land will be removed from agricultural production, and the properties have been developed for many years.

- (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 testified on the application: **“It’s not an existing non-conforming use but the special use permit will allow us to serve the farms in the area.”**
 - B. The proposed use is not an existing non-conforming use.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

12. Regarding proposed special conditions of approval:
- A. **A Change of Use Permit or Zoning Use Permit shall be applied for within 30 days of the approval of Case 217-S-26 for each property.**

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.

- B. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed Special Use 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:

That the proposed Special Use meets applicable state requirements for accessibility.

- C. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- D. **Any outdoor operations that meet the definition of Outdoor Operations” in the Zoning Ordinance shall be screened in accordance with Section 7.6 of the Zoning Ordinance.**

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

That outdoor operations are screened in accordance with the Zoning Ordinance.

- E. **Agricultural chemicals shall not be mixed or stored on the property. Any agricultural chemicals on the property shall be in amounts to support the agricultural operations on the property.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- F. **All fuel stored on the subject properties shall be stored in accordance with State regulations including State Fire Marshal regulations.**

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

That fuel stored on the subject properties in accordance with all State regulations.

- G. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

DOCUMENTS OF RECORD

1. Application for Special Use Permit received March 19, 2026, with attachments:
 - A Site Plan and Building Description for the property at 2991 CR 500E
 - B Floor Plan for the building at 527 CR 3000N
 - C Description of the Proposed Use of the Property received February 3, 2026

4. Preliminary Memorandum dated March 26, 2026, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan and Floor Plan received March 19, 2026
 - C Description of the Proposed Use of the Property received February 3, 2026
 - D Annotated 2026 Aerial Photos
 - E Site photos taken July 23, 2026
 - F Summary of Evidence, Finding of Fact, and Final Determination dated July 30, 2026

SUMMARY DRAFT FINDINGS OF FACT FOR CASE 217-S-26

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **217-S-26** held on **July 30, 2026**, 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:
 - a. ***The petitioners provide agricultural chemical spraying services in and around Champaign County.***
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 because:
 - a. ***The proposed Special Use should not create significant additional traffic.***
 - b. ***Notice was sent to IDOT, the Newcomb Township Supervisor and Newcomb Township Road Commissioner, and no comments have been received.***
 - b. Emergency services availability is **{ADEQUATE / INADEQUATE}** because:
 - a. ***The subject properties are located approximately 1.4 road miles from the Sangamon Valley Fire Protection District station in Fisher. Notice of this zoning case was sent to the Fire Protection District, and no comments have been received.***
 - c. The Special Use **{WILL / WILL NOT}** be compatible with adjacent uses because:
 - a. ***There is adequate separation to adjacent properties.***
 - b. ***A special condition has been added to require screening for outdoor operations.***
 - d. Surface and subsurface drainage will be **{ADEQUATE / INADEQUATE}** because:
 - a. ***The subject property is not exempt from the Storm Water Management and Erosion Control Ordinance. The existing improvements on both properties are less than the amount of impervious area required to necessitate a stormwater drainage plan.***
 - e. Public safety will be **{ADEQUATE / INADEQUATE}** because:
 - a. ***The subject properties are located approximately 1.4 road miles from the Sangamon Valley Fire Protection District station in Fisher. Notice of this zoning case was sent to the Fire Protection District, and no comments have been received.***
 - b. ***Notice was sent to IDOT, the Newcomb Township Supervisor and Newcomb Township Road Commissioner, and no comments have been received.***
 - c. ***A special condition has been included requiring all fuel stored on the property is in compliance with State regulations.***

- f. The provisions for parking will be **{ADEQUATE / INADEQUATE}** because:
 - a. ***There is sufficient area for parking onsite.***
- g. The property is BEST PRIME FARMLAND and the property with the proposed improvements **{ARE/ ARE NOT}** SUITED OVERALL because;
 - a. ***The proposed Special Use can be accommodated with no unacceptable negative effects on neighbors or the general public.***
- h. Existing public services **{ARE/ARE NOT}** available to support the proposed SPECIAL USE without undue public expense **{because*}: no new public services are required for the proposed Special Use.**
- 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 **{because*}: no new public infrastructure is required for the proposed Special Use**

**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 non-conforming 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. A Change of Use Permit or Zoning Use Permit shall be applied for within 30 days of the approval of Case 217-S-26 for each property.

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.

- B. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed Special Use 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:

That the proposed Special Use meets applicable state requirements for accessibility.

- C. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.

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

That the proposed use is in compliance with the Zoning Ordinance.

- D. Any outdoor operations that meet the definition of Outdoor Operations” in the Zoning Ordinance shall been screened in accordance with Section 7.6 of the Zoning Ordinance.

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

That outdoor operations are screened in accordance with the Zoning Ordinance.

- E. Agricultural chemicals shall not be mixed or stored on the property. Any agricultural chemicals on the property shall be in amounts to support the agricultural operations on the property.

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

That the proposed use is in compliance with the Zoning Ordinance.

- F. All fuel stored on the subject properties shall be stored in accordance with State regulations including State Fire Marshal regulations.

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

That fuel stored on the subject properties in accordance with all State regulations.

- G. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

FINAL DETERMINATION FOR CASE 217-S-26

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 **217-S-26** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}* to the applicant, **Frank Pagel d.b.a. HSI Assets LLC**, to authorize the following:

Authorize a helicopter based custom agrichemical application contractor as a “Contractors Facility with Outdoor Storage and Outdoor Operations” as a Special Use Permit in the AG-1 Agriculture Zoning District, per Section 5.2. and Section 6.1.3 of the Zoning Ordinance.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS;}

- A. A Change of Use Permit or Zoning Use Permit shall be applied for within 30 days of the approval of Case 217-S-26 for each property.**
- B. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed Special Use until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**
- C. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**
- D. Any outdoor operations that meet the definition of Outdoor Operations” in the Zoning Ordinance shall be screened in accordance with Section 7.6 of the Zoning Ordinance.**
- E. Agricultural chemicals shall not be mixed or stored on the property. Any agricultural chemicals on the property shall be in amounts to support the agricultural operations on the property.**
- F. All fuel stored on the subject properties shall be stored in accordance with State regulations including State Fire Marshal regulations.**
- G. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

SIGNED:

ATTEST:

Cynthia Cunningham, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date