

# CHAMPAIGN COUNTY ZONING BOARD OF APPEALS NOTICE OF REGULAR MEETING

Date: **March 29, 2012**  
Time: **6:00 P.M.**  
Place: **Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802**

**Note: NO ENTRANCE TO BUILDING  
FROM WASHINGTON STREET PARKING  
LOT AFTER 4:30 PM.  
Use Northeast parking lot via Lierman Ave.  
and enter building through Northeast  
door.**

*If you require special accommodations please notify the Department of Planning & Zoning at  
(217) 384-3708*

**EVERYONE MUST SIGN THE ATTENDANCE SHEET – ANYONE GIVING TESTIMONY MUST SIGN THE WITNESS FORM**

## AGENDA

1. Call to Order
2. Roll Call and Declaration of Quorum
3. Correspondence
4. Approval of Minutes
5. Continued Public Hearings

**Note: The full ZBA packet is now available  
on-line at: [www.co.champaign.il.us](http://www.co.champaign.il.us).**

**Note: MEETING TIME AT 6:00 P.M.**

**\*Case 698-S-11** Petitioner: **S.J. Broadcasting, LLC, with owners Steven J. Khachaturian, Jon E. Khachaturian and the estate of Clinton C. Atkins**

Request: **Authorize a radio transmission tower that is 346 feet in height and transmitter building as a Special Use with waivers (variance) of standard conditions in the AG-1 Zoning District, subject to the required variance in related Case 706-V-12.**

Location: **A 5 acre tract in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 36 of Tolono Township and commonly known as a vacant parcel on the west side of CR 1200E and located approximately one-half mile south of the intersection of CR 1200E and CR 700N, Tolono.**

**\*Case 706-V-12** Petitioner: **S.J. Broadcasting, LLC, with owners Steven J. Khachaturian, Jon E. Khachaturian and the estate of Clinton C. Atkins**

Request: **Authorize the following in the AG-1 District:**

**A. Authorize the use of a 5 acre lot on best prime farmland in lieu of the maximum lot size of 3 acres on best prime farmland in the AG-1 District for the construction and use of a radio transmission tower and transmitter building in related Special Use Permit Case 698-S-11 (included as the original variance); and**

**B. Waiver (variance) of standard conditions for a front yard setback of 70 feet from CR 1200E in lieu of the required 100 feet and a rear yard setback of 40 feet in lieu of the required 50 feet.**

Location: **A 5 acre tract in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 36 of Tolono Township and commonly known as a vacant parcel on the west side of CR 1200E and located approximately one-half mile south of the intersection of CR 1200E and CR 700N, Tolono.**

**Case 701-AT-11** Petitioner: **Zoning Administrator**

Request: **Part A. Revise paragraph 6.1.4 D. 1 to require that documentation of design compliance with applicable industry standards be submitted prior to receiving a Zoning Compliance Certificate for either a WIND FARM or for any single WIND FARM TOWER.**

**Part B. Revise paragraph 6.1.4 F. as follows:**

1. **Revise subparagraph 6.1.4 F.1. to require that agreements between the Applicant and the County Engineer shall not be forwarded to the County Board before the special use permit is forwarded and that all other agreements shall be executed prior to the close of the public hearing before the BOARD.**

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Case 701-AT-11 cont:

2. Delete subparagraph 6.1.4 F. 1.u.
  3. Add new subparagraph 6.1.4 F. 3. to require at the time of decommissioning a Roadway Use and Repair Agreement with the appropriate highway authority.
- Part C. Revise paragraph 6.1.4 J. to require the Applicant to submit a copy of the Agency Action Report or the Detailed Action Report, if applicable that is submitted to the Endangered Species Program of the IDNR as well as the response from IDNR.
- Part D. Add new subparagraph 6.1.4 E. 7. to require that a permanent soil erosion and sedimentation plan be submitted for all WIND FARM TOWER sites and access roads.
- Part E. Revise subparagraph 6.1.4 S. 1. (c)(3) to authorize flexibility in the locations of WIND TOWERS from what is indicated on the site plan provided that the final locations comply with any required waivers or special conditions of approval and the applicant conducts a noise study to verify compliance with the maximum allowable noise limit if the location of WIND TOWERS differ on the site plan submitted with the zoning use permit application from the site plan submitted with the special use permit application.
- Part F Strike the requirement for “reclamation agreement” for NON-ADAPTABLE STRUCTURES and WIND FARMS and replace with a requirement of “site reclamation plan” and add certain other related requirements as follows:
1. Section 3 revise the definition of “NON-ADAPTABLE STRUCTURE” to include a WIND TURBINE TOWER and a and a WIND FARM TOWER as currently defined in Section 3.
  2. Make the following revisions to paragraph 6.1.1A.:
    - a. Strike references to “reclamation agreement” and replace with “site reclamation plan”
    - b. Revise subparagraphs 6.1.1 A. 1. through 5 as follows:
      - (1) Require a site reclamation plan for NON-ADAPTABLE STRUCTURES
      - (2) Require the site reclamation plan to be binding upon all successors of title to the land and require reclamation work be performed and that a letter of credit be provided for financial assurance.
      - (3) Limit consideration of salvage value to be as limited by Paragraph 6.1.4P.
    - c. Revise subparagraph 6.1.1 A.6 to strike “120 days” and replace with “180 days” and insert “or applicant” after “landowner”.
    - d. Revise paragraph 6.1.1A. to add other related requirements
  3. Revise paragraph 6.1.4P as follows:
    - a. Revise paragraph 6.1.4P to strike references to “reclamation agreement” and replace with “site reclamation plan.”
    - b. Delete subparagraphs 6.1.4P.3.(d), (e), and (f) and add new subparagraphs to require the following:
      - (1) At the time of decommissioning a Roadway Use and Repair Agreement.
      - (2) The depth of removal of foundation concrete below ground shall be a minimum of 54 inches and require that replacement soil shall meet specified minimum standards of soil quality; depth; compaction; and drainage.
    - c. Revise subparagraph 6.1.4 P.4. (a) to require an irrevocable letter of credit and an escrow account as financial assurance to be provided for the site reclamation plan.
    - d. Insert new subparagraph 6.1.4 P.4.(b) to require the following:
      - (1) Authorize salvage value to be deducted from decommissioning costs, subject to meeting specified standards.
      - (2) Add requirements for determining estimated net salvage value based on the average salvage price of the past five years and including any deconstruction costs.
      - (3) Add a limit of 70% for the amount of estimated salvage value that may be deducted from estimated decommissioning costs.
      - (4) Require the site reclamation plan to provide for legal transfer of the STRUCTURE to the demolisher should the reclamation work be performed.

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Case 701-AT-11 cont:

- (5) Limit the maximum allowable credit for the salvage value of any WIND FARM TOWER to no more than the estimated decommissioning cost of removal of the above ground portions of that WIND FARM TOWER.
- e. Renumber existing subparagraph 6.1.4 P.4. (b)(5) to become new subparagraph 6.1.4 P.4. (d) and revise to require regular adjustment to the amount of financial assurance to ensure that it reflects current information by requiring an Illinois Professional Engineer to provide an updated report of estimates of decommissioning costs and salvage values.
- f. Revise paragraph 6.1.4P to add other related requirements.

**\*Note:** The description of the Request has been simplified from the legal advertisement. See the legal advertisement included with the memorandum.

**\*Case 702-V-11** Petitioner: **Roger Burk**  
Request: **Authorize the following in the I-1 Light Industry Zoning District:**  
**Part A. Variance for a proposed warehouse storage facility with a setback of 54 feet from the centerline of Paul Avenue a local street, in lieu of the minimum required 58 feet; and**  
**Part B. Variance for a side yard of 5 feet in lieu of the minimum required side yard of 10 feet; and**  
**Part C. Variance for a rear yard of 5 feet in lieu of the minimum required rear yard of 20 feet;**  
**Part D. Variance from the visibility triangle requirements for a corner lot; and**  
**Part E. Variance from the minimum required number of parking spaces for industrial uses; and**  
**Part F. Variance from the loading berth requirements in lieu of the required 1 loading berth; and**  
**Part G. Variance from a minimum separation from a side property line for parking spaces of 1 foot in lieu of the minimum required 5 feet.**  
Location: **Lots 299 and 300 of Wilber Heights Subdivision in the Southwest Quarter of Section 31 of Somer Township and commonly known as the buildings at 101 Paul Avenue, Champaign.**

6. New Public Hearings

**Case 699-AM-11** Petitioner: **L.A. Gourmet Catering, LLC, with owners Annie Murray, Lauren Murray and landowner John Murray**  
Request: **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the AG-2, Agriculture Zoning District in order to operate the proposed Special Use in related zoning case 700-S-11.**  
Location: **A 10 acre tract in the Southwest Quarter of the Northwest Quarter of Section 14 of Hensley Township and commonly known as the home at 2150 CR 1000E, Champaign.**

**\*Case 700-S-11** Petitioner: **L.A. Gourmet Catering, LLC, with owners Annie Murray, Lauren Murray and landowner John Murray**  
Request: **Authorize the construction and use of an Event Center as a “Private Indoor Recreational Development” as a Special Use on land that is proposed to be rezoned to the AG-2, Agriculture Zoning District from the current AG-1, Agriculture District in related Case 699-AM-11.**  
Location: **A 10 acre tract in the Southwest Quarter of the Northwest Quarter of Section 14 of Hensley Township and commonly known as the home at 2150 CR 1000E, Champaign.**

7. Staff Report

8. Other Business

A. Review of ZBA Docket

9. Audience Participation with respect to matters other than cases pending before the Board

10. Adjournment

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**\* Administrative Hearing. Cross Examination allowed.**