

CASES 035-AM-21, 036-S-21 & 041-V-22

SUPPLEMENTAL MEMORANDUM #3

March 8, 2023

Petitioner: Jeffrey Jenkins, d.b.a. Walnut Grove MHP

Request:

Case 035-AM-21

Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-5 Manufactured Home Park Zoning District in order to operate the proposed Special Use with waivers in related Zoning Case 036-S-21

Case 036-S-21

Authorize the expansion and use of an existing nonconforming manufactured home park with 12 existing plus 8 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the subject property in related case 035-AM-21 and including the waivers of standard conditions as listed on the legal advertisement (other waivers may be necessary).

Case 041-V-22

Authorize a variance for a 9.68-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

Location: A 9.68-acre tract in the Northwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township and commonly known as Walnut Grove MHC with an address of 1513 CR 2300N, Urbana.

Site Area: 9.68 acres

Time Schedule for Development: Already in use

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

STATUS

These cases were continued from the February 16, 2022 ZBA meeting. At that hearing, the Board asked Mr. Jenkins to provide the following information for the March 16, 2023 ZBA meeting:

1. Certification from a licensed professional that the septic system can accommodate all existing and proposed home sites.
2. Have Farnsworth map the existing and proposed electrical, water and septic lines on the site plan or on a separate map if necessary.
3. Revise the parking along the east access drive to ensure that parking spaces are at least 9' x 20' each, and that there are two spaces for every home without overlapping the east access drive. Indicate the parking areas on the site plan.
4. Add a note on the site plan that the east access drive will be improved with oil and chip to IDOT specifications.

ITEM 1: SEPTIC SYSTEM EVALUATION

In an email received February 27, 2023 (Attachment A), Mr. Jenkins stated, “A top shelf environmental engineering firm has inspected the sewage plant and a letter from them to be received any day.”

Mr. Jenkins asked a local engineering firm to determine whether the septic system has enough capacity for the existing and proposed homes. On February 28, 2023, P&Z Staff became aware that the engineer declined to provide a letter regarding the septic system because they found that Walnut Grove MHC has numerous violations dating since 2019 for failure to submit monthly effluent reports to EPA. Mr. Jenkins purchased the subject property in 2019.

ITEM 2: ELECTRIC, WATER AND SEWER LINES MAPPING

In an email received February 27, 2023, Mr. Jenkins stated, “Joes plan is coming 1st of next week with parking space detail. Additionally to our master will include spotting of east transformers, locating of 2 manholes that were not confirmed and locating of lot 15 and 16 electric meter mounts. Waters Electric to propose like installation for 17&18 electric meters and also 19 & 20. Waters electric will show proposed electric meter locations including trans former source and service to homes. Dons Mobile Home Service will detail sewer and water hookups to lots, 13 14, 15 and 16. Dons also will show propose sewer and water for 17, 18, 19 and 20.”

No documents have been received as of March 8, 2023.

ITEM 3: REVISED PARKING ALONG EAST ACCESS DRIVE

In an email received February 27, 2023, Mr. Jenkins stated, “Joes plan is coming 1st of next week with parking space detail.”

No documents have been received as of March 8, 2023.

ITEM 4: NOTE REGARDING IDOT SPECIFICATIONS FOR OIL AND CHIP

A revised map showing that the oil and chip surface on the east access drive will be to IDOT specifications has not been received as of March 8, 2023.

Mr. Jenkins submitted a letter from Illiana Construction Company that details the company’s qualifications as an oil and chip applicator (Attachment C).

NEXT STEPS

Option A: The Board could continue these cases again in the hopes of receiving the missing information.

Option B: The Board could make a recommendation for denial of the Map Amendment and could deny the Special Use Permit and variance cases. This option would provide Mr. Jenkins the opportunity to achieve compliance with various State of Illinois departments and then return for a new set of cases with this Board once he complies with the State. Requiring compliance with IDPH should ensure that septic, water, and anchoring of homes will be done properly. Should the Board

decide to follow this recommendation, it will need to identify at least one negative Finding of Fact for each case.

Option C: The Board could recommend approval of the Map Amendment and approve the Special Use Permit and variance cases. All Findings must be in the affirmative for this option. Staff has revised and added special conditions of approval as shown below that would apply if the Board approves these cases.

A revised Summary of Evidence, Finding of Fact and Final Determination will be provided at the March 16, 2023 meeting.

PROPOSED SPECIAL CONDITIONS - AMENDED

The following are special conditions proposed for Map Amendment Case 035-AM-21:

- A. **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.

- B. **The Map Amendment is contingent upon approval of Case 036-S-21.**

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

That the Special Use is consistent with the Zoning Ordinance and ZBA recommendations.

- C. **The petitioner shall achieve full compliance with the Illinois Department of Public Health within one year of approval of Map Amendment Case 035-AM-21 or the rezoning will be void.**

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

To ensure compliance with IDPH regulations and licensing that provide a greater assurance of public health and safety and ensure that County regulations and IDPH regulations are coordinated in a reasonable manner.

The following are special conditions proposed for Special Use Permit Case 036-S-21:

- A. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioners have 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 any proposed exterior lighting is in compliance with the Zoning Ordinance.

- B. **No parking signs shall be posted along all streets in the manufactured home park.**

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

That there is always adequate emergency vehicle access.

- C. **Each new home on proposed sites 15 through 20 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.**

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

To clarify the permits that are required to ensure conformance with the Zoning Ordinance.

- D. **Certification from the County Health Department or the Illinois Department of Public Health that the septic system on the subject property has sufficient capacity for the existing and proposed homes is a requirement for approval of the Zoning Use Permit.**

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

That the solid waste system conforms to the requirements of the Zoning Ordinance and any applicable health regulations.

- E. **The manufactured home park shall be compliant at all times with the requirement for licensing from the Illinois Department of Public Health and relevant government entity. A copy of the license for 20 home sites shall be submitted to the P&Z Department within one year of approval of Zoning Case 036-S-21.**

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

To ensure compliance with IDPH regulations and licensing that provide a greater assurance of public health and safety and ensure that County regulations and IDPH regulations are coordinated in a reasonable manner.

- F. **Within two years, the petitioner shall develop the recreation area in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (77 Ill. Adm. Code 860)*.**

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

That the manufactured home park conforms to State of Illinois requirements.

- G. **The east road in the manufactured home park shall connect to the existing interior road between home sites 16 and 17.**

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

To provide efficient and safe traffic circulation.

- H. **Homes on sites 17 through 20 shall meet the following requirements:**
(1) Homes shall be no larger than 16 feet by 68 feet.
(2) Homes shall be at least 15 feet from the eastern interior road.
~~**(3) Homes shall be set on concrete pads.**~~

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

That new home sites meet the requirements of the Zoning Ordinance.

- I. **Within one year of the approval of Case 036-S-21, the petitioner shall construct a monolithically paved outdoor area of a minimum 160 square feet in area with a minimum dimension of 8 feet and a two-foot wide monolithically paved sidewalk to the entrance of each home.**

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

That all home sites meet the requirements of the Zoning Ordinance.

- ~~J. **Within one year of the approval of Case 036-S-21, the petitioner shall construct a three-foot wide monolithically paved sidewalk from the existing cul-de-sac to the recreation area.**~~

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

~~**That the required recreation area meets the requirements of the Zoning Ordinance.**~~

- J. **The petitioner shall achieve full compliance with the Illinois Department of Public Health within one year of approval of Special Use Permit case 036-S-21 or the Special Use Permit will become void and the P&Z Department will begin enforcement action.**

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

To mitigate violations on the subject property.

- K. **Within 30 days of approval of Special Use Permit case 036-S-21, the petitioner shall record a Miscellaneous Document at the Champaign County Recorder of Deeds which states that approvals for the rezoning in Case 035-AM-21 and the Special Use Permit in Case 036-S-21 will become void if IDPH approval is not received within one year of approval of cases 035-AM-21 and 036-S-21.**

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

That future potential purchasers of the subject property are aware of the conditions established from the zoning cases.

- L. **All new “as-built” private accessway paving must be certified by an Illinois Licensed Professional Engineer to comply with “...Section 16.3.3d. of the Subdivision Ordinance and the current standard specifications of the Illinois Department of Transportation.”**

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

That new roads comply with County ordinances.

M. Any new electrical hook-ups shall be done by a licensed electrical contractor and:

(1) The installing electrician shall certify in writing that the electrical hook-ups for home sites 17 through 20 meet the National Electrical Code requirements.

(2) The installing electrician shall inspect the electrical hook-ups for home sites 13 through 16 and provide a written opinion on whether the hook-ups appear to meet the National Electrical Code requirements.

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

That electrical hook-ups comply with Zoning Ordinance requirements.

There are no proposed special conditions for Variance Case 041-V-22.

ATTACHMENTS

- A Legal advertisement
- B Email from Jeff Jenkins received February 27, 2023
- C Letter from Illiana Construction received February 27, 2023

LEGAL PUBLICATION: WEDNESDAY, AUGUST 31, 2022

CASES 035-AM-21, 036-S-21 & 041-V-22

NOTICE OF A PUBLIC HEARING IN REGARD TO A REZONING, A SPECIAL USE PERMIT WITH WAIVERS, AND A VARIANCE ON PROPERTY IN UNINCORPORATED CHAMPAIGN COUNTY, UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE.

Jeffrey Jenkins, 13426 Maverick, Marion, IL, d.b.a. Walnut Grove MHC, has filed petitions for a Zoning Map Amendment, a Special Use Permit with Waivers, and a Variance under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, Illinois.

A public hearing will be held **Thursday, September 15, 2022, at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, at which time and place the Champaign County Zoning Board of Appeals will consider petitions for the following:

CASE 035-AM-21

Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-5 Manufactured Home Park Zoning District in order to operate the proposed Special Use with waivers in related Zoning Case 036-S-21, on the subject property described below.

CASE 036-S-21

Authorize the expansion and use of an existing nonconforming manufactured home park with 12 existing plus 8 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the subject property in related case 035-AM-21 and including the following waivers of standard conditions (other waivers may be necessary):

Part A: Authorize a waiver from Section 6.2.2. B. for having 20 home sites in lieu of the minimum required 24 home sites in an existing manufactured home park.

Part B: Authorize a waiver from Section 6.2.1 C.2., for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites.

Part C: Authorize a waiver from Section 6.2.2 C.3. for not providing screening along all boundary lines abutting existing residential development.

Part D: Authorize a Manufactured Home Park with recreation space totaling less than the minimum required 8 percent of gross site area, per Section 6.2.2 D.

Part E: Authorize a waiver from Section 6.2.2 E.1., for a Site Plan that does not include the limits of each Manufactured Home Site.

Part F: Authorize a minimum setback (yard) of 11 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, per Section 6.2.2 E.2.a. for proposed home sites 15 through 20.

Part G: Authorize a minimum setback (yard) of 15 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary, per Section 6.2.2 E.2.b., for existing home site 2.

Part H: Authorize a minimum side yard of 9 feet in lieu of 10 feet, per Section 6.2.2 E.2.c. for existing home site 3.

Part I: Authorize a waiver from having a manufactured home stand or pad on each home site made of concrete slabs or runways with ground anchors, per Section 6.2.2 E.4.

Part J: Authorize no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet, per Section 6.2.2 E.5. for all existing and proposed home sites.

Part K: Authorize a minimum pavement width of 19 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets, per Section 6.2.2 F.5.

Part L: Authorize a waiver from Section 6.2.2 F.6., with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, that the provisions of the Subdivision Ordinance shall apply to existing private accessways.

Part M: Authorize a waiver from Section 6.2.2 H.1., for not having individual walks to each manufactured home stand that are paved and a minimum of two feet in width.

Part N: Authorize a waiver from Section 6.2.3 A., for having a private water system that can furnish a minimum of 150 gallons per day per manufactured home at a minimum pressure of 20 pounds per square inch.

Part O: Authorize a waiver for the electrical system to comply with the latest edition of the National Electric Code, per Section 6.2.3 D.1.

CASE 041-V-22

Authorize a variance for a 9.68 acres lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance, on the subject property described below:

SUBJECT PROPERTY

A 9.68-acre tract in the Northwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township and commonly known as Walnut Grove MHC with an address of 1513 CR 2300N, Urbana.

All persons interested are invited to attend said hearing and be heard. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair

Champaign County Zoning Board of Appeals

Susan Burgstrom

From: siecenter <siecenter@gmail.com>
Sent: Monday, February 27, 2023 3:53 PM
To: Susan Burgstrom; Jeffrey D Jenkins Jr
Subject: RE: OIL & CHIPS

CAUTION External email, be careful when opening.

Joes plan is coming 1st of next week with parking space detail. Additionally to our master will include spotting of east transformers, locating of 2 manholes that were not confirmed and locating of lot 15 and 16 electric meter mounts. Waters Electric to propose like installation for 17&18 electric meters and also 19 & 20. Waters electric will show proposed electric meter locations including trans former source and service to homes. Dons Mobile Home Service will detail sewer and water hookups to lots, 13 14, 15 and 16. Dons also will show propose sewer and water for 17, 18, 19 and 20. A top shelf environmental engineering firm has inspected the sewage plant and a letter from them to be recieved any day. Pushing them to conclude Susan is like shooting pool with a rope, Im sorry, they all mean well.

Jeff

RECEIVED

FEB 27 2023

CHAMPAIGN CO. P & E DEPARTMENT

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Date: 2/27/23 3:32 PM (GMT-06:00)
To: JEFFREY D JENKINS <siecenter@gmail.com>, Jeffrey D Jenkins Jr <jenkinsjrjeffrey@gmail.com>
Subject: RE: OIL & CHIPS

Received, thank you.
Susan

From: JEFFREY D JENKINS <siecenter@gmail.com>
Sent: Monday, February 27, 2023 3:30 PM
To: Susan Burgstrom <sburgstrom@co.champaign.il.us>; Jeffrey D Jenkins Jr <jenkinsjrjeffrey@gmail.com>
Subject: OIL & CHIPS

CAUTION External email, be careful when opening.

see attached

--
Jeff Jenkins



Date: 2/27/2023

Location: 1513 CR 2300 N – Urbana, IL 61802

Dear Jeffrey Jenkins,

Illiana Construction Co. has been an applicator for oil and chip for over 75 years. Illiana Construction Co. is Super Unlimited on their prequalification with Illinois Department of Transportation. Our supplier for our oil comes from Emulsicoat and Missouri Petroleum. Both suppliers are IDOT approved for supplying road oil. Our aggregate supplier is Heidelberg Materials, formally known as Lehigh Hanson located in Fairmount Illinois. Illiana Construction Co. is bonded and insured. Illiana Construction Co is a Union contractor and pays prevailing wages on all projects.

If you have any further questions, feel free to call us at (217) 367-8303.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle Behnke', is written over a white background.

Kyle Behnke

General Manager

Illiana Construction

kbehnke@champaignasphalt.com

RECEIVED

FEB 27 2023

CHAMPAIGN CO. P & Z DEPARTMENT