

**MINUTES OF REGULAR MEETING**

**CHAMPAIGN COUNTY ZONING BOARD OF APPEALS**

**1776 East Washington Street  
Urbana, IL 61802**

<b>DATE:</b>	<b>August 15, 2024</b>	<b>PLACE:</b>	<b>Shields-Carter Meeting Room</b>
			<b>1776 East Washington Street</b>
<b>TIME:</b>	<b>6:30 p.m.</b>		<b>Urbana, IL 61802</b>

**MEMBERS PRESENT:** Thaddeus Bates, Cindy Cunningham, Jim Randol, Lee Roberts

**MEMBERS ABSENT:** Brian Andersen, Ryan Elwell, Chris Flesner

**STAFF PRESENT:** Stephanie Berry, Charlie Campo, John Hall

**OTHERS PRESENT:** Andrew Peacock

**1. Call to Order**

The meeting was called to order at 6:37 p.m.

**2. Roll Call and Declaration of Quorum**

The roll was called, and a quorum declared present.

**Mr. Hall stated they were without their appointed chair tonight, so the Board would have to elect an interim chair and he entertained a motion.**

**Mr. Roberts moved to appoint Ms. Cunningham.**

**Ms. Cunningham moved to appoint Mr. Randol.**

Mr. Hall entertained a second motion to either of those.

**Mr. Bates seconded the motion to appoint Ms. Cunningham.**

Mr. Hall stated Mr. Roberts moved, and Mr. Bates seconded, for Ms. Cunningham to be the interim chair, all those in favor say "aye".

Ms. Cunningham asked if they could have a discussion first.

Mr. Hall said yes.

Ms. Cunningham said the reason she nominated Mr. Randol is because Mr. Elwell isn't here tonight and if he doesn't return, the Board is going to have to have a full-time chair. She can run a meeting, but she is so new to this, that she is fumbling and fooling around with procedures for the Board and that's not a good look. She said Mr. Randol has been here a long time and knows the procedures a lot better than she does, so that was her thought process in nominating Mr. Randol. She loves to do it, it's a lot of fun, but she is fumbling and fooling around. She said with the smaller cases that's okay, but it's not going to be so good when they've got the Battery Energy Storage System or Wind, and Solar cases. She thinks they will need

1 a more experienced Board member to be the chair, so she would like Mr. Randol to have to opportunity  
2 to try it tonight and see how he would feel about running the meetings in the future, if that would need to  
3 happen.

4  
5 Mr. Randol said he doesn't mind, if that is what everybody wants, but Mr. Hall knows that he has turned  
6 this down before.

7  
8 Ms. Cunningham said that the circumstances are different now, there are three brand new Board members.

9  
10 Mr. Hall said just from staff level, he would point out, that Ms. Cunningham has gained a lot of experience  
11 recently and from a staff perspective does a fine job.

12  
13 Mr. Bates said he would concur, but also since they are in discussion and as long as they are all being  
14 open, there was very good experience that was here and was replaced.

15  
16 Ms. Cunningham said yes, there is not a thing she can do about that, and she is grateful for the opportunity  
17 to serve, and she takes her job here seriously.

18  
19 Mr. Bates said as did the previous Board members.

20  
21 Ms. Cunningham said she knows that they did, and she did see the last meeting, and she saw what they  
22 were going to be losing, and that is too bad.

23  
24 Mr. Randol said he thinks Ms. Cunningham has done a good job.

25  
26 Ms. Cunningham said she would leave it up to the Board, and she'll keep learning and keep getting better,  
27 but she is concerned about fumbling and fooling around when they get to the bigger cases.

28  
29 Mr. Randol said he thinks anybody is going to, they have had Board chairs that have been here a long time  
30 fumbling and stumbling, so it's not anything unusual and she is not the first.

31  
32 Mr. Hall asked if they were ready to go to a vote.

33  
34 **Mr. Roberts moved, seconded by Mr. Bates, to appoint Ms. Cunningham as the interim Chair for**  
35 **tonight's ZBA meeting. The motion passed by voice vote.**

36  
37 **3. Correspondence – None**

38  
39 **4. Minutes – None**

40  
41 **5. Audience participation with respect to matters other than cases pending before the Board –**  
42 **None**

43  
44 **6. Continued Public Hearings – None**

45  
46 **7. New Public Hearings -**

47  
48 **Case 135-S-24**

49 **Petitioner: Andrew Peacock**

1  
2 Request: **Authorize the construction and use of an outdoor self-storage lot as a Special Use on**  
3 **land in the B-5 Central Business Zoning District, per Section 5.2 of the Champaign**  
4 **County Zoning Ordinance.**

5  
6 Location: **Generally, the west 225 feet of the east 425 feet of Lot 6 of C.A. and George Besore’s**  
7 **Subdivision of the South Half of the Southeast Quarter of Section 7, Township 19**  
8 **North, Range 10 East of the Third Principal Meridian, Champaign County Illinois,**  
9 **further identified as the western part of the property with a PIN of 28-22-07-451-010**  
10 **and the eastern part of the property with a PIN of 28-22-07-451-011 and commonly**  
11 **known as the vacant portion of the property at 1864 County Road 1600N, Urbana.**

12  
13 Ms. Cunningham informed the audience that anyone wishing to testify for any public hearing tonight must  
14 sign the witness register for that public hearing. She reminded the audience that when they sign the witness  
15 register, they are signing an oath.

16  
17 Ms. Cunningham informed the audience that this Case is an Administrative Case, and as such, the County  
18 allows anyone the opportunity to cross-examine any witness. She said that at the proper time, she will ask  
19 for a show of hands from those who would like to cross-examine, and each person will be called upon.  
20 Anyone called to cross examine will go to the cross-examination microphone to ask any questions. She  
21 said that those who desire to cross-examine do not have to sign the Witness Register but will be asked to  
22 clearly state their name before asking any questions. She noted that no new testimony is to be given during  
23 the cross-examination. She said that attorneys who have complied with Article 7.6 of the ZBA By-Laws  
24 are exempt from cross-examination.

25  
26 She asked if the petitioner would like to outline the nature of their request, and to please state their name  
27 and address for the record.

28  
29 Andy Peacock, 1864B County Road 1600 North, Urbana, Illinois, said he recently purchased this property  
30 a little over a year ago, and it was owned by a hoarder at the time. He said the lot has been non-conforming  
31 for the last 50 years, the building that was on the site as well as the property was full of multiple vehicles,  
32 mobile homes, recreational vehicles, car parts, and so forth; he has spent tens of thousands of dollars  
33 cleaning this property up, and he still has one trailer and boat left to get off the lot. He said his intentions  
34 were to put an eight-foot-high security fence around this lot and open it up for people to park RVs, boats,  
35 or what have you, for outdoor storage. He thinks it will enhance the whole property; it can do nothing but  
36 improve it. He has permit numbers from IDOT, which states that this property has also been in  
37 nonconformance for last 50 years, open as it is, and this will put it back into compliance with IDOT as  
38 well, so that is what he is here today to propose, by putting this all back together with the County and  
39 IDOT as a conforming property.

40  
41 Ms. Cunningham asked if there were any questions from the Staff.

42  
43 Mr. Hall said no, but Mr. Peacock did submit a revised and improved site plan dated August 12, 2024,  
44 that was handed out earlier, so they have that new site plan to be the basis of the decision.

45  
46 Ms. Cunningham thanked Mr. Hall and stated that she had seen the extra space for trailers to pull in while  
47 the gate opens, that is nice. She asked if there were any questions from the Board. Seeing none, she said  
48 she is learning how to do this, so she apologizes.

49

1 Mr. Peacock said that is fine, he is as well.  
2  
3 Ms. Cunningham referred to the special conditions that are listed in the Summary of Evidence. She asked  
4 Mr. Hall how this was going to work; do they approve the case and then this goes to IDOT or what is the  
5 procedure?  
6  
7 Mr. Hall said the intent here is that the Board can take action, and there is a special condition requiring  
8 that they not issue a permit until they have documentation that IDOT has approved it and not authorize a  
9 Zoning Compliance Certificate authorizing use, until they have documentation that IDOT approved  
10 everything that was built. He said the intent is that the Board, if they are comfortable with this, can take  
11 action, because the IDOT approvals are separate, and they just need to document that IDOT approvals  
12 have been obtained at the relevant times. He knows that Mr. Peacock has been in further communication  
13 with IDOT this week and he was happy to see that, because it is a friendly interchange they're having, and  
14 he thinks it is moving along well.  
15  
16 Mr. Bates asked, just to confirm what is being built is really just the construction of the fence around the  
17 perimeter or will there be additional buildings.  
18  
19 Mr. Peacock said no, just the fence and gates.  
20  
21 Mr. Hall said although, except in regard to IDOT, there is the concrete pavement at the exit.  
22  
23 Mr. Peacock said yes, the 20-foot concrete exit, but that wasn't IDOT, that was the County's requirement,  
24 because IDOT had no requirement for that.  
25  
26 Mr. Hall said oh they didn't.  
27  
28 Mr. Peacock said no, IDOT just wanted to see the entrance further off the road than what was shown in  
29 the last drawing. He missed that requirement when he submitted that drawing, it was always originally  
30 intended to be 50-foot from the road edge, but on the last drawing he submitted it was not shown in that  
31 location. He had to update the drawing showing the revised driveway and showing them the radius is 25-  
32 feet. He said IDOT had told him it could be 30-foot wide on the entrance, but after he submitted that  
33 drawing, he said IDOT had misspoke and it could not be over 24-foot wide, hence the new drawing with  
34 a 24-foot wide entrance and the aprons with 25-foot radius as well as the grass in between entrance and  
35 the exit. IDOT wants to see grass there, so that is all that is required and puts them in compliance with  
36 IDOT.  
37  
38 Mr. Hall asked if they were still going to require the curbs at the entrance.  
39  
40 Mr. Peacock said no, they are not required.  
41  
42 Mr. Hall said okay.  
43  
44 Mr. Peacock said he has the permit number; he just has to sign the paperwork as it comes in the mail.  
45  
46 Mr. Hall said okay.  
47  
48 Mr. Peacock said he did receive the permit number today, so it's preapproved just awaiting his signatures  
49 as well as a \$10,000 bond for five years, which he will have to get through his insurance company.

1  
2 Mr. Hall asked Mr. Bates if that answered his question.  
3  
4 Mr. Bates said yes and thanked them.  
5  
6 Ms. Cunningham asked Mr. Peacock what kind of fence it will be.  
7  
8 Mr. Peacock said it will be a chain link fence with privacy slats.  
9  
10 Mr. Randol referred to the new handout they received tonight with the special conditions. He is looking  
11 for a little clarification because this is something he doesn't think they have dealt with before. He read the  
12 newly added special condition G.2., "Items stored must be intact and weatherproof so as not to be damaged  
13 by being stored outside," and asked Mr. Hall what the thought was there.  
14  
15 Mr. Hall said that staff was trying to describe as briefly as possible the fact that they don't want this to  
16 become an eyesore, they don't want things to be brought there that will be left outside and deteriorate. He  
17 said for example, a contractor might want to store a pallet or two of bricks, which would not be a problem,  
18 or they might even want to store metal scaffolding, which is also not a problem. Storing lumber would be  
19 a different issue, because if lumber is stored outside a long time it will deteriorate, but even at a jobsite  
20 it's sometimes left out briefly. He said they are mainly trying to make clear what their Nuisance Ordinance  
21 requirements are, and they don't want this to become anything other than a temporary outdoor storage  
22 area, although, a vehicle that's intact and licensed could stay there, even a vehicle that loses its license, as  
23 long as it's intact could stay there. It would need a license before it could be moved. He said they are  
24 mainly trying to add some minimal conditions to prevent nuisance conditions from arising, not that Mr.  
25 Peacock would let that happen, but as they all know, this Special Use Permit will pass to any future owner  
26 and they want to make sure that any future owner has a good idea of what the Board intends, if they  
27 approve this Special Use Permit.  
28  
29 Mr. Randol also asked about special condition G.3., "Rainwater shall not be allowed to collect in or on  
30 items stored."  
31  
32 Mr. Hall said in the past there were boats on the site, he assumed those boats had been pitched and the  
33 drain plug left open so water didn't collect, but anytime you let someone store things outside, there is a  
34 possibility that there will be water collected and creating a nuisance condition. He said that is really meant  
35 to be nothing more than common sense, but they often see common sense missing as they do their job  
36 around the County.  
37  
38 Mr. Randol said for some clarification regarding a previous case. He noted that a while back they had a  
39 case where there was an individual who was wanting to put U-Haul trucks and trailers on an empty lot of  
40 this size. He said if Mr. Peacock should ever want to do that, how would that be handled? He realizes that  
41 Mr. Peacock has not requested this use, but a future owner may, especially since they have had that come  
42 up.  
43  
44 Mr. Bates said he doesn't think that was the same Zoning District and asked Mr. Hall if it was.  
45  
46 Mr. Hall said no, in fact, in that previous case they didn't have the proper Zoning, the B-5 Central Business  
47 Zoning District does allow outdoor sales lots, so if someone wanted to do that, they are supposed to apply  
48 for a Change of Use Permit to change from the self-storage lot to a rental lot, and that would be by-right.  
49 He said they would have to deal with all the access issues, but they could certainly do that.

1  
2 Mr. Randol thanked him.  
3  
4 Mr. Hall asked Mr. Campo if he misspoke there.  
5  
6 Mr. Campo said that all sounded right.  
7  
8 Mr. Hall said Mr. Campo and himself have been debating over these special conditions for the past day,  
9 and it occurred to him that while he knows what Mr. Peacock’s intentions are, he wanted to make sure  
10 they had some special conditions for future owners that might have other things in mind.  
11  
12 Mr. Peacock said he thinks one of the issues, and he doesn’t understand why, he hears that the B-5 Central  
13 Business Zoning District, which is a community business zoning district, would have more effect on a  
14 community, then a neighborhood business zoning district, but he thinks it’s quite funny that with a B-4  
15 General Business Zoning District, he wouldn’t have to be sitting here with them at all to do this or storage  
16 units, but a B-5 Central Business Zoning District requires the Special Use Permit, it’s kind of backwards  
17 in his opinion, he doesn’t know, it seems like the B-5 Central Business Zoning District should be a higher  
18 level, he doesn’t know, it’s just a thought.  
19  
20 Ms. Cunningham asked if there were any further questions from the Board or Staff. Seeing none, she  
21 asked Mr. Peacock if he had any further testimony to add.  
22  
23 Mr. Peacock said no, and that he appreciates their time this evening.  
24  
25 Ms. Cunningham thanked him and said she didn’t see anyone else in the meeting room to give testimony,  
26 so she entertained a motion to close the Witness Register for Case 135-S-24.  
27  
28 **Mr. Roberts moved, seconded by Mr. Bates, to close the Witness Register for Case 135-S-24. The**  
29 **motion passed by voice vote.**  
30  
31 Ms. Cunningham read the Special Conditions for Case 135-S-24 from Attachment G on page 13 of 20 of  
32 the Summary of Evidence, as follows:  
33  
34 **Special Conditions of Approval for Case 135-S-24**  
35 **A. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed**  
36 **outdoor self-storage lot until the petitioner has demonstrated that the proposed Special Use**  
37 **complies with the Illinois Accessibility Code.**  
38  
39 The special condition stated above is required to ensure the following:  
40 **That the proposed Special Use meets applicable State requirements for accessibility.**  
41  
42 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.  
43  
44 Mr. Peacock said yes, he already has them in his plans and has already addressed that.  
45  
46 Ms. Cunningham said that for the purpose of the public hearing, she has to ask.  
47  
48 **B. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the**  
49 **petitioner has demonstrated that any new or proposed exterior lighting on the subject**

1 **property will comply with the lighting requirements of Section 6.1.2.**

2  
3 The special condition stated above is required to ensure the following:

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

5  
6 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.

7  
8 Mr. Peacock said yes.

9  
10 **C. No business operations on the subject property can include anything other than simple**  
11 **storage.**

12  
13 The special condition stated above is required to ensure the following:

14 **That no additional uses are established on the subject property.**

15  
16 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.

17  
18 Mr. Peacock said yes.

19  
20 **D. The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner has**  
21 **received approval for the entrances along U.S. Route 150 from IDOT.**

22  
23 The special condition stated above is required to ensure the following:

24 **That the proposed use is in compliance with IDOT regulations.**

25  
26 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.

27  
28 Mr. Peacock said yes.

29  
30 **E. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the**  
31 **petitioner has received as-built approval of the entrances from IDOT.**

32  
33 The special condition stated above is required to ensure the following:

34 **That the entrances are constructed to IDOT standards.**

35  
36 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.

37  
38 Mr. Peacock said yes.

39  
40 **F. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the**  
41 **petitioner has provided a Knox box or other means of emergency access for the gated**  
42 **entrances to the relevant Fire Protection District.**

43  
44 The special condition stated above is required to ensure the following:

45 **That there is a means of access to the gated area for emergency responders.**

46  
47 Ms. Cunningham asked Mr. Peacock if he agreed with the special condition.

48  
49 Mr. Peacock said yes.

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**G. The following conditions shall apply to items to be stored at the facility.**

- 1. No vehicle repairs or repairs to items stored or outdoor operations on materials that are stored.**
- 2. Items stored must be intact and weatherproof so as not to be damaged by being stored outside.**
- 3. Rainwater shall not be allowed to collect in or on items stored.**

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

**Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.**

Ms. Cunningham asked Mr. Peacock if he agreed with the special conditions.

Mr. Peacock said yes.

Ms. Cunningham entertained a motion to move to the Summary Draft Findings of Fact for Case 135-S-24.

**Mr. Roberts moved, seconded by Mr. Bates, to move to the Summary Draft Findings of Fact for Case 135-S-24. The motion passed by voice vote.**

Ms. Cunningham read the Findings of Fact for Case 135-S-24 from Attachment G on page 16 of 20 in the Preliminary Draft, as follows:

**Summary Draft Findings of Fact for Case 135-S-24**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **135-S-24** held on **August 15, 2024**, 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:**

Mr. Bates said the requested Special Use Permit IS necessary for the public convenience at this location because, the petitioner has testified on the application that there is a community need for outdoor storage, the subject property is located along US-150 2.2 miles from Urbana and 2.75 miles from St. Joseph and .33 miles from County Highway 24/Sellers Road, and the subject property has had both commercial and residential uses on both parcels since the adoption of the Champaign County Zoning Ordinance in 1973.

- 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:**



1 Mr. Bates said the street has ADEQUATE traffic capacity and the entrance location has ADEQUATE  
2 visibility because, the proposed self-storage area use should not create significant traffic due to the  
3 occasional use, special conditions have been added to construct the entrances to the proposed self-storage  
4 area to IDOT specifications prior to the issuance of a Zoning Compliance Certificate, and notice was also  
5 sent to the Township Supervisor and Township Road Commissioner with no comments received.  
6

7 **b. Emergency services availability is {ADEQUATE / INADEQUATE} because:**  
8

9 Mr. Randol said the emergency services availability is ADEQUATE because, the subject property is  
10 located approximately 3.75 miles from the St. Joseph/Stanton Fire Protection District and notice of this  
11 zoning case was sent to the St. Joseph/Stanton Fire Protection District, and no comments have been  
12 received. Mr. Randol added that a special condition has been added stating that the Zoning Administrator  
13 shall not authorize a Zoning Compliance Certificate until the petitioner has provided a Knox box or other  
14 means of emergency access for the gated entrances for the St. Joseph/Stanton Fire Protection District.  
15

16 **c. The Special Use {WILL / WILL NOT} be compatible with adjacent uses because:**  
17

18 Mr. Bates said the Special Use WILL be compatible with adjacent uses because, the subject property is  
19 zoned B-5 Central Business and has been used for commercial and residential uses since before the  
20 adoption of the Champaign County Zoning Ordinance.  
21

22 **d. Surface and subsurface drainage will be {ADEQUATE / INADEQUATE} because:**  
23

24 Mr. Roberts said the surface and subsurface drainage will be ADEQUATE because, only a small amount  
25 of concrete pavement is proposed to be added to the existing concrete and gravel storage area.  
26

27 **e. Public safety will be {ADEQUATE / INADEQUATE} because:**  
28

29 Mr. Randol said the public safety will be ADEQUATE because, the subject property is located  
30 approximately 3.75 miles from the St. Joseph/Stanton Fire Protection District station and notice of this  
31 zoning case was sent to the Fire Protection District, and no comments have been received. Mr. Randol  
32 added that a special condition has been added stating that the Zoning Administrator shall not authorize the  
33 Zoning Compliance Certificate until the petitioner has provided a Knox box or other means of emergency  
34 access for the gated entrances for the St. Joseph/Stanton Fire Protection District. He said a notice was also  
35 sent to the Township Supervisor and Township Road Commissioner, and no comments have been  
36 received. He added that a special condition has been added to construct the entrances to the proposed self-  
37 storage area to IDOT specifications prior to the issuance of a Zoning Compliance Certificate.  
38

39 **f. The provisions for parking will be {ADEQUATE / INADEQUATE} because:**  
40

41 Mr. Bates said the provisions for parking will be ADEQUATE because, no parking is required in the B-5  
42 Central Business Zoning District, one accessible parking space has been proposed, and the entire facility  
43 will be paved with gravel, so there is sufficient room for loading on-site.  
44

45 Mr. Bates said the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS  
46 IMPOSED HEREIN is so designed, located, and proposed to be operated so that it WILL NOT be  
47 injurious to the district in which it shall be located or otherwise detrimental to the public health, safety,  
48 and welfare.  
49

1 **3a. The requested Special Use Permit {SUBJECT TO THE SPECIAL CONDITIONS IMPOSED**  
2 **HEREIN} {DOES / DOES NOT} conform to the applicable regulations and standards of the**  
3 **DISTRICT in which it is located.**

4  
5 Mr. Randol said the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS  
6 IMPOSED HEREIN, DOES conform to the applicable regulations and standards of the district in which  
7 it is located.

8  
9 **3b. The requested Special Use Permit {SUBJECT TO THE SPECIAL CONDITIONS IMPOSED**  
10 **HEREIN} {DOES / DOES NOT} preserve the essential character of the DISTRICT in which**  
11 **it is located because:**

12  
13 **a. The Special Use will be designed to {CONFORM / NOT CONFORM} to all relevant**  
14 **County ordinances and codes.**

15  
16 Mr. Randol said the Special Use will be designed to CONFORM to all relevant County ordinances and  
17 codes.

18  
19 **b. The Special Use {WILL / WILL NOT} be compatible with adjacent uses.**

20  
21 Mr. Randol said the Special Use WILL be compatible with adjacent uses.

22  
23 **c. Public safety will be {ADEQUATE / INADEQUATE}.**

24  
25 Mr. Randol said the public safety will be ADEQUATE.

26  
27 Mr. Randol said the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS  
28 IMPOSED HEREIN DOES preserve the essential character of the district in which it is located.

29  
30 **4. The requested Special Use Permit {SUBJECT TO THE SPECIAL CONDITIONS IMPOSED**  
31 **HEREIN} {IS / IS NOT} in harmony with the general purpose and intent of the Ordinance**  
32 **because:**

33  
34 **a. The Special Use is authorized in the District.**

35  
36 **b. The requested Special Use Permit {IS / IS NOT} necessary for the public convenience**  
37 **at this location.**

38  
39 Mr. Bates said the requested Special Use Permit IS necessary for the public convenience at this location.

40  
41 **c. The requested Special Use Permit {SUBJECT TO THE SPECIAL CONDITIONS**  
42 **IMPOSED HEREIN} is so designed, located, and proposed to be operated so that it**  
43 **{WILL / WILL NOT} be injurious to the district in which it shall be located or**  
44 **otherwise detrimental to the public health, safety, and welfare.**

45  
46 Mr. Bates said the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS  
47 IMPOSED HEREIN is so designed, located, and proposed to be operated so that it WILL NOT be  
48 injurious to the district in which it shall be located or otherwise detrimental to the public health, safety,  
49 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.**

Mr. Bates said the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN DOES preserve the essential character of the district in which it is located.

Mr. Bates said that therefore the requested Special Use Permit SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN IS in harmony with the general purpose and intent of the Ordinance.

- 5. The requested Special Use IS NOT an existing non-conforming use.**

- 6. THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES.**

Ms. Cunningham referred to the special conditions read earlier and agreed to by Mr. Peacock.

Mr. Hall said that before they move on from the findings, he would like to point out that they have two Documents of Record to add, number four is the revised site plan received on August 12, 2024 and number five is the handout dated August 15, 2024 with additional Special Condition G.

Ms. Cunningham entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings of Fact for Case 135-S-24, as amended.

**Mr. Randol moved, seconded by Mr. Roberts, to adopt the Summary of Evidence, Documents of Record, and Findings of Fact for Case 135-S-24, as amended. The motion passed by voice vote.**

Ms. Cunningham entertained a motion to move to the Final Determination for Case 135-S-24.

**Mr. Bates moved, seconded by Mr. Roberts, to move to the Final Determination for Case 135-S-24. The motion passed by voice vote.**

Ms. Cunningham read the Final Determination for Case 135-S-24 from Attachment G on pages 20 of 20 in the Preliminary Draft, as follows:

**Final Determination for Case 135-S-24**

**Mr. Bates moved, seconded by, Mr. Randol, that 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 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 135-S-21 is hereby GRANTED WITH SPECIAL CONDITIONS to the applicants, Andrew Peacock, to authorize the following:**

- Authorize the construction and use of an outdoor self-storage lot as a Special Use on land in the B-5 Central Business Zoning District.**

**SUBJECT TO THE SPECIAL CONDITIONS.**

The vote was called as follows:

**Bates – Yes                      Cunningham – Yes                      Randol – Yes                      Roberts – Yes**

Ms. Cunningham congratulated Mr. Peacock and told him he was a pleasure to work with, and she appreciates his patience as she learns her way around this job.

Mr. Randol told Mr. Peacock that he commends him on the work that has been done on his property, he went by his property yesterday and it has been a miraculous improvement.

Ms. Cunningham said they discussed it at dinner tonight, it has miraculously improved.

Mr. Peacock thanked them and said when you looked at it now you wouldn't think so, but if they saw it a year ago...

Mr. Randol said he has been by there plenty over the years.

Ms. Cunningham said she goes by there a couple times a week.

Mr. Peacock said one trailer, one boat, and a geodesic dome home are left to remove and for some reason somebody wants it, and he has been holding onto it for weeks for them to come and get, he is almost done with them, but they're going to get that and get that out of there.

Ms. Cunningham thanked Mr. Peacock.

**8. Staff Report –**

Ms. Cunningham asked if there was a staff report this evening.

Mr. Hall said there is none.

**9. Other Business**

**A. Review of Docket**

Mr. Randol said he was told that their harvest should begin by the end of the month, so he will only know probably a day at a time whether he will be able to be at a meeting or not for the next month to six weeks.

Mr. Hall asked him if that was a normal harvest time for him or is it earlier than usual.

Mr. Randol said it is maybe a week or ten days earlier, but they just said by the end of the month.

Mr. Hall said okay.

Ms. Cunningham asked Mr. Hall or Mr. Campo if there was anything about the docket that they wanted to bring up.

Mr. Hall said no, but based on what Mr. Randol said, the August 29, 2024, ZBA meeting is looking pretty

1 sketchy at this point and there is nothing we can do about that, if it needs to be cancelled, it will be.  
2  
3 Mr. Roberts said he was not going to be at the August 29, 2024, ZBA meeting.  
4  
5 Mr. Hall said right, they knew about that from the last ZBA meeting, and Mr. Andersen said he was going  
6 to be absent, and Mr. Hall will be absent.  
7  
8 Ms. Cunningham asked Mr. Bates if he would be there.  
9  
10 Mr. Bates said yes, he plans to be.  
11  
12 Ms. Cunningham said yes, she plans to be here, so there is two, and possibly Mr. Flesner.  
13  
14 Mr. Bates asked Mr. Hall if he could provide any guidance on the next steps regarding Mr. Elwell as the  
15 chair of the Board.  
16  
17 Mr. Hall said at this point, they are continuing like this because the Board said they were willing to do so,  
18 and if the Board's opinion changes, then he would recommend sending a memo or he could send a  
19 communication to the County Executive to let him know that the Zoning Board has changed their mind,  
20 and they'd like to have an official chair. It would be best if they had an official chair before the September  
21 12, 2024, ZBA meeting, but there is nothing that really requires it as long as the Board is comfortable with  
22 going with an interim chair. He will try to get some kind of communication from Mr. Elwell. Based on  
23 what Mr. Elwell said previously, he expected him to be here tonight, if his plans have changed, he would  
24 have hoped he would have let them know, so he is left mystified as to what the situation is.  
25  
26 Mr. Bates said that the lack of communication from Mr. Elwell is unexpected and that is why he was  
27 asking.  
28  
29 Mr. Hall said yes.  
30  
31 Mr. Bates said we can't continue if there is no communication, they need to make some adjustments.  
32  
33 Mr. Hall said he is glad to hear that.  
34  
35 Mr. Randol asked, wasn't there a time frame on that?  
36  
37 Mr. Hall said that his understanding was that Mr. Elwell was planning to be back in August 2024, and this  
38 is not August 1, 2024 – it's August 15, 2024.  
39  
40 Mr. Bates said okay.  
41  
42 Ms. Cunningham said there has been so much ruckus with this Board anyway, she would certainly hope  
43 that Mr. Elwell would make his intentions clear and not have to be any action taken by the County  
44 Executive if it would be at all possible.  
45  
46 Mr. Hall said again, he wouldn't even raise the issue to the County Executive if this Board was comfortable  
47 and felt it was necessary, so it is really up to the Board.  
48  
49 Ms. Cunningham said she is really worried about having a permeant absence right now, because there are

1 conflicts like harvest, vacations, school activities, health issues, and they are always down one Board  
2 member, so that makes it more difficult to have a quorum.  
3  
4 Mr. Randol asked if Mr. Hall could try to reach out to Mr. Elwell or would he rather have this Board do  
5 it.  
6  
7 Mr. Hall said no, he is happy to reach out, in fact, Ms. Berry reached out to him this week and they didn't  
8 hear anything, but they will try other means of reaching out.  
9  
10 Mr. Randol said he would hate to recommend it, but his dealings with the Illinois Environmental  
11 Protection Agency is that anytime he wants a response from them, he has to send a certified letter.  
12  
13 Mr. Hall said he supposes they could do that.  
14  
15 Mr. Randol said just a comment not a recommendation.  
16  
17 Mr. Hall said okay.  
18  
19 Ms. Cunningham said they will play it by ear on the August 29, 2024, ZBA meeting, if Mr. Flesner and  
20 Mr. Elwell can both make it, then they can have the meeting, but without Mr. Flesner and Mr. Elwell, they  
21 can't.  
22  
23 Mr. Hall said yes.  
24  
25 Ms. Cunningham asked if there was anything further on the docket.  
26  
27 Mr. Randol brought up the case with the billboard on Illinois Route 47. Mr. Randol asked the staff if they  
28 had been down Illinois Route 47 since that billboard was installed.  
29  
30 Mr. Hall said no he hasn't.  
31  
32 Mr. Randol asked to double check the lighting on the billboard.  
33  
34 Mr. Hall said yes, they discussed that lighting, and it was suggested to him that lighting pointing down  
35 would seem to have a greater likelihood of reflecting into the eyes of drivers than lighting directed upward,  
36 and in light of that, he went ahead and let them put in the lighting that they have.  
37  
38 Mr. Randol said does that mean it is approved, because someone coming over the top of the overpass will  
39 immediately see those two lights looking at them. He said there is an open space between the bottom of  
40 the sign, and what he would call the deck, so that light shines through that area and Mr. Hall might want  
41 to check it out.  
42  
43 Mr. Hall said that he will do that, and they haven't issued a Zoning Compliance Certificate on the sign  
44 yet, so that is a timely suggestion.  
45  
46 Mr. Randol said he if wants a complaint, he can give him a complaint.  
47  
48 Mr. Randol said personally, he thinks he needs to have some kind of enclosure put across the bottom of  
49 that sign.

1  
2 Mr. Hall asked if it was to shield the lights?  
3  
4 Mr. Randol said yes.  
5  
6 Mr. Hall said that shouldn't be difficult to do.  
7  
8 Mr. Randol said it should be an easy fix, he knows they told him they did not have a problem with it being  
9 on County Road 1675 North, but whenever it does come back to Illinois Route 47, then to him it is a  
10 problem.  
11  
12 Mr. Hall said okay.  
13  
14 **10. Adjournment**  
15  
16 Ms. Cunningham entertained a motion to adjourn.  
17  
18 **Mr. Bates moved, seconded by Mr. Roberts, to adjourn the meeting. The motion carried by voice**  
19 **vote.**  
20  
21 The meeting adjourned at 7:22p.m.  
22  
23 Respectfully Submitted,  
24  
25  
26 Secretary of the Zoning Board of Appeals