



Bennett Administrative
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Urbana, Illinois 61801

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www.co.champaign.il.us/zoning

CASE 183-S-25

PRELIMINARY MEMORANDUM

January 8, 2026

Petitioner: Juan Hernandez, JKI's Remodeling & Landscaping LLC

Request: Authorize a Special Use Permit for a Neighborhood Home Occupation with outdoor storage of equipment and materials, no more than eight vehicles parked outdoors, and no more than three employees in the R-1 Single Family Residence Zoning District.

Location: The subject property is Lot 3, of Barcus Subdivision, in the Southwest Quarter of the Southwest Quarter of Section 17, Township 20 North, Range 10 East of the Third Principal Meridian, in Stanton Township with PIN 27-16-17-351-004, commonly known as the property with an address of 2106 CR 1900E, Urbana.

Site Area: .84 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 owns the Subject Property and lives in the house and operates his business from the property. Vehicles, equipment and materials are kept on-site, and work is performed off site at customers properties. Employees come to the property, park their cars and take the work vehicles to jobsites. It was noted by the Department that a business was operating from the property and a letter requesting that the owner register the home occupation. The petitioner submitted an Application for Registration of a Neighborhood Home Occupation (NHO), and it was determined that the number of vehicles, employees and outdoor storage required by the business would exceed what is allowed by-right for a Neighborhood Home Occupation and that a Special Use Permit would be required.

EXTRATERRITORIAL JURISDICTION

The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.

The subject property is located within Stanton Township, which does not have a Plan Commission.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Residential with Business	R-1 Single-Family Residence
North	Residential	R-1 Single-Family Residence
East	Agriculture	R-1 Single-Family Residence and AG-1 Agriculture

West	Agriculture	R-1 Single-Family Residence and AG-1 Agriculture
South	Residential	R-1 Single-Family Residence

VEHICLES, EMPLOYEES AND STORAGE ALLOWED IN AN NHO

Paragraph 7.1.1 K. of the Zoning Ordinance states, “No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on lots located in a residential zoning district as part of the neighborhood home occupation.” The petitioner has four pickup trucks with four utility trailers that are used for the business and parked on the property.

Paragraph 7.1.1 A. states, “No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m.” The petitioners have three employees other than resident family members that report to work at the subject property and take the vehicles and trailers to perform work off-site.

Paragraph 7.1.1 A. states, “Outdoor storage or display is prohibited.” The petitioner has equipment stored outside that includes snowplow blades, salt spreaders, a skid steer, and materials stored outside that include up to 2 pallets of pavers at a time.

PUBLIC COMMENTS

Notices about the case were sent to surrounding landowners, Stanton Township, St. Joseph-Stanton Fire Protection District and Drainage District #2 of St. Somer and Stanton.

One neighboring landowner submitted an email and photos expressing their objection to the Special Use Permit. The neighbor noted that junk and debris including furniture was brought to the property and accumulates in trailers until it is hauled away, furniture is brought in and broken down before being hauled away and debris such as stone and bricks are dumped in the yard. The landowner noted that winds sometimes blow debris onto adjacent properties.

PROPOSED SPECIAL CONDITIONS

A. 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.

B. Prohibited activities of the Rural Home Occupation include:

(1) The outdoor storage of any number of unlicensed vehicles in excess of what is allowed in Section 3.3 of the Champaign County Nuisance Ordinance.

(2) The deposition, accumulation, maintenance or disposal of garbage or debris, yardwaste, brush or cut timber as prohibited in section 3.2 of the Champaign County Nuisance Ordinance.

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

Conformance with the Champaign County Nuisance Ordinance.

C. **Should the number of non-family employees that report to the property increase to more than three, and the number of vehicles parked on the property increase to more than eight, or the amount of equipment and materials stored outside on the property increase to an area greater than what is allowed by the Zoning Ordinance, the petitioner must apply for a new Special Use Permit or Variance.**

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

That the Neighborhood Home Occupations comply with Zoning Ordinance requirements

D. **The petitioner shall install a Type D screen that screens the parking and storage areas from the view of the properties to the north and south.**

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

That the parking and storage area is screened from the view of the neighboring properties.

E. **If complaints are received regarding debris blowing from the subject property onto the adjacent property to the east, the petitioner shall install fencing to keep any debris from blowing onto adjacent properties.**

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

That debris from the subject property does not blow on to adjacent properties

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received November 13, 2025
- C Annotated 2023 Aerial Photo with Site Plan created by P&Z Staff
- D Email from Connie Whelehan received January 7, 2026, with photos
- E Site photos January 6, 2026
- F Summary of Evidence, Finding of Fact, and Final Determination dated January 15, 2026

Location Map

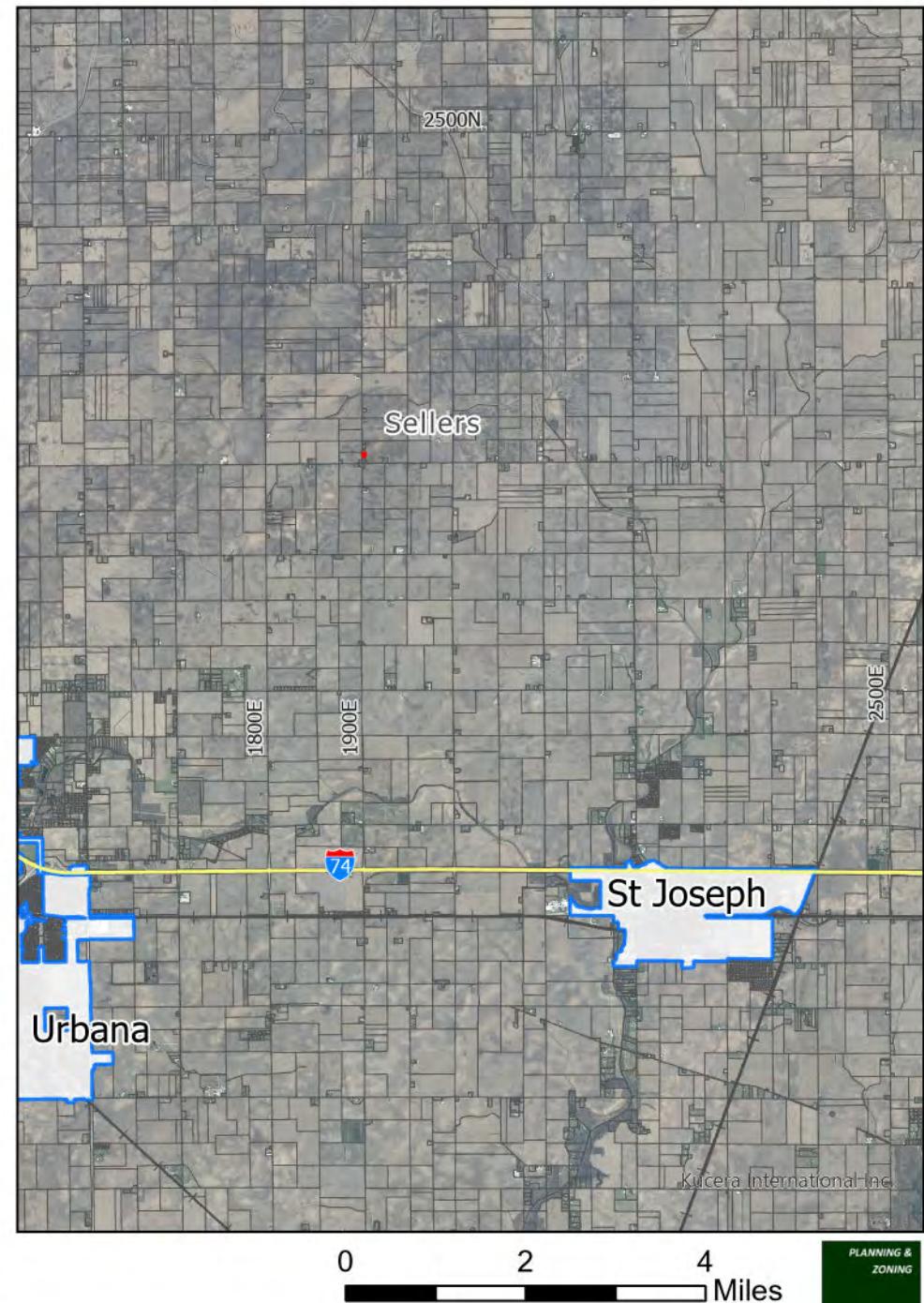
Case 183-S-25

January 15, 2026

Subject Property



Property location in Champaign County



Land Use Map

Case 183-S-25

January 15, 2026



Kucera International Inc.

Subject Parcel

Residential

Agricultural

0 300 600 Feet

PLANNING &
ZONING

Zoning Map

Case 183-S-25

January 15, 2026



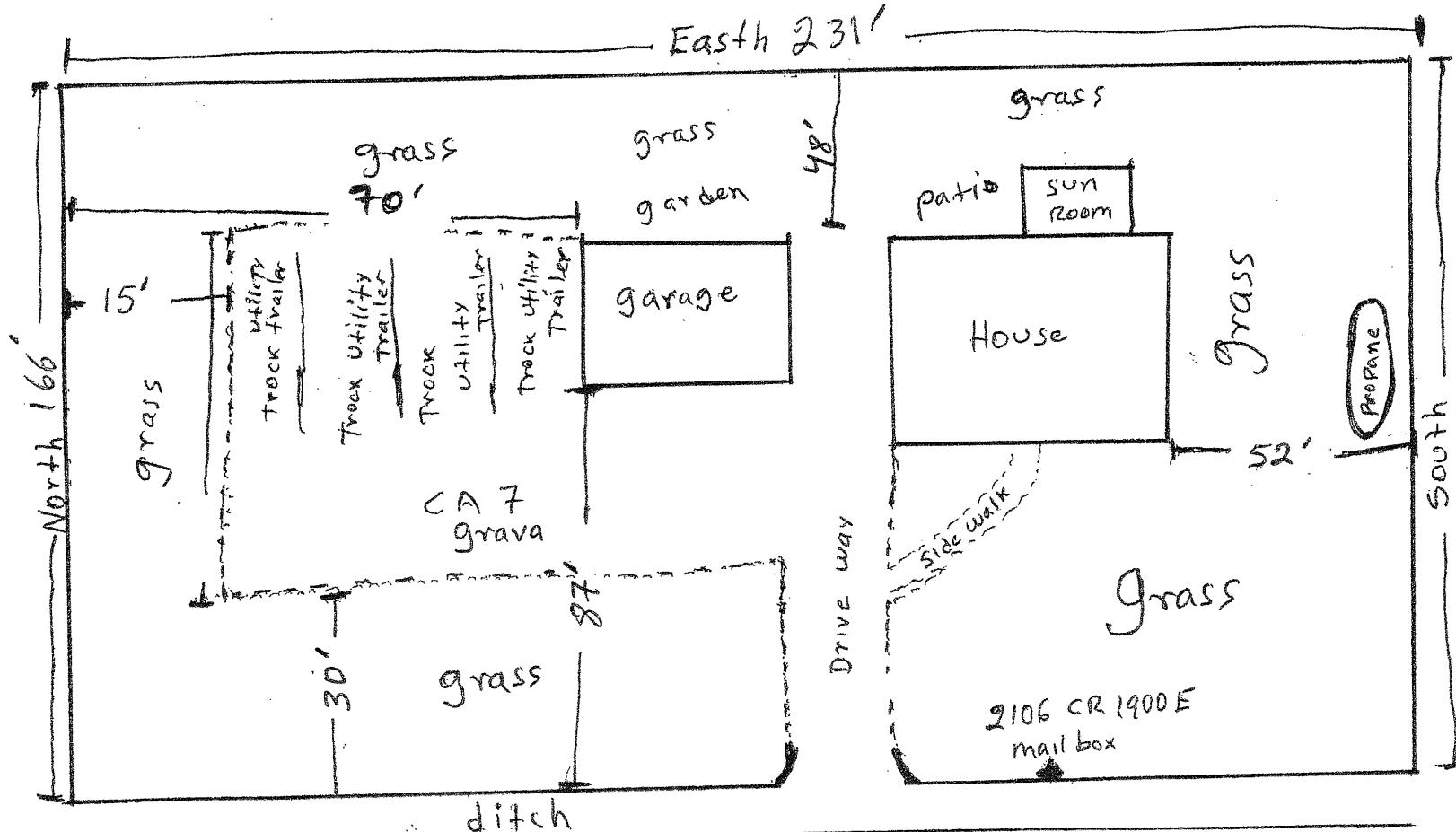
Subject Parcel

R-1 Single Family Residence

AG-1 Agriculture

0 300 600 Feet

PLANNING &
ZONING



— — — County RD 1900 E. — — —

Annotated 2023 Aerial

Case 183-S-25

January 15, 2026



Subject Parcel

Truck Trailer Storage

Materials Storage

0

50

100

Feet

PLANNING &
ZONING

Charles W. Campo

From: Connie Whelehon <conniew0906@gmail.com>
Sent: Wednesday, January 7, 2026 2:49 PM
To: zoningdept
Subject: Case 183-S-25
Attachments: 1000036767.jpg; 1000036766.jpg

CAUTION: External email, be careful when opening.

I am the homeowner north of 2106 CR 1900 E in Barcus Subdivision, Champaign County. My yard butts up to their yard. My address is 2108 CR 1900 E. Thank you for the letter making me aware of the petition for requesting a Special Use Permit on the property of 2106.

I am against this said petition.

This property is being misused on what it was intended for, a clean, quiet home among other clean, quiet homes of Barcus Subdivision. The yard of said property is used year round to hold furniture, mattresses along with yard waste and garbage. The equipment used to break down furniture is very loud. The remnants of broken furniture and mattresses pile up in trailers until it's high enough to haul away. Then it starts over with collecting more. Stone, bricks, and other items get dumped in piles on the grass. All of this is on the north side and back of their home. It faces my home. It's what I look at when I look out my south windows. It's what I see when I'm outside in my yard hanging laundry or having family over for cookouts. The winds blow some of the debris over into my yard, and being out here in the country we get a lot of strong winds. I clean it up before I mow my lawn.

The pictures I have attached are from yesterday. One in my front yard, one in my backyard. I will say, they cleaned up the property. Probably for your photos. It's normally with more stuff around. I wanted you to see how close the business is to my home.

I am hoping this petition is denied. If for some reason it's approved, I'm requesting a fence be put around the property.

Connie Whelehon
815-786-4933
2108 County Road 1900 E
Urbana, IL 61802





183-S-25 Site Images



From 1900E looking southeast toward Subject Property



From 1900E looking east toward Subject Property

183-S-25 Site Images



From entrance of Subject Property looking south along 1900E



From entrance of Subject Property looking northeast toward neighboring property

183-S-25 Site Images



From entrance of Subject Property looking north along 1900E



From 1900E Looking east toward Subject Property

PRELIMINARY DRAFT

183-S-25

**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: ***{January 15, 2026}***

Petitioner: **Juan Hernandez, JKI's Remodeling & Landscaping LLC**

Request: **Authorize a Special Use Permit for a Neighborhood Home Occupation with outdoor storage of equipment and materials, no more than eight vehicles parked outdoors, and no more than three employees in the R-1 Single Family Residence Zoning District.**

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 15, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Juan Hernandez owns the subject property.
2. The subject property is Lot 3, of Barcus Subdivision, in the Southwest Quarter of the Southwest Quarter of Section 17, Township 20 North, Range 10 East of the Third Principal Meridian, in Stanton Township with PIN 27-16-17-351-004, commonly known as the property with an address of 2106 CR 1900E, Urbana.
3. The property is .84 acres in area.
4. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is not located within the one-and-one-half miles of a municipality with zoning.
 - B. The subject property is located within Stanton Township, which does not have a Planning Commission. Townships with Planning Commissions do not have protest rights on a Special Use Permit. Notification was sent to Stanton Township.

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 .84-acre subject property is zoned R-1 Single Family Residence and contains a single-family residence and detached garage.
 - B. Land to the north is zoned R-1 Single Family Residence and is in use as residential.
 - C. Land to the west is zoned AG-1 Agriculture and R-1 Single Family Residence and is in agricultural production.
 - D. Land to the south is zoned R-1 Single Family Residence and is in use as residential.
 - E. Land to the east is zoned AG-1 Agriculture and R-1 Single Family Residence 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 received October 23, 2024, indicates the following existing features:
 - (1) One 1800 sf. single family residence constructed in 1981.
 - a. A 192 sf. sunroom addition was constructed in 1997.
 - (2) An existing 30 feet by 32 feet detached garage.
 - (3) A gravel parking and storage area to the north of the existing garage.

- B. Information regarding the operations of the home-based business, JKI's Remodeling and Landscaping, is summarized as follows:
 - (1) The services performed are general landscaping, outdoor maintenance and home improvements and all work is done off-site at customer locations.
 - (2) Four pickup trucks with four utility trailers (eight vehicles) will be parked outside.
 - (3) Equipment and materials stored outside will include 4 snowplow blades, salt spreaders, 1 skid steer, 2 pallets of pavers.
 - (4) Up to 3 non-resident employees will report to work at the site, park their vehicles and take the company trucks to perform work off-site.
- C. Previously approved Zoning Use Permits for the subject property include:
 - (1) ZUPA #148-81-01 was approved on June 26, 1981, for the single-family residence.
 - (2) ZUPA #102-88-01 was approved on April 11, 1988, for the detached garage.
 - (3) ZUPA #164-97-01 was approved on June 16, 1997, for a sunroom addition to the single-family residence
- D. The subject property is on Best Prime Farmland.
- E. There are no previous zoning cases on the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

- 6. Regarding authorization for a Neighborhood Home Occupation in the R-1 Single Family Residence 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 STRUCTURE” is a STRUCTURE 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, 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) “AUTOMOBILE” is a self-propelled, free-moving MOTOR VEHICLE for the conveyance of persons on a STREET and having a seating capacity for not more than ten persons.

- (5) “BEST PRIME FARMLAND” is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:
 - a. Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County LESA system;
 - b. Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system;
 - c. Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils as determined by the Champaign County LESA system
- (6) “DISCRETIONARY DEVELOPMENT” is a non-agricultural land USE that may occur provided that a SPECIAL USE permit and/or a rezoning request is granted by the BOARD and/or by the GOVERNING BODY following a DISCRETIONARY review process and additionally provided that the USE complies with provisions of the Zoning Ordinance and other applicable ordinances and regulations.
- (7) “DWELLING” is a BUILDING or MANUFACTURED HOME designated for non-transient residential living purposes and containing one or more DWELLING UNITS and/or LODGING UNITS.
- (8) “HOME OCCUPATION, NEIGHBORHOOD” is any activity conducted for gain or support by a member or members of the immediate FAMILY, residing on the premises, as an ACCESSORY USE entirely within the residents DWELLING UNIT or ACCESSORY BUILDING not exclusively devoted to such activity.
- (9) “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.
- (10) “MOTOR VEHICLE” is a self-propelled free-moving vehicle for the conveyance of goods or persons on a street.
- (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;
 - 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. Subsection 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.

C. Subsection 7.1.1 establishes the parameters of Neighborhood Home Occupations. The following paragraphs are relevant to this case:

- (1) 7.1.1 A. states, "No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m."
- (2) 7.1.1 K. states, "No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on LOTS located in a residential zoning district as part of the NEIGHBORHOOD HOME OCCUPATION."
- (3) 7.1.1 L. states, "All NEIGHBORHOOD HOME OCCUPATIONS that exceed any of the standards in paragraphs 7.1.1A. through K. may be authorized by SPECIAL USE Permit provided as follows: 1. The USE is not a prohibited activity in paragraph 7.1.1I. 2. The DWELLING on the subject property shall remain the principal USE and the PRINCIPAL BUILDING on the property and the HOME OCCUPATION shall always be an ACCESSORY USE and any building devoted to the HOME OCCUPATION shall be an ACCESSORY BUILDING

D. 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.

E. 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, "**Only for my employees to pick up and drop off trucks.**"
 - B. The subject property is located along CR 1900E near County Highway 20 and approximately eight road miles from Urbana.
 - C. The Petitioner stated that he purchased the property in order to have more space for his home occupation.
 - D. NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

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 have testified on the application, **“The proposed land use will only be for storage. Our business is conducted outdoors and inside of our clients homes.”**
 - B. Regarding surface drainage:
 - (1) The subject property is relatively flat with the lowest area being near the road ditch.
 - (2) The additional gravel parking area should not cause a significant increase in stormwater runoff.
 - C. Regarding traffic in the subject property area:
 - (1) The subject property is located along CR 1900E approximately 400 ft. north of County Highway 20 (CR 2100N).
 - a. CR 1900E is a local Township road that is approximately 15 feet wide.
 - b. The subject property has one driveway entrance on the east side of 1900E that serves the property.
 - c. 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 2021 near the subject property. CR 1900E had an ADT of 150. County Highway 20 had an ADT of 800, west of 1900E and 1150 east of 1900E.
 - d. The proposed Neighborhood Home Occupation should not create significant additional traffic due to its infrequent use.
 - e. Notice was sent to the Stanton Township Supervisor and Stanton Township Road Commissioner, and no comments have been received.
 - D. Regarding fire protection on the subject property, the subject property is located approximately 8.3 road miles from the St. Joseph-Stanton Fire Protection District station. 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. Soil on the subject property is Best Prime Farmland and consists of 154A Flanagan silt loam and has an average Land Evaluation (LE) of 100.
 - (1) The site has been in residential use since prior to 1973 which is prior to the County regulations for Best Prime Farmland.

- (2) The subject property is .84-acres in area which is less than the three-acre maximum lot size on Best Prime Farmland.
- G. Regarding outdoor lighting on the subject property:
 - (1) No 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 is an existing septic system for the residence located east of the house.
 - (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 because the property has been developed for many years.
- J. Regarding life safety considerations related to the proposed Special Use:
 - (1) No new construction is proposed for the Neighborhood Home Occupation.
 - (2) The St. Joseph-Stanton Fire Protection District has been notified of the proposed Special Use and no comments have been received.
- K. An email and photos from next door neighbor Connie Whelehan, 2108 CR 1900E, were received on January 7, 2026, regarding bringing in and furniture, yard waste and other debris, noise from breaking down furniture and debris blowing from the subject property to adjacent properties.
- L. 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 have testified on the application, “Yes.”
 - B. Regarding compliance with the *Zoning Ordinance*:
 - (1) NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

- (2) Paragraph 7.1.1 A. states, "No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m."
 - a. On the Neighborhood Home Occupation Permit Application, the petitioner stated that there are three employees other than resident family members that will park their cars at the property and take business vehicles to job sites.
- (3) Paragraph 7.1.1 J. states, "Outdoor STORAGE or DISPLAY is prohibited."
 - a. The petitioner stated in a meeting that they would have equipment stored outside that include snowplow blades, a skid steer, salt spreader and materials stored outside that include up to two pallets of pavers.
- (4) Paragraph 7.1.1 K. states, "No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on LOTS located in a residential zoning district as part of the NEIGHBORHOOD HOME OCCUPATION."
 - a. On the Neighborhood Home Occupation Permit Application, the petitioner stated that there are four pickup trucks, and four utility trailers used for the business, excluding employee and personal vehicles.

C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*: the proposed project is exempt from the SWMEC ordinance because the subject property is no more than one acre in area and was in existence on December 17, 1971.

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 Champaign County subdivision jurisdiction and the subject property is in compliance.

F. Regarding the requirement that the Special Use preserve the essential character of the R-1 Single Family Residence Zoning District:

- (1) NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

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.

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. NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.
 - B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
 - (1) Subsection 5.1.4 of the Ordinance states the general intent of the R-1 District as follows (capitalized words are defined in the Ordinance):

The R-1 Single Family Residence DISTRICT is intended to provide areas for single FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.
 - (2) The types of uses authorized in the R-1 District are in fact the types of uses that have been determined to be acceptable in the R-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.

No significant increase in traffic is anticipated from the proposed Special Use.

(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 additional gravel parking area should not cause a significant increase in stormwater runoff.
- 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 as there are no changes proposed.

(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. An email and photos from next door neighbor Connie Whelehan, 2108 CR 1900E, were received on January 7, 2026, regarding bringing in and furniture, yard waste and other debris, noise from breaking down furniture and debris blowing from the subject property to adjacent properties.
- d. The petitioner stated to staff that they are willing to install landscaping or fencing on the property to screen the parking and storage area.

(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 property and the property has 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.

- (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.
 - a. A residence has been at this property since at least 1973.
 - b. The proposed Special Use will not take any land out of agricultural production.
 - c. The subject property is not within one and one-half miles of existing communities.
- (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: “Yes”
 - 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. **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.

- B. **Prohibited activities of the Rural Home Occupation include:**

1. **The outdoor storage of any number of unlicensed vehicles in excess of what is allowed in Section 3.3 of the Champaign County Nuisance Ordinance.**
2. **The deposition, accumulation, maintenance or disposal of garbage or debris, yardwaste, brush or cut timber as prohibited in section 3.2 of the Champaign County Nuisance Ordinance.**

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

Conformance with the Champaign County Nuisance Ordinance.

C. **Should the number of non-family employees that report to the property increase to more than three, and the number of vehicles parked on the property increase to more than eight, or the amount of equipment and materials stored outside on the property increase to an area greater than what is allowed by the Zoning Ordinance, the petitioner must apply for a new Special Use Permit or Variance.**

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

That the Neighborhood Home Occupations comply with Zoning Ordinance requirements

D. **The petitioner shall install a Type D screen that screens the parking and storage areas from the view of the properties to the north and south.**

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

That the parking and storage area is screened from the view of the neighboring properties.

E. **If complaints are received regarding debris blowing from the subject property onto the adjacent property to the east, the petitioner shall install fencing to keep any debris from blowing onto adjacent properties.**

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

That debris from the subject property does not blow on to adjacent properties.

DOCUMENTS OF RECORD

1. Application for Special Use Permit received November 13, 2025, with attachments:
 - A Site plan
2. Application for Neighborhood Home Occupation Permit received November 13, 2025.
3. Email from Connie Whelehan received January 7, 2026, with photos
4. Preliminary Memorandum dated January 8, 2026, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received November 13, 2025
 - C Annotated 2023 Aerial Photo with Site Plan created by P&Z Staff

- D Email from Connie Whelehon received January 7, 2026, with photos
- E Site photos January 6, 2026
- F Summary of Evidence, Finding of Fact, and Final Determination dated January 15, 2026

SUMMARY DRAFT FINDINGS OF FACT FOR CASE 183-S-25

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **183-S-25** held on **January 15, 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. ***Neighborhood Home Occupations are authorized by right in all Zoning Districts as accessory uses per the requirements established in Section 7.1.1 of the Zoning Ordinance.***
 - b. ***The petitioner stated that he purchased the home in order to have more space for the home occupation.***
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 rural home occupation should not create significant additional traffic due to its infrequent use.***
 - b. ***Notice was sent to the Stanton Township Supervisor and Stanton Township Road Commissioner, and no comments have been received.***
 - b. Emergency services availability is **{ADEQUATE / INADEQUATE}** because:
 - a. ***The subject property is located approximately 8.3 road miles from the St. Joseph-Stanton Fire Protection District station. 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. ***The principal use is the residence on the property.***
 - b. ***The petitioner has stated that they are willing to provide screening for the parking and storage area.***
 - d. Surface and subsurface drainage will be **{ADEQUATE / INADEQUATE}** because:
 - a. ***The additional gravel parking area should not cause a significant increase in stormwater runoff.***
 - e. Public safety will be **{ADEQUATE / INADEQUATE}** because:
 - a. ***The subject property is located approximately 8.3 road miles from the St. Joseph-Stanton Fire Protection District station. Notice of this zoning case was sent to the Fire Protection District, and no comments have been received.***
 - b. ***Notice was sent to the Stanton Township Supervisor and Stanton Township Road Commissioner, and no comments have been received.***

- 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 *{IS / IS NOT}* WELL SUITED OVERALL because;
 - a. *The subject property has been developed for residential use since prior to the adoption of the Champaign County Zoning Ordinance.*
- 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. 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.

B. Prohibited activities of the Rural Home Occupation include:

- 1. The outdoor storage of any number of unlicensed vehicles in excess of what is allowed in Section 3.3 of the Champaign County Nuisance Ordinance.**
- 2. The deposition, accumulation, maintenance or disposal of garbage or debris, yardwaste, brush or cut timber as prohibited in section 3.2 of the Champaign County Nuisance Ordinance.**

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

Conformance with the Champaign County Nuisance Ordinance.

C. Should the number of non-family employees that report to the property increase to more than three, and the number of vehicles parked on the property increase to more than eight, or the amount of equipment and materials stored outside on the property increase to an area greater than what is allowed by the Zoning Ordinance, the petitioner must apply for a new Special Use Permit or Variance.

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

That the Neighborhood Home Occupations comply with Zoning Ordinance requirements

D. The petitioner shall install a Type D screen that screens the parking and storage areas from the view of the properties to the north and south.

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

That the parking and storage area is screened from the view of the neighboring properties.

E. If complaints are received regarding debris blowing from the subject property onto the adjacent property to the east, the petitioner shall install fencing to keep any debris from blowing onto adjacent properties.

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

That debris from the subject property does not blow on to adjacent properties.

FINAL DETERMINATION FOR CASE 183-S-25

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 183-S-25 is hereby *{GRANTED/GRANTED WITH SPECIAL CONDITIONS/DENIED}* to the applicant, **Juan Hernandez, JKI's Remodeling & Landscaping LLC**, to authorize the following:

Authorize a Special Use Permit for a Neighborhood Home Occupation with outdoor storage of equipment and materials, no more than eight vehicles parked outdoors, and no more than three employees in the R-1 Single Family Residence Zoning District.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}

- A. 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.
- B. Prohibited activities of the Rural Home Occupation include:
 - 1. The outdoor storage of any number of unlicensed vehicles in excess of what is allowed in Section 3.3 of the Champaign County Nuisance Ordinance.
 - 2. The deposition, accumulation, maintenance or disposal of garbage or debris, yardwaste, brush or cut timber as prohibited in section 3.2 of the Champaign County Nuisance Ordinance.
- C. Should the number of non-family employees that report to the property increase to more than three, the number of vehicles parked on the property increase to more than eight, or the amount of equipment and materials stored outside on the property increase to an area greater than what is allowed by the Zoning Ordinance, the petitioner must apply for a new Special Use Permit or Variance.
- D. The petitioner shall install a Type D screen that screens the parking and storage areas from the view of the properties to the north and south.
- E. If complaints are received regarding debris blowing from the subject property onto the adjacent property to the east, the petitioner shall install fencing to keep any debris from blowing onto adjacent properties.

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

SIGNED:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date