

**Sangamon County, Illinois**  
**ZONING BOARD OF APPEALS**

The Zoning Board of Appeals met on January 21, 2016, at 7:00 P.M. in the County Board Chamber in the County Complex.

**ATTENDANCE**      **(X) denotes present**

<b>( ) Chairman Chimento</b>	<b>( X) Committee Member Mares</b>
<b>( X) Committee Member Wulf</b>	<b>( X) Committee Member Herbert</b>
<b>( X) Committee Member Spiro</b>	<b>( X) Alt. Committee Member Lucchesi</b>
<b>( X) Alt. Committee Member Dobrinsky</b>	

**STAFF PRESENT:**

Molly Berns, Senior Planner, Spfld-Sang County Regional Planning Commission  
Steve Keenan, Associate Planner, Spfld-Sang County Regional Planning Commission  
Dwayne Gabb, Assistant States Attorney, States Attorney's Office  
Steve Hall, Department of Public Health  
Cyndi Knowles, Zoning Administrator, Sangamon County Zoning

---

Acting Chairman Wulf called the meeting to order.

Approval of December Minutes

**Committee Member Herbert makes a motion to approve the December Minutes.**

**Committee Member Mares seconds the motion.**

**5/0/0**

Acting Chairman Wulf requested to entertain a motion to take the cases out of order.

**Committee Member Mares makes a motion to move Case # 2015-047 to the end.**

**Committee Member Spiro seconds the motion.**

**5/0/0**

**Docket 2016-001 for property located at 4227 Bissell Rd. & 4236 E. State Route 54, Springfield, IL. 62707**

**PETITIONER(S):** Kevin Kent & Graham Ranch LLC

**OBJECTOR(S):** None

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a variance on - 008 for the West side setback to 6' (1998-006)

REQUESTING: Petitioners request for Proposed Parcel 1: A variance to allow one (1) parcel less than five (5) acres; and, for Proposed Parcel 2 : A variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than forty (40) acres.

STAFF RECOMMENDATION: Approval. The variance request will facilitate a land split. The owners of the residence are selling the horse pasture to the owners of the horse barn to the north. This would allow the pasture to be combined with the agribusiness and the residence to be sold separately, thereby yielding a more reasonable return for both properties. The Standards for Variation are met.

Alex Rabin, attorney representing petitioners.

Alex Rabin stated Graham Ranch LLC owns a horse ranch out there and the property behind them has an extra lot. They are splitting that lot so it matches the horse barn and the rest will remain stand alone residential.

Acting Chairman Wulf asked if there were any questions from the board...hearing none. Are there any questions from County Board...hearing none. Are there any objectors...hearing none.

Acting Chairman Wulf read the staff recommendation.

**Committee Member Herbert makes a motion to recommend approval as staff recommended.**

**Committee Member Dobrinsky seconds the motion.**

**Motion carries 5/0/0**

**Docket 2016-002 for property located at 875 Lawndale Ave., Springfield, IL. 62711**

PETITIONER(S): US Truss Company

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "I-1" Restricted Industrial District

REQUESTING: "I-2" General Industrial District

STAFF RECOMMENDATION: Approval. The petition is rezoning the subject property so that it may be combined with adjacent lots and have the same zoning. Wooden truss manufacturing is an allowable use in either the I-1 or the I-2.  
John Reese was sworn.

John Reese stated that US Truss is looking to purchase the property to the north which is currently zoned I-2. We are looking to split that land and access it for the Truss Company and wish to have our current location also zoned I-2. This way we can combine all of our existing properties with the property to the north.

Acting Chairman Wulf asked if the board had any questions...hearing none. Does the County Board have any questions....hearing none. Are there any objectors....hearing none.

Acting Chairman Wulf read the staff recommendation.

**Committee Member Spiro makes a motion to recommend approval as staff recommended.**

**Committee Member Mares seconds the motion.**

**Motion carries 5/0/0**

**Docket 2015-047 for property located at 14670 Nave Road, Mechanicsburg, IL 62545**

PETITIONER(S): William & Christie Rincker

OBJECTOR(S): Yes

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres.

REQUESTING: Petitioners request a rezoning from "A" Agricultural District to "B-1" Neighborhood Business District; a variance to allow four (4) principal uses on one (1) parcel (Single-Family Residence, dog obedience training/kennel, horse boarding/breeding, camping & tent park); a variance to allow a single-family residence in the B-1 District, a variance to allow agricultural uses in the B-1 District; a variance to allow the parking area to remain grass rather than being paved; and, a Conditional Permitted Use to allow a camper and tent park.

**STAFF RECOMMENDATION: Denial of the requested B-1 zoning classification. The LESA score of 196 indicates the property is suitable for agricultural use only. The property is developed with a single-family residence, several barns, and other improvements of an agricultural nature. Most of the B-1 uses would be considered**

to be too intense and inappropriate for the area.

Following the initial staff opinion on the first petition for this case, the petitioner submitted a revised proposal dated December 14, 2015. This second proposal indicated a substantive increase in the number of agility events and the types of dog operations on the subject property, suggesting a much larger impact than initially proposed. Staff has significant concerns pertaining to the requested increase to the number of dog agility events and dog operations on the subject property.

The revised proposal is silent as to how many people might be on the subject property from all activities at capacity. Both the petitioner's attorney's letter (Page 1 and 2) and Attachment 1 (Page 2 of 3) indicate twelve (12) dog agility trials per year, however, neither references the combined number of people and animals that might be on the subject property from one dog agility event plus if all the various dog training courses were to occur simultaneously on the subject property. Because of this staff is unable to make infrastructure determinations, (e.g. septic field sizing and sizing of paved parking areas) related to scale of operations and likely impact on the character of the surrounding area to adequately determine if the proposal would be detrimental. As the subject property sits on a rough, narrow road, and is on well and septic rather than public sewer and water, until further information is provided to adequately gauge possible intensity of use, staff believes it is premature to recommend approval of a use variance to allow more dog agility events than was initially proposed. Therefore, staff recommends denial of the Use Variance request pertaining to dog agility events on the subject property.

In the alternative to the requested B-1 zoning, staff recommends approval of a Use Variance to grant three (3) uses (a single-family residence, a dog kennel limited to no more than twenty (20) dogs boarded/kenneled at a given time with proof of adequate waste disposal, and a horse boarding/breeding business). Staff notes the following special circumstances related to the subject property: (1) the subject property is currently zoned Agricultural, which allows horse breeding and boarding and a single-family residences as of right; and, (2) a dog kennel business is a Conditional Permitted Use [CPU] in the Agricultural District, indicating the County Board thought it an appropriate use with conditions.

Recommend denial of the requested CPU to allow a camper and tent park. As noted, the sole access to the subject property is a narrow, somewhat substandard road. Staff has concerns for public safety access to a potential camper and tent park if events bring a large number of vehicles to the area. Staff also has concerns regarding whether an RV park is compatible with the subject property, given that RVs have definite water and sewage impacts and that vehicular access will be on a narrow and sub-standard road.

Recommend denial of the requested variance to not pave the parking area. The revised information dated December 14, 2015, increased the scope of the petitioner's request in terms of the number of people and vehicles that could be visiting the

property through the petitioner's multiple businesses. Based on inadequate information, it would be impossible to verify the number of parking spaces actually needed at this time. Due to the narrow width of Nave Road, on-street parking is not a viable option.

**AMENDED:** Staff amended the recommendation to delete the last paragraph above (*referencing the requested variance to not pave the parking area*) and replace it with the following: After a review of the ordinance, staff finds that the variance is not needed. While the ordinance does not apply, staff finds that the lack of an adequate parking plan to adequately provide on-site parking for the multiple uses proposed, that there would be a negative impact on the neighboring properties and roadway.

William & Christie Rincker were sworn. August Appleton, attorney representing the petitioners.

Staff, Molly Berns requested to amend the staff recommendation.

August Appleton stated that my clients have applied for a zoning variance to B-1; Neighborhood Business District on property currently zoned Agriculture. They are also ok with the Conditional Permitted Use to allow them to continue to do the agility and herding trials and classes that they have. We already do dog training. I believe that the Conditional Permitted Use for the kennels or the camp park would be similar to that. I believe after hearing the evidence, the board will find that there is not much variance that is required at all to accommodate what they are trying to do with the land.

Acting Chairman Wulf asked if there are any questions by the board.

Committee Member Spiro asked if they wanted to have dog training and dog shows there.

August Appleton stated they are seeking to use their property up to 12 times a year, for what they refer to as agility and herding trials. These are not open to the general public. This is an organization of people who compete and train their dogs in agility training. Perhaps the board has seen videos of dogs running over hurdles or running through tubes. We have videos here tonight to present. It is an invite only event that occurs over a weekend. It is a competition; they are asking to do up to 12 a year. My clients also engage in seminar/training clinic 2-3 times a year, which would be a 2 day class. Lastly, my client teaches classes on dog training and herding. She seeks the permission to have these classes of up to 6 people per class, no more than hour long classes and no more than 3 per evening. She wants to do those classes on a regular basis. They are outside classes, weather permitting. My client usually does them in 4 week sessions. The focus on the animals makes it appropriate for agricultural district and I think there would be slight conditional permitted use required in order to make this proper.

Acting Chairman Wulf stated that in your previous submissions you indicated you were not a club.

Christie Rincker stated, no I am not a club. There is AKC (American Kennel Club); there is also NADAC which is similar to AKC. It is just a club and that is the type of club we host, I myself is not a club.

Committee Member Spiro asked, so then these events would only be open to NADAC members?

Christie Rincker stated registered dogs.

Committee Member Spiro stated registered dogs and by invitation only then, not everybody in the club could just show up.

Christie Rincker stated, yes they can, if they sign up, there is a limit of how many dogs usually. They have to sign up ahead of time.

Committee Member Dobrinsky asked, for one of these events, can you give me an estimate of approximately how many people would be in attendance. I know you are limited to the number of dogs but, how many people would probably be coming to watch these trails.

August Appleton stated, if I may, I have some examples exhibited that may answer that question. For example, I can present to you, a diagram of the land and how they are using it. My clients will testify that the parking area is probably the size of this lot and we are looking at only having 30-40 cars at the absolute maximum that would be used in this pasture for parking for these agility trails, not all the time, just the occasional once a month, no more than twice a month. We also provided agreements that anyone who is going to attend must sign and agree to. There are many provisions in there to protect the land and ensure that everyone behaves in an appropriate manner. They also pass out provisions to the exhibitors (participants). They rarely have anyone who stays on site overnight except for family or friends. Sometimes a judge may bring a camper and stay. Other people are directed to appropriate campgrounds and RV stations. My clients property is set up to accommodate up to 3 RV's with electrical, they do not need the dumping facility for the septic waste for the RV's. As I said earlier, that is for special purposes, close friends, family and an occasional judge, no more than 3 at a time. They also hold seminars and clinics; these are only done 2-3 times a year. Those are usually a 2 day clinic that run 8 AM to 4 PM on weekends. The agility trials are always daytime hours. In regards to the total number of people, I have numbers here; this is a list that shows the number of owners and the number of dogs. Non-family owners, non-family dogs. The most dogs that have been on the property at one of the agility trials was 40 on 1 day. The vast majority of them were in the high 20-30 range. I also have letters of neighbors in support and letters of exhibitors in support.

Acting Chairman Wulf asked if all this documentation has been presented to staff.

August Appleton stated that yes it has.

Committee Member Spiro stated he had a friend up around Petersburg that had a music thing going on, of course it was just a small thing but, when it finally ended, they had over 1,000 people in it. My question is what happens if all of a sudden this kind of thing becomes real popular. Everybody and their brother wants to do it, all of a sudden you have 50 or 100 people wanting to come to this. What would be the upper limit or one way to restrict such growth and popularity?

August Appleton stated that in regards to your hypothetical situation, I think the music thing would be much more into the general public who would also include vending, selling snack food, beer or whatever. My clients are not seeking to sell anything other than the entry fee that they charge for the classes or the trials. Now as far as the amount of people, I am not sure if the board would be able to put a restriction on the amount of people to attend one of these events. Given the nature of the event, where this is a club and an organization, more private than essentially having a music venue on your property. Another key difference would be the nature of people using the property. My clients will testify that the vast majority of persons attending their classes and agility trials are women between the ages of 40 and 70.

Committee Member Spiro stated, I understand what you are saying but what if, all of a sudden, dog agility became all the rage and hundreds joined and the club grew. I am sure you would probably want to see the club grow and more and more people join and wanted to participate.

Christie Rincker stated that when they enter the events, there are limits per judge. So when we have 1 judge, we are limited to 365 runs a day. That doesn't give an answer as to how many people but, for example, I have 4 dogs that run 6 runs a day, that is 24 runs outta 4 dogs so, my sister has 6 dogs, most of the people have 5. Honestly, it is less people because the judge can only judge so many runs a day. Once we hit that limit for runs, no one else can enter.

Acting Chairman Wulf asked if it is a spectator sport.

Christie Rincker stated that people can show up but we do not advertise, so unless you know, we don't advertise anywhere public.

Acting Chairman Wulf asked how you are handling human waste right now.

Christie Rincker stated that we use a portapotty.

Acting Chairman Wulf asked if they contract with a company that brings out the portapotty.

Christie Rincker stated yes.

Committee Member Dobrinsky stated that you mentioned earlier about campers and that the campers would only be there for the day and then would go out at night.

August Appleton stated yes, I do believe my clients have electrical for 3 campers and I believe they are ok with keeping that as far as the maximum for overnight. As you can see from the pictures, people are traveling here in campers. However, my clients do give out information as to campgrounds where they can dump, where they can have outlets or obtain fresh water. I think, other than those 3, it would generally be family members and perhaps the judge. Everyone else would go away at night.

Acting Chairman Wulf stated, your document here says 1 for family, 2 RV's for the judges, up to 6 RV's for participants.

August Appleton stated, I do believe the petition did seek up to 8. However, after the staff recommendation, my clients were ok to accommodate back to 3.

Committee Member Dobrinsky stated, to have 3 total.

August Appleton stated yes.

Committee Member Dobrinsky asked, how would we be certain of that.

Christie Rincker stated that they would have to call or email me if they want to stay overnight. No one really stays overnight unless it's a friend. The general public and participants go to a campground. Friends and family usually stay. For example, my sister lives in New Jersey but she is here about 6 months out of the year so she stays on our property. My mom lives up by Chicago so she comes and stays in her camper when she is here for a couple weeks at a time.

Acting Chairman Wulf asked what is the general size of these campers.

Christie Rincker stated, usually anywhere from 28 to 32 foot.

Committee Member Dobrinsky asked if she allows tent camping or any other camping of that sort.

Christie Rincker stated no.

Committee Member Dobrinsky asked if they are on a well.

Christie Rincker stated yes.

Committee member Dobrinsky asked if they have ever had problems with their well.

Christie Rincker stated no, only time I have had trouble with my well is when I have forgotten to shut my water off.

Committee Member Herbert stated, your petition stated you want to be able to board up to 20 dogs; does that include your own?

Christie Rincker stated that she has 6. I know that is what we put but we really do not want to board dogs. I do dog sit but they are in my house, not in a kennel. As far as the boarding kennel, the only reason we asked for that is because it is under ag and if we didn't get the dog training, I wanted to offset the income by doing the dog kennel. I really don't chose to do that. That is 7 days a week/24 hours a day.

Acting Chairman Wulf stated that I am a little bit confused because in the petition you say to allow tent camping yet you are asking to allow a variance for a RV park.

Staff, Cyndi Knowles stated, Mr. Chairman, I can probably answer that. In our ordinance they are listed together and so that is how we listed it on the petition.

Acting Chairman Wulf asked if County Board had any questions.

County Board Member Ratts stated in regards to inclement weather you could still do the agility training, trails and stuff but what if cars are unable to get into the pasture to park. You would almost have to park all the cars along that road. It would make traversing back and forth almost impossible and emergency personnel wouldn't be able to get down the road to where people would turn into your property. What do you have secondary idea for that?

Christie Rincker stated that their driveway is probably 500 feet long and graveled. In the past 5 years we have never ever had to park someone in our field. Our field drains very well, it can rain for 3 days and we could still park on it. As far as classes and stuff, if it is raining, class is cancelled. It would only be our events because people have already prepaid for this and we can't just cancel unless it is like tornado or severe weather that it is cancelled. Honestly the most cars that we have had there at one time is probably 15 cars. That is why we provided those pictures and the tents in the pictures is people shading their dogs.

County Board Member Hills stated that she is very familiar with dog competition and I know that agility and barn hunt and herding are all rapidly growing dog competition events. What would your maximum number of entries be at any agility event or barn hunt for that matter?

Christie Rincker stated that I don't host any barn hunt events and I probably won't.

County Board Member Hills stated that it mentioned barn hunt...

Christie Rincker stated that it would just be practices because I have the barn and the hay and straw available. I have enough with the agility. As I said, the agility is maxed out per runs so that would be it as far as...

County Board Member Hills stated that you could have a number of judges that can take up to 365 runs a day.

Christie Rincker stated that we can't afford it.

County Board Member Hills stated if it starts taking off. I mean agility is a very fast growing sport.

Christie Rincker stated that in some venues it is. Like AKC is big. I don't do AKC, I have but I don't. NADAC is not very popular, nowhere in the Country have I seen them have more than 1 judge. With just me and my sister running it, we would never have enough people to be able to do that. I don't plan on having staff.

Acting Chairman Wulf asked, are you stating that out of the classes you are wanting, agility is the only one you are really going to have competition in.

Christie Rincker stated agility and herding.

Committee Member Spiro stated, you don't plan to make this a business, business just charge an entrance fee for the trails.

Christie Rincker stated that my dog classes are my business. As far as dog training and classes it isn't full time. It is considered my business I guess, it is what I do to make money.

Committee Member Spiro stated that this next question is directed to staff, I understand you don't want to camper and tent park. But, let's say I had a place and I had some friends over for the night and it wasn't an established campground, would that be alright?

Staff, Steve Hall stated that the State considers anything over 3 RV's as an RV Park or campground and they would have to be registered with the State Board of Health. They would have to have pads and be required to have a septic dumping station.

Staff, Molly Berns stated from a zoning ordinance perspective, for her own personal use or for immediate family, we would not consider that a zoning violation. If they had their own camper, their mom, their sister, immediate family only, any others it would be a violation and would start looking like an RV Park if people were coming there and staying just for the event, not family members.

Acting Chairman Wulf asked if they intend to hold events in the buildings that they have there or will it strictly be for dog kennels and horse stalls?

Christie Rincker stated that it honestly depends on this...

Acting Chairman Wulf asked if there was going to be a horse rink in the building.

Christie Rinker stated yes, there will be a horse arena with stalls. Our horses are going to be in there, our livestock will be in there. I will train myself in the arena. It's going to be used for riding, it's going to be used for training our kids how to ride bulls.

Committee Member Spiro stated, if I understand the ordinance, that is a permitted use.

Staff, Cyndi Knowles stated that under the agricultural district the horse breeding and boarding is however, they have to ask for the commercial zoning to allow the dog agility training and trails and classes.

Staff, Molly Berns stated that a riding stable, if in fact they were having students there, having a stable and classes and stuff like that would be under the conditional permitted use in the ag district. That was not part of the business plan and I understand that is just for personal use so it would be allowed under the ag zoning.

Committee Member Spiro stated so what I am wondering is under the fourth paragraph of staff recommendation, it seems to grant them everything except the RV park. I don't know why they would even need to go to B-1 zoning, why we even have that petition. Just look at the end use, think that would be more of what they want to do.

Staff, Molly Berns stated to be more specific, the dog kennels are a CPU in the agricultural district, the dog obedience requires the B-1 zoning. That is the trigger, a kennel is also allowed in B-1 but it is the obedience training that requires them to request the B-1.

Acting Chairman Wulf asked if there are any objectors.

Clint Edward Gabriel was sworn.

Clint Gabriel stated that he is the road commissioner for Cooper Township. The Rincker family approached me and presented this, at which time I spoke to the Cooper Township Board. They had no real objections to it based upon size. However, with the addition of the livestock trailers, potential RV's, the roadway is a major safety concern for me. I've gathered some information from Sangamon County Highway Department with the minimum requirements for road with a mini subdivision, if you will, is the standard we saw best to seek, stating that the road has to be at least 16' wide. Nave Rd, the road where the Rincker property is located is currently 12' wide. My concern is safety, not only for guests of the Rincker's but the general public. Trying to pass motorhomes, even livestock trucks and trailers can be very difficult. I also have a 2012, which was the latest traffic count off of some of the roads. Unique Rd. which is required to access the dead-end road does not even have a traffic count. The standards for which the County uses is for 4 vehicle trips per day. So for Nave Rd, according to their calculations there are 16 vehicular trips per day. As a result of this increase, these are extremely rural country roads, there is not much of an aggregate base. Essentially it is just oil and chip on top of dirt. To bring it up to the mini subdivision standards it would require a minimum of 4 inches of aggregate and resealed at a width of 16 foot with proper drainage.

Acting Chairman Wulf asked if they would like to respond.

August Appleton stated that currently there is no rating on Nave Rd. He then asked if Nave Rd was appropriate for a combine or other large scale farm equipment.

Clint Gabriel stated, with the head removed and on a limited basis, yes.

August Appleton stated so a semitrailer hauling grain would be able to drive down Nave Rd.

Clint Gabriel stated that it is over the actual weight limit of the road but it is not posted.

August Appleton stated so there is a weight limit there.

Clint Gabriel stated all the roads have a weight limit, it's just whether or not they are posted.

August Appleton asked if he has acknowledged any of the residents on Nave Rd engaged in commercial farming in the past.

Clint Gabriel stated that it is a rural area. There are 4 residences on Nave road. The access to the fields are, to the best of my knowledge, off of Unique Rd, Moomey Rd., and Darnell Rd. I do not know of farmers accessing their fields off of Nave Rd.

Acting Chairman Wulf asked if County Board had any questions.

Committee Member Mares asked, with regards to Nave Rd., are there any other ingress or egresses to the property beyond Nave?

Clint Gabriel stated, no, Nave Rd is a dead end road. To the north off of the County Blacktop/Roby Rd. is Darnell Rd. To the south is Moomey Rd. You travel either road approximately half a mile and it intersects with Unique Rd. that then runs north and south. Nave Rd. connects off of that and continues east to a dead end.

Michael T. Benz was sworn.

Michael Benz stated that he prepared a written statement. I would like to tell you that I am here tonight with my wife, Debbie and our neighbors, Larry & Carol Oostdyk & Curt Nave. We represent the other 3 residential properties on the road. My name is Mike Benz, my wife Deb and I have lived at 14688 Nave Road for approximately 10 years. We are the Rinckers next door neighbors to the east. Larry & Carol Oostdyk have lived at 14500 Nave Road for 17 years. They are the Rincker's next door neighbors to the west. Curt Nave lives at 14750 Nave Rd. He is to the east of us at the end of the road living on property that his family has owned for decades. We comprise all of the Rincker's neighbors as there are only 4 houses on the road. We would like it known that we are all very much opposed to the zoning changes as proposed in Sangamon County Zoning Case

# 2015-047. The following are some of the reasons that we are opposed to our neighboring property being converted to B1 zoning, and the establishing of the proposed business. 1) Nave Road is a single lane, oil and rock, dead end lane that is more of a driveway than a road. Even in good weather it can be a challenge to navigate when meeting an oncoming vehicle. Passing each other is not even possible on some sections of the road. Increasing the traffic flow on the road, due to business traffic would be a major inconvenience to use as residents. It would almost certainly be a safety issue. We also believe that the road itself would suffer from the increased traffic; especially during Spring and Summer months. 2) With increased traffic; customers coming and going; and increased noise levels; we feel that we will lose the lifestyle that we have come to love. At present all the residences on Nave Road are agricultural/residential. Most of us are at or nearing retirement age. We have spent years of our lives planning on retiring to our private, quiet, serene, country homes. We feel that allowing a business to operate on this quiet dead end road would destroy these plans. 3) Decreased property values and increased property taxes. We have concerns as to how a neighboring property zoned as a business would affect both of these. The Sangamon County Assessors Office was questioned about this and the response we got was "I don't know". We are not willing to risk either of these happening. 4) The size and scope of the proposed business. The Rincker's have been conducting dog agility training classes and dog agility trials for several years. So far both have been limited to Spring through Fall months. As neighbors, we have tolerated increased noise levels; increased traffic flow on our road; minor instances of property damage in the form of rutting of the Oostdyk's yard; and some cases of littering. Agility classes were mostly held in the evening until dark. When agility trials were held we were very rarely given a heads up as to when they were scheduled. It goes to say that we are experienced as to the type of disruption that would occur in our lives. We are confused as to exactly what the proposed business would involve. The petition for zoning states "Dog obedience training/kennel; horse boarding/breeding/ and Conditional camping". In July of 2015: I was told by Chris Rincker that it would be Dog agility training lessons/agility trials and horseback riding lessons. The original building permit application that they filled out mentioned none of this. Now after reading their amended petition and business plan we've found that their proposed days and hours of operation for the most part cover any day of the week until 8 or 9 pm. With 12 agility trials and 12 training seminars proposed per year and additional horse and dog training, and even rental of their livestock and facilities; we as neighbors could be subject to the nuisance of customer traffic and increased noise levels virtually every weekday and weekend. The scope of their business is including everything mentioned previously and now a request for weekend camping for up to 10 rv's. With the different scenarios we have been presented with; and including a letter from Chris Rincker sent to all asking for our support; we feel that the full size and scope of this proposed business is being downplayed. Chris's sister had already tentatively scheduled 6, 3 day NADAC agility trials at the Rincker's for 2016 months ago. These trial dates stretch from March to December. 5) We are concerned about the environmental impact that may be imposed on our properties. In past years it was not uncommon to have turkey, deer, quail, and other varieties of wildlife visit our properties on a daily basis. With the conducting of dog training classes and increased presence of dogs we feel that the wildlife has been somewhat pushed back from our properties. We are concerned with the additional burden

that will be put on the Rincker's well. We fear that if they run their well dry, it will affect ours as well. We question the sewer/septic capabilities for a large volume of people and don't consider a "Porta Potty" an RV holding tanks with no dumping station a viable sanitary solution. In conclusion: As the enighbors of 14670 Nave Road, we are opposed to all aspects of the zoning changes of the aforementioned petition. We feel that granting business zoning to our neighbor's property would effect our lives and our properties in a negative way by destroying the country atmosphere that we hold so dear. We distrust the way that this has been presented to us and continually downplayed in order to get approval. 2-3 years ago Chris Rincker told me that the sponsor of an AKC event could make \$25,000.00 in a weekend. That equates to a lot of people if that is her eventual goal. It is my understanding that the Rincker's have many signed letter of approval and support from friends and relatives. The fact is, not one of those people are Nave road residents. We as all of the Nave Road residential property owners and as Sangamon County taxpayers hope that you take our concerns to heart and recommend that this petition be denied. Thank you.

Acting Chairman Wulf asked if staff has a copy of his testimony

Staff, Cyndi Knowles asked if that was the same one he presented to our office.

Mike Benz stated that it is not the same one but that he would get a copy.

Acting Chairman Wulf asked if there was anyone else who would like to testify.

Committee Member Dobrinsky stated that she is just trying to get her mind wrapped around some differences as to what events you are having there, how many, when and how. Do you have a definite schedule of anything. I mean I don't feel like we have a grasp as to what you have planned yet.

Christie Rincker stated I have my schedule for this year.

Committee Member Dobrinsky stated but you are telling me you may have 3 campers, you may have more campers. I don't think you have really decided if you are going to have 6 agility tests and now we are up to 12. I am not quite sure...

Christie Rincker stated this is the plan. I put on there that in the past 5 years have had 6 trials a year, I would like to expand that. If I put up a building, instead of 4 months of the year I can extend that to 12 months out of the year. We kinda went on the overload to, this is a family home and we have 2 small children. We really don't have time to host 12 events, we just asked for that because we don't want to be limited or saying we are downplaying it because we aren't really.

Acting Chairman Wulf asked if there were any more questions...hearing none. Laura Shanley asked to speak in support.

Laura Shanley was sworn.

Laura Shanley, supporter, stated she works for the Illinois Department of Transportation as their pavement engineer. I also participate in almost all of Christie's events with my dogs. I am aware of the road and I know it is not posted and I just wanted to say that when it comes to damages of roadways, your trailers do far more damage than any passenger vehicles do. There are some states that when they figure out their loading, they don't even consider cars and mini vans which is the bulk of what Christie's clientele is. The other concern is a lot of this head on traffic that you are describing. At these events, it is like when you go into the city, they all go in and they all go out. It is not head to head. You go one direction in the morning and the other direction in the end. That is how these events run also so when you show up there in the morning, we are going in but, at the end of the day we are going out. There is not a lot of head to head traffic. I know there are houses and so you are going slower, maybe 10 - 15 miles an hour. It's not like you got a lot of noise from a lot of heavy vehicles going by. I am also aware that she can go ahead and have as many large trailers out there and when you put those farm implements and you put the trailer/tractors out there and that is what does your significant damage to your roads.

Acting Chairman Wulf asked if she is representing DOT.

Laura Shanley stated no sir. I am a friend of Christie's and I just happen to work at DOT and I am the pavement manager and engineer.

County Board Member Mendenhall asked what is your position at IDOT.

Laura Shanley stated pavement manager and engineer.

County Board Member Mendenhall stated so then you are aware that animals and husbandry is exempt, combines, tractors but other than that, all the other vehicles, when you damage the road...and I say this because I am actively involved in the trucking industry and I have 25 trucks that run every day. When I tear up the roads, I get to fix it, IDOT enforces that. If I am overloaded and I go off the side of the road and I tear up the right-of-way or I bash a culvert, it is the trucking company's responsibility to fix that. You know that and I know that so my question is...If someone tears up Nave Rd, are the Rincker's willing to help offset some of that cost on that road.

William Rincker stated, I would say yes.

County Board Member Mendenhall stated, so he has already told you that it costs 78,000 dollars to rebuild that road, you are going to help offset that cost.

William Rincker stated, that wasn't the question that was asked was it.

County Board Member Mendenhall stated, I just asked you, if the road was destroyed or torn up, were you going to help fix it. That was my question.

Laura Shanley stated, how are you going to determine exactly, you have trucks that run down there...

Staff, Dwayne Gab stated, point of order here Mr. Chairman, I don't think this is an open dialog here.

Acting Chairman Wulf stated, neither do I and I am going to cut it off right there. I think we have all said what we have and if you would like to continue this you can request it but I think we are ready to move on.

Acting Chairman Wulf read the staff recommendation, and Staff read the last paragraph please...

Staff, Molly Berns stated and the last paragraph as amended at the beginning part of this hearing was, to remove this last paragraph and replace it with: After a review of the ordinance, staff finds that the variance is not needed. While the ordinance does not apply, staff finds that the lack of an adequate parking plan to adequately provide on-site parking for the multiple uses proposed, that there would be a negative impact on the neighboring properties and roadway.

**Committee Member Spiro makes a motion to recommend denial of the B-1 zoning but, in the alternative, grant a use variance to allow three (3) uses (a single-family residence, a dog kennel limited to no more than twenty (20) dogs boarded/kenneled at a given time with proof of adequate waste disposal, and a horse boarding/breeding business).**

**Committee Member Mares seconds the motion.**

**Motion carries 5/0/0**

Meeting adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
Recording Secretary

  
\_\_\_\_\_  
Chairman

Minutes of January 21, 2016  
Full record of minutes available upon request in the Zoning Department