

## PUBLIC HEARING LEGAL NOTICE

The Charleston Board of Zoning Appeals and Planning will conduct a Public Hearing on Thursday, January 25, 2024 at 7:00 P.M. in the City Council Chambers of City Hall, 520 Jackson Avenue, Charleston, Illinois, to consider the petition of Christine Stone for the following variances: Title 10, Chapter 5, Section 4-12 – “C/D Corridor Development District” including but not limited to: 10-5-4-12(5)(a) to allow 25’ side and rear setbacks (in the required transition yards) in the CD – Corridor Development Zoning District.

All on a tract of land described as:

A part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Seventeen (17), Township (12) North, Range Nine (9) East of the Third Principal Meridian, more particularly described as follows:

Commencing at an existing monument (Per Monument Record Book 1, Page 173, at the Coles County Recorder’s Office) marking the Northwest corner of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of said Section Seventeen (17); thence on an assumed azimuth 179° 17’39” along the West line of said Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) a distance of 528.02 Feet; thence azimuth 89°52’31” a distance of 327.60 Feet to an iron pin tagged #3140 and the point of beginning; thence azimuth 1°10’42” a distance of 320.0 feet to an iron pin tagged #3140; thence azimuth 89°55’06” along the Southerly right of way a line of Illinois Route 16 a distance of 160.0 Feet to an iron pin tagged #3140; thence azimuth 181°10’42” along a line established by I.P.L.S. #1425 (Ophir Claypool) and shown on plat of survey dated 1/31/1966 a distance of 319.88 Feet to an existing survey marker tagged #1425; thence azimuth 269°52’31” along a line established by I.P.L.S. #1425 (Ophir Claypool) a distance of 160.00 Feet to the point of beginning containing 1.175 Acres. All situated in Charleston Township, Coles County, Illinois.

Also known as 1591 Beech Tree Road (P.I.N. 02-1-00763-000)

The public hearing will also be broadcast at the following link: **[charlestonillinois.org \(agendas, packets and videos for City Council and BZAP\)](https://charlestonillinois.org/agendas,packetsandvideosforCityCouncilandBZAP)**

Interested parties can participate in any of the following 3 ways:

**1. Submission of written comments before the public hearing:**

- Written comments may be emailed to **City Clerk Deborah Muller at [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us)**
- Written comments received by 5:00 p.m. on Friday, January 19, 2024 will be included in the meeting packet sent to the Board of Zoning Appeals and

Planning. This meeting packet is also posted on the City's website: **[www.charlestonillinois.org](http://www.charlestonillinois.org)**

- Written comments received after 5:00 p.m. on January 19, 2024 through 5:00 p.m. on January 24, 2024 will be emailed directly to the Board of Zoning Appeals and Planning but will not be included in the meeting packet or posted on the City's website.
- Written comments received after 5:00 p.m. on January 24, 2024 will be added to the case file.

**2. Participation during the public hearing:**

- If you wish to provide comment, testimony, questions, or cross examination on a petition, or otherwise address the BZAP on any public hearing matter before it, please email Deborah Muller, City Clerk at the following email addresses to register your participation before 5:00 p.m. on the day of the hearing: [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us) Alternatively, you may obtain a registration form outside the public hearing room, fill the form out, and place it in the registration form box, which will be brought to the dais prior to the meeting.
- Individuals who do not wish to speak during the public hearing may simply indicate whether they support or are opposed to the application. The individual's name and their position on the application will be read aloud into the record at the hearing. Any written comments submitted by an individual in conjunction with their position will also be read into the record, subject to compliance with the City's public comment and public hearing rules and procedures.
- Individuals who register to speak in advance will receive an email from City staff with information about how to join the meeting.
- Individuals who fail to register in advance may participate in the hearing by following the instructions provided on the meeting agenda.

**3. Other methods of participation:** Any individual who would like to listen to the meeting by telephone or who may require an accommodation to listen to or participate in the meeting, should contact the **City Clerk Deborah Muller at 217-345-5650 and/or email [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us)** as soon as possible.

To request a copy of the proposed Variance request or questions regarding the proposed Variance request, please contact the City of Charleston City Planner at 217-345-5650. Members of the public may be heard at the public hearing.

/s/ Deborah Muller  
City Clerk

# City of Charleston

Section 1-2

## APPLICATION TO APPEAR BEFORE THE CHARLESTON BOARD OF ZONING APPEALS AND PLANNING

### 1. APPLICANT INFORMATION:

APPLICANT: Christine Stone Christine Stone DATE: 12/5/23  
(print name) (signed)  
ADDRESS: 1591 Beech Tree Rd PHONE No.: (217)345-5844  
CITY / STATE / ZIP: Charleston IL 61920

### 2. TYPE OF APPLICATION:

(Check applicable box(es) and provide responses to corresponding exhibits attached herein. Please refer to the Charleston City Code for required information for sections that do not have specific exhibits included in this packet.)

Zoning Variance (exhibit 1) ☒ Planned Unit Development ☐  
Conditional Use Permit (exhibit 2) ☐ Major Subdivision ☐  
Zoning Map Amendment (exhibit 3) ☐ Appeal of Code Official's Decision ☐  
Zoning Text Amendment (exhibit 3) ☐  
Other (Please Describe): \_\_\_\_\_

Brief Project Description: Canine & Feline Boarding Facility  
Zoning Classification: \_\_\_\_\_

### 3. REQUIRED DOCUMENTS (TO BE PROVIDED BY THE APPLICANT):

- A. Street Address of the Subject Property: 1591 Beech tree Rd Charleston IL
- B. Subject Property Legal Description (to be provided to the City in electronic format as a Microsoft Word Document / email the subject property's legal description to: [cityplanner@co.coles.il.us](mailto:cityplanner@co.coles.il.us))
- C. Letter of Intent (a one page description of the project and the why the request is necessary)
- D. Plans ("blueprints" or similar plan sheets showing as applicable: site plan, elevations, floor plan)
- E. Provide any additional information as required and detailed in the Charleston City Code or as requested by the Charleston Code Official

FOR OFFICE USE ONLY			Application Number: _____		
Submitted Date:	Sent to Publish:	Published Date:	Hearing Date:	To Council Date:	Affected Zoning:

January 2015



#### 4. OWNER INFORMATION:

A. Do you own this property fee simple (if yes, check yes and skip to #5)?

YES: ☒ NO: ☐

B. If the applicant is not the owner of this property please provide the following:

OWNER \*: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE No.: \_\_\_\_\_

CITY / STATE / ZIP: \_\_\_\_\_

C. If the property is owned by a land trust, who has beneficial interest in this property?

TRUST NAME \*: \_\_\_\_\_

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE No.: \_\_\_\_\_

CITY / STATE / ZIP: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

*\* If Owner(s) is different than the Applicant, please attach a letter from the Owner(s) authorizing submittal of this Application to the Charleston Board of Zoning Appeals and Planning.*

#### 5. APPLICANT'S REPRESENTATIVE:

If the applicant is planning to be represented by a third party for purposes of this application and to appear on behalf of the applicant at the Charleston Board of Zoning Appeals and Planning meetings, please provide the Representative's contact information below:

REPRESENTATIVE: Christie Stone Christie Stone  
(print name) (signed)

DATE: 12/5/23

REPRESENTATIVE'S FIRM NAME (IF APPLICABLE) \_\_\_\_\_

ADDRESS: 1591 Beech tree Rd

PHONE No.: (217) 345-5844

CITY / STATE / ZIP: Charleston IL 61920

**EXHIBIT 1 - Variances**  
**(Refer to 10-4-3 (J) of the Charleston City Code)**

1. Purpose: Variances provide a mechanism for relief for property owners when strict application of this title would result in practical difficulties or a particular hardship. The variance granted shall be the minimum necessary to permit reasonable use of the land.
2. Applicability: The board of zoning appeals and planning shall hear and make recommendations on all requests for variances, in conformance with 65 Illinois Compiled Statutes 5/11-13-5. The city council shall decide all variances. No variance shall be granted to allow a use that is not authorized by this title or a density that exceeds the maximums established for the applicable zoning district. The practical difficulty or hardship must be clearly exhibited and shall not be a result of actions of the applicant or previous owner.
3. Application and Procedures: The application, with the required information as listed herein and as prescribed in the City Code, shall be filed with the building official and processed in accordance with the procedures for a type 3 application as described in subsection 10-4-1 (C) of the City Code.
4. Required Findings: A variance is not a right. In conformance with 65 Illinois Compiled Statutes 5/11-13-5, a variance may be granted only upon finding that:

**These items (a-c) should be addressed in the application (see subsection d on the following page for specific review criteria for each item (a-c):**

- a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone (refer to d(1)(A-C) on the following page); and

d(1)(c)

- b. The plight of the owner is due to unique circumstances (refer to d(2)(A-B) on the following page); and

d(2)(B)

- c. The variance, if granted, will not alter the essential character of the locality (refer to d(3)(A-D) on the following page).

d(3)(A-D)



d. The following factors shall be used to determine whether each of the findings have been satisfied:

(1) Prior to finding that a property could not yield a reasonable return as provided in Item 4a of this section, the city shall consider:

(A) The initial purchase price was prudent and the intended return reasonable.

(B) Lack of reasonable return was not due to a general economic downturn that affected all similarly situated property in the city.

(C) The impact of the regulations could not have been reasonably anticipated at the time of purchase of the property.

(2) Prior to finding that the plight of the owner is due to unique circumstances, as provided in Item 4b of this section, the city shall consider:

(A) The variance is being requested due to a constraint that does not commonly apply to other properties within the city.

(B) The variance is required due to the shape or size of the property or due to natural constraints such as steep slopes, floodplains or significant vegetation (define this as specimen trees or stands of trees) that will be preserved.

(3) Prior to finding that the variance, if granted, will not alter the essential character of the locality, as provided in Item 4c of this section, the city shall consider:

(A) The variance will not reduce the viability of adjacent uses.

(B) The variance will not reduce the value of adjacent properties.

(C) The variance will not create a health or safety hazard for the users of the subject or adjacent properties, pedestrians, bicyclists or automobiles.

(D) The variance will not subject adjacent residences to additional light or noise.

5. Decision Makers:

a. Board Of Zoning Appeals And Planning: The board of zoning appeals and planning shall conduct a public hearing in conformance with subsection 10-4-1(B) of the City Code. The board shall make recommendation to the city council on approval or denial of the variance request. The board shall make finding based upon Item 4 of this section in conformance with 65 Illinois Compiled Statutes 5/11-13-5.

b. City Council: City council shall make the final decision by considering the above described findings and minutes of the public hearing from the board of zoning appeals and planning.

# Property Legal Description

1591 Beech Tree Rd

Charleston il, 61920

FIPS County Code 17029

APN 02-1-00763-000

PT NW1/4 SE1/4 SEC 17 T12N R09E VET OFFICE CONTRACT BUYER CHRISTINE STONE

Latitude 39.48345

Longitude -88.222281

## Letter of Intent for Boarding Facility

Christine M Stone.

Morgan L. Pinkerton

1591 Beech Tree Rd

Charleston IL, 61920

Date: 12/04/23

Dear Board Members,

This letter is intended to introduce you to our idea of building a successful Animal Boarding facility, All Paws inn. With the Boards approval, we plan to build and run an operational boarding facility where our goal will be to serve our community of pet parents by providing a safe and trustworthy environment for their pets. Our property has a fifty feet (50') setback from the east and south property lines. We are asking to be able to build twenty-five feet (25') into that set back from both the east and south property lines.

Our Boarding facility main service will be to provide a temporary home for dogs while their owners are away. This includes nightly boarding, day boarding, and other add on services like nail trims and baths.

We are planning for our building to be approximately 24x60, this includes a 12x20 lobby and sixteen kennels where canines will have access to a 5x6 exterior runs and 4x5 interior box. Surrounding the kennel, we are planning to have an at least six-foot-tall privacy fence with sound proofing rubber barriers. Even though we have limited neighboring businesses or houses in our area, we will plan to keep the noise to a minimum.

We have worked with the company Horizon Structures, known for USDA approved dog housing, to build and customize our dream kennel. Like a manufactured home, our kennel will be built before being delivered to our prepared foundation site.

Attached to this letter I have provided a detailed copy of the features that the kennel we have designed will entail.

We hope that that you find this project to be a positive addition for our community.

Thank you.

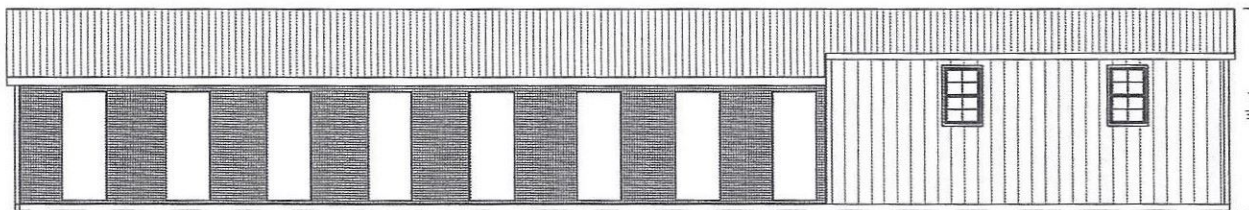
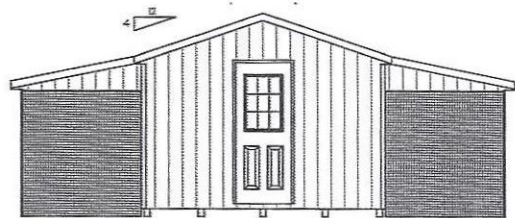
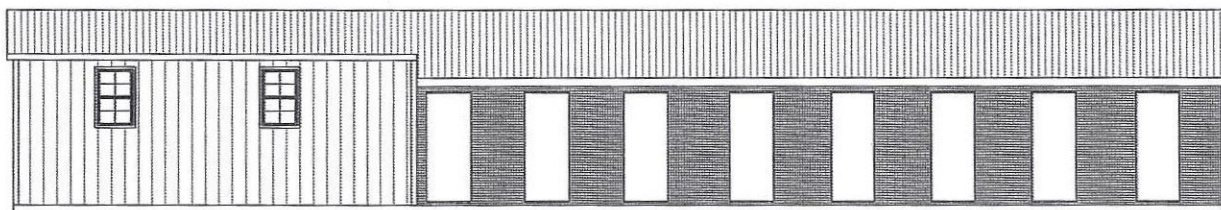
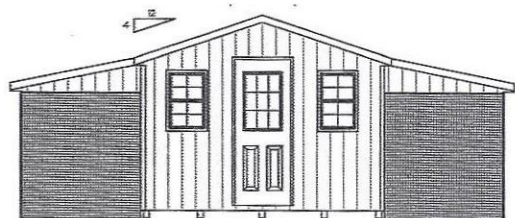
Christine Stone

Morgan Pinkerton

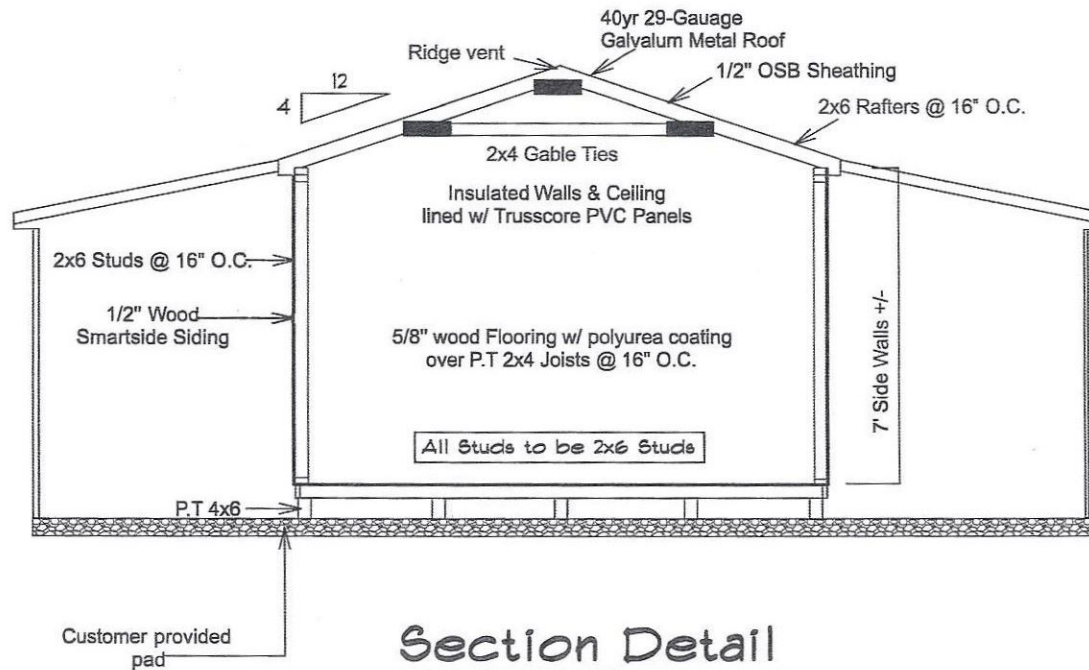




### Elevations

Job Name:	Dimensions:	Drawn By: Juan Lopez
	24x60	
		Revisions: 1



Section Detail

Construction Notes:	Job Name:	Dimensions:	Drawn By: Juan Lopez
		24x60	
			Revisions: 1



## Site Preparation Guidelines for Storage Sheds / Gazebos / Kennels



We recommend that your storage shed or prefab kennel foundation be a level pad of  $\frac{3}{4}$ " crushed stone, 3" – 4" deep, 1' larger than the size of the shed (for example, a 10' x 14' building would require a pad at least 11' x 15'). This will allow for better drainage around the perimeter of the shed for rain/snow melt dripping off the eaves – especially, if you are not planning on installing rain gutters on the shed or dog kennel. Water splashing directly onto the ground will, eventually, create a muddy area and splash up onto the shed or kennel walls. The gravel shed foundation prevents this to extend the life of the building.

- To prepare a storage shed or pre-built dog kennel base, remove the sod from an area slightly larger than the pad, level the site by removing dirt where necessary, and spread the gravel to a depth of about three or four inches. Tamp the shed or kennel base gravel down with a piece of 4-by-4 or metal tamper until it is evenly distributed and the site is flat and level.
- A "frame" of pressure-treated 4x4's or cement block will help keep the stone in place and create a neater appearance; however, it is not required.

Cement pillars, with or without tie-downs, are required by some municipalities. Check local regulations for quantity and recommended placement.



NOT FOR CONSTRUCTION  
CITY REVIEW ONLY

FRONT 50'  
CORRIDOR OPEN SPACE  
LANDSCAPE ONLY

REAR 50'  
CORRIDOR OPEN SPACE  
LANDSCAPE ONLY

NOT FOR CONSTRUCTION  
CITY REVIEW ONLY

1" = 40'

CD

1591  
Beech Tree  
Road

50' TRANSITION YARD  
EDGE SETBACK

25' SETBACK

NOT FOR CONSTRUCTION  
CITY REVIEW ONLY

50' TRANSITION YARD  
EDGE SETBACK

Proposed  
Kiosk

60'

14' x 60'

25'

25' VARIANCE  
REQUEST

AC



