

**Charleston Board of Zoning Appeals & Planning
City of Charleston**

**City Council Chambers
520 Jackson Avenue
Thursday, August 12, 2021**

7:00 P.M.

Notice is hereby given that a regular meeting of the Charleston Board of Zoning Appeals & Planning will be held on Thursday, August 12, 2021, at 7:00 p.m. in the City Council Chambers, on the 2nd Floor of City Hall at 520 Jackson Avenue, Charleston, Illinois 61920.

Social distancing may limit physical attendance at City Hall. The public hearing will also be broadcast at the following link: www.charlestonillinois.org (Click on: **Agendas, Packets & Videos for City Council and BZAP**).

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 – **Please put BZAP 03-25-2021 in the Subject Line.**
- Written comments received by 5:00 p.m. on Friday, August 6, 2021 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
- Written comments received after 5:00 p.m. on August 6, 2021, through 5:00 p.m. on August 11, 2021, 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 August 11, 2021, 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 address to register your participation before 5:00 p.m. on the day of the hearing: CityClerk@co.coles.il.us -- **Please put "BZAP 08-12-2021" in the Subject Line.** 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 special 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** as soon as possible.

AGENDA

***PLEASE NOTE:** Times are provided for audience members to ask the Petitioner questions, speak in support of the petition or speak against the petition. Anyone addressing the Board of Zoning Appeals & Planning is requested to approach the podium, provide the City Clerk with name & address, and speak into the microphone. A handheld microphone will be provided for those unable to approach the podium.

1. Call to Order
2. Roll Call
3. Approval of Minutes from the regular meeting of the Board of Zoning Appeals & Planning on March 25, 2021.

4. The Petition of Elizabeth Copsy for:

Conditional Use Permit to allow “day care home providing care to six (6) or more children, not related to the day care provider” and a “pre-school” use in the R1- Single Family Residential Zoning District.

All on a tract of land described as:

Lot Eighteen (18) in Block “H” in University Heights Subdivision, Coles County, Illinois.

**Also known as 1927 Reynolds Drive, Charleston Illinois
PIN # 02-2-12759-000**

The following protocol will be observed after presentation of petition(s) at the direction of the Chair:

- A. *Questions from the Board and Petitioner response.
- B. *Questions from the audience and Petitioner response.
- C. *Anyone present wishing to speak in favor of the petition.
- D. *Anyone present wishing to speak against the petition.
- E. Petitioner response.
- F. Board Discussion.
- G. Call for a vote.

5. Old Business

6. New Business.

7. Adjournment.

BZAP MEMBERS PLEASE NOTE: Contact Deborah Muller, City Clerk, at 345-8426, as soon as possible, if you are NOT able to attend this meeting. Thank you.

Board of Zoning Appeals & Planning

3.

Meeting Date: 08/12/2021

Information

Attachments

BZAP Minutes: 03/25/2021.

City of Charleston
BOARD OF ZONING APPEALS AND PLANNING
CITY COUNCIL CHAMBERS

520 Jackson Avenue
Charleston, Illinois
Thursday, March 25, 2021
7:00 p.m.

MINUTES

The regular meeting of the Charleston Board of Zoning Appeals and Planning scheduled for 7:00 p.m. was called to order on Thursday, March 25, 2021, at 7:01 p.m. by Chairman Jason Wavering.

Item 2. Chairman Wavering directed the City Clerk to call the roll and the following answered present to the call of his or her name.

Board Members **Physically Present:** Pat Adair, Paul Brown, Tim Jacobs, Jill Nilsen, Ryan Siegel, and Jason Wavering.

Board Member (s) **Absent:** None.

Chairman Wavering stated that 6 board members were present physically which constituted a quorum.

Staff members Present: Building Code Official Alex Winkler; City Attorney Rachael Cunningham; and City Clerk Deborah Muller.

Chairman Wavering welcomed everyone and explained that the meeting was being audio and video-recorded and explained the Board's procedures.

Due to the ongoing Coronavirus (COVID-19) pandemic, this Board of Zoning Appeals and Planning meeting may include remote participation.

Item 3. The next order of business was to allow remote participation if required. No one had requested remote participation, so Chairman Wavering dispensed with explaining the related procedures.

Item 4. The next order of business was approval of the minutes.

A **motion** was made by Paul Brown and seconded by Ryan Siegel to approve the **Minutes** from the regular meeting of the Board of Zoning and Appeals & Planning on March 11, 2021.

A Roll Call vote showed Board Members Pat Adair, Paul Brown, Tim Jacobs, Jill Nilsen, Ryan Siegel, and Chairman Wavering voting in favor of the motion.

Motion carried with 6-Yeas, 0-Nays.

Chairman Wavering said that as indicated earlier, interested parties had been provided the opportunity to comment on each case tonight in a variety of ways, including the submittal of written comments prior to tonight's meeting for inclusion in the meeting packet. In addition, the members of the public were invited to:

1. Submit an indication of support or opposition to be read into the record by staff;
2. Submit written comments to be read into the record by City staff; or
3. Request to speak during the meeting.

For those who registered to speak, Wavering said that he would call each speaker in the order that he or she had signed up. Speakers would be muted until their names were called by staff. Prior to speaking, he said that he would ask the speakers to state names and addresses, and then they would be sworn in.

Finally, before adjourning the public hearing portion of any case, Chairman Wavering said that he would ask if anyone participating in the meeting by phone or through an electronic meeting platform, but did not specifically sign up to speak through the City Clerk, would like to provide comment or testimony.

To ensure the opportunity to hear from each person wishing to speak, Wavering asked that they keep comments specific to the request under consideration and try to avoid repetitive comments.

Anyone participating in the hearing would also be able to ask questions of any speaker that provided testimony.

Chairman Wavering said, "With that said, we have come to the portion of our agenda that has been reserved for public hearings. One of the duties of the Board of Zoning Appeals and Planning is to conduct a public hearing on requests for Unified Development Code text amendment.

Mr. Wavering said that this evening's petition was for a text amendment request by the City of Charleston. Representing the City was City Building Code Official Alex Winkler.

Mr. Wavering noted that the following protocol would be observed:

1. Mr. Winkler would present the case describing the proposed text amendment.
2. BZAP Members may question Mr. Winkler.
3. The public may question Mr. Winkler.
4. Rebuttal evidence may be presented as determined appropriate by the Chair.

5. Upon presentation of all evidence by Mr. Winkler, the Board will hear from the public.

Chairman Wavering explained that when questioning any witness, questions were to be directed to the Chair and the Chair would determine the appropriateness of the question. If the question was allowed, the Chair would then ask the witness the question.

Mr. Wavering said that when there was no further testimony, the hearing would be closed, and the Board of Zoning Appeals and Planning would vote on the text amendment request. **The Board shall make a recommendation to the City Council on approval or denial of the text amendment request, based on the findings. The City Council shall make the final decision by considering the findings of the public hearing from the Board of Zoning Appeals and Planning.**

Please be concise in your testimony. If your point has already been made during the hearing, it will not be necessary for you to repeat it. Each item addressed and each point made is recorded and considered as the Board of Zoning Appeals and Planning makes its findings and recommendation.

When it is your turn to testify, please raise your hand and I will call on you. To ensure that everyone can be heard, please do not speak until I call on you. Please then state your name for the record.

After everyone who wishes to present testimony has spoken, the Members will be asked to consider whether they have heard adequate testimony to make a decision. The Members and the City will then offer their comments based on the testimony presented at the hearing and considering the comments of other entities such as other units of local government. In addition, anyone may present additional information in response to a specific question or requests for information from the Board. Those are the only circumstances under which the Board will hear additional testimony.

Chairman Wavering then introduced Item #5 on the agenda and opened the public hearing with regard to this issue. He began the public hearing by reading the notice of publication into the record:

The Charleston Board of Zoning Appeals and Planning will conduct a Public Hearing on Thursday, March 25, 2021, at 7:00 P.M. in the City Council Chambers of City Hall, 520 Jackson Avenue, Charleston, Illinois, to consider the petition of the City of Charleston for:

UDC Text Amendment (10-5-3(C) Table 5-3 Principal Uses Permitted in Non-Residential Districts) regarding permitted uses and conditional uses for “Contractors and Trade Shops” in the C-1 Neighborhood Commercial District; C-2 General Commercial District; C-3 Central Business District and the C/D Corridor Development District.

Chairman Wavering noted that this Notice had been published in the local Times-Courier on March 6, 2021, and posted on the City's website as well.

Without any objections from members of the Board, the public hearing on this issue is now open.”

Item #5: The Petition of the City of Charleston to consider the following:

UDC Text Amendment (10-5-3(C) Table 5-3 Principal Uses Permitted in Non-Residential Districts) regarding permitted uses and conditional uses for “Contractors and Trade Shops” in the C-1 Neighborhood Commercial District; C-2 General Commercial District; C-3 Central Business District and the C/D Corridor Development District.

Representing the City of Charleston, Building Code Official Alex Winkler, was duly sworn in.

Mr. Winkler thanked the Board for coming out in such bad weather. He noted that the Board had a copy of the City's application regarding the consideration of Contractors and Trade Shops as permitted and conditional uses in certain zoning commercial districts along with a draft ordinance and exhibits before them.

Winkler explained that the City Code provided that the City may from time to time by petition, amend, supplement or change by ordinance the development regulations in the Unified Development Code to better provide for the public health, safety, and welfare of the citizens. The City had been reviewing existing permitted uses and conditional uses for contractors and trade shops in non-residential district and the related land uses in the City.

The City had presented its draft ordinance and exhibits regarding this matter to the Board and established that these were a part of the record.

Mr. Winkler asked to enter the following exhibits into the record at this time:

- The 2020 Comprehensive Plan, by reference;
- The 2019 Official Zoning Map of the City of Charleston, by reference.

Mr. Winkler noted that the application met the required findings for approval of the Text Amendment described in Title 10-4-3B of the Unified Development Code, and in support thereof he would present suggested findings of fact that are contained in the application in addition to the general custom evidence during this hearing

Mr. Winkler then proceeded to describe the Petitioner's Application and Exhibits, the Finding of Fact, and the Ordinance which were before the Board.

He noted that the UDC was not in error at the time of its adoption; however, the current business and commercial climate warrants this text amendment in accordance with the City's Comprehensive Plan. A goal of the Comprehensive Plan was to actively promote the retention, expansion, development, and redevelopment of businesses and industries in the City of Charleston. The Comprehensive Plan also recommended to continually review and amend the

City's Unified Development Code as necessary. Expanding business opportunities are a community need in zoning districts where these expansions are appropriate.

The proposed text amendment is consistent with activities found in commercial zoned districts. The Contractors and Trade Shops businesses classification is an appropriate use in Commercial 1 District.

In the submitted application, there is a proposed Ordinance, and that Ordinance has the matrix for the commercial zoned district. He explained that the shaded items for the C-1, C-2 and C-3 and C/D Districts were the ones that were being proposed to be changed.

With the exception of Contractors and Trade Shops, Indoor operations and storage in the C-3 District, all the other proposed changes were currently not a permitted use. So currently, C-3 Indoor operations and storage requires a conditional use permit—we propose to change that to a P-Permitted Use. All the other changes are not permitted, and we are proposing changing those to either a Permitted use or a Conditional Use.

Mr. Winkler asked if there were any questions.

Board Member Jacobs asked what had brought the need for this particular change about.

Mr. Winkler said that he and City Planner Pamperin had been looking at this for some time. It just made sense. For example, where there were Indoor operations and storage was probably the least intrusive of the 3 categories. In the last one—Outdoor storage and operations, which also included heavy equipment they decided to change that to C under Commercial District.

If a plumbing contractor was operating all indoors, it made sense for them to operate in a commercial situation. But, if they want to have outdoor storage, they would have to come before the Board for a Conditional Use Permit.

Board Member Jacobs asked if this was for instances of not conforming.

Mr. Winkler said it was not conforming in some instances, but there have been a number of requests for the change also. So, it made sense to allow it in the Commercial District.

Chairman Wavering asked if he were a contractor and had 4 backhoes and a bulldozer, would he need a conditional use permit to park these heavy vehicles outdoors in a commercial district.

Mr. Winkler said that would require a Conditional Use Permit. If they were in an I-1 or I-2 Industrial District, it would not require that.

While there was a rental center for a while, they were not contractors, and the machines were not used there.

Mr. Adair asked about Storage facilities themselves.

Mr. Winkler said that currently storage units were not permitted in a commercial zoned district.

It was noted that those that existed were classified as “legal non-conforming” because they existed before they were no longer allowed to exist.

Mr. Winkler added that on Lincoln Avenue and 18th Street you wouldn’t want large vehicles parked in front of the businesses. With regard to storage units, you wouldn’t see these anymore because they were no longer allowed in the Commercial District.

Board Member Siegel said that he hadn’t noticed a particular definition or classification of Contractors and Trade Shops in the UDC.

Mr. Winkler said that he hadn’t looked to see this, but sometimes there was a definition and sometimes there was not. They tried to categorize as best as they could.

Board Member Jacobs asked whether this would allow a temporary contractor bringing in a ton of equipment for 30 days, for example.

Mr. Winkler said there were no specifics in the City Code—there was permitted, not permitted, and conditional use only. What they were trying to do was to make the Code less restrictive. Indoor storage was less intrusive. Outdoor storage was more intrusive.

Mr. Siegel asked if there was a point at which storage becomes outdoor storage. For instance hardware stores.

Mr. Winkler said that they would consider a hardware store as Retail or Mercantile, and in those categories, outdoor displays would be allowed.

Chairman Wavering asked about landscaping businesses.

A landscaper would be put in with the Contractors and Trade Shop category. If they had outdoor storage, it would depend upon which district they wanted to be in. Then they would fall under “Not a Permitted Use” to a “Permitted Use” or a “Not a Permitted Use” to a “Conditional Use Permit.”

Mr. Winkler was asked if there were requests for this currently on the table.

Mr. Winkler said that they had received a number of requests for this, but there were no applications on the table at this time.

Chairman Wavering asked if there were any other questions or comments. There were not.

Chairman Wavering called for Board Discussion.

Board Member Jacobs said that it made sense to him.

As it was determined that there was no further discussion, Board Discussion came to a close.

Chairman Wavering asked if there were any comments from the public; there were not.

City Attorney Cunningham asked the Clerk whether she had received and written comments, and the Clerk said that she had received no comments written or otherwise.

It was noted that this was a 7-Member Board; there were 6 members present this evening. In order to advance a favorable recommendation to City Council, it would require that 4 out of 6 of the members vote in favor of the petition. There needed to be 4 of 6 affirmative votes.

Chairman Wavering asked Mr. Winkler whether he wished to continue with a vote this evening.

Mr. Winkler said that he would like them to vote at this time.

A **motion** was made by Tim Jacobs and seconded by Jill Nilsen that the petition of the City of Charleston for a UDC Text Amendment of Title 10-5-3(C) Table 5-3 Principal Uses Permitted in Non-Residential Districts regarding permitted uses and conditional uses for “Contractors and Trade Shops” in the Corridor Development (C/C) District, be approved and a favorable recommendation be made.

A Roll Call vote showed Board Members Pat Adair, Paul Brown, Tim Jacobs, Jill Nilsen, Ryan Siegel, and Chairman Wavering voting in favor of the motion.

The Motion carried with a vote of 6-Yeas, 0-Nays.

It was noted that the petition would go before the City Council on April 6, 2021, with a favorable recommendation from the Board of Zoning Appeals & Planning.

Item #6: Old Business: There was none.

Item #7: New Business: Building Code Official Alex Winkler said that there were no petitions on the horizon at this time.

As there was no further business to discuss, Board Chair Wavering said that he would entertain a motion to adjourn.

A **motion** was made by Tim Jacobs and seconded by Paul Brown to adjourn.

A Roll Call vote showed Board Members Pat Adair, Paul Brown, Tim Jacobs, Jill Nilsen, Ryan Siegel, and Chairman Jason Wavering voting in favor of the motion.

Motion carried with 6-Yeas, 0-Nays.

Adjournment: 7:25 p.m.

Respectfully submitted,

Secretary Jill Nilsen

Deborah Muller
City Clerk/Recording Secretary

Board of Zoning Appeals & Planning

4.

Meeting Date: 08/12/2021

Information

Attachments

21-105: Petition of Elizabeth Copsy for Conditional Use Permit at 1927 Reynolds Drive.

PUBLIC HEARING LEGAL NOTICE

The Charleston Board of Zoning Appeals and Planning will conduct a Public Hearing on Thursday, August 12, 2021 at 7:00 P.M. in the City Council Chambers of City Hall, 520 Jackson Avenue, Charleston, Illinois, to consider the petition of Elizabeth Copsy (Ms. Liz's Kids & Co.) for:

Conditional Use Permit to allow “day care home providing care to six (6) or more children, not related to the day care provider” and a “pre-school” use in the R1- Single Family Residential Zoning District.

All on a tract of land described as:

Lot Eighteen (18) in Block “H” in University Heights Subdivision, Coles County, Illinois.

Also known as 1927 Reynolds Drive, Charleston Illinois
PIN # 02-2-12759-000

Social distancing may limit physical attendance at City Hall. The public hearing will also be broadcast at the following link: **charlestonillinois.org (agendas, packets and videos for City Council and BZAP)**

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**
- Written comments received by 5:00 p.m. on Friday, August 6, 2021 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: **charlestonillinois.org**
- Written comments received after 5:00 p.m. on August 6, 2020 through 5:00 p.m. on August 11, 2021 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 August 11, 2021 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
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** as soon as possible.

To request a copy of the proposed conditional use permit or questions regarding the proposed conditional use permit, 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: Elizabeth Copsy Elizabeth (print name) (signature) DATE: 7/15/2021
ADDRESS: 1927 Reynolds Drive PHONE No. [REDACTED]
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) | <input type="checkbox"/> | Planned Unit Development | <input type="checkbox"/> |
| Conditional Use Permit (exhibit 2) | <input checked="" type="checkbox"/> | Major Subdivision | <input type="checkbox"/> |
| Zoning Map Amendment (exhibit 3) | <input type="checkbox"/> | Appeal of Code Official's Decision | <input type="checkbox"/> |
| Zoning Text Amendment (exhibit 3) | <input type="checkbox"/> | | |
- Other (Please Describe): _____

Brief Project Description: In-home Child Care Services, for up to 8 children Zoning Classification: _____

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

- A. Street Address of the Subject Property: 1927 Reynolds Drive
- 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)
- 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:

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 *: Elizabeth Copsy Elizabeth
(print name) (signed)

DATE: 7/15/2021

ADDRESS: 1927 Reynolds Drive

PHONE No.: 

CITY / STATE / ZIP: Charleston, IL 61920

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

TRUST NAME *: N/A

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: N/A
(print name) (signed)

DATE: _____

REPRESENTATIVE'S FIRM NAME (IF APPLICABLE) _____

ADDRESS: _____

PHONE No.: _____

CITY / STATE / ZIP: _____

Elizabeth Copsy
1927 Reynolds Dr.
Charleston, W. Va. 25302

EXHIBIT 2 - Conditional Use Permits
(Refer to 10-4-3 (D) of the Charleston City Code)

All conditional use permit applications follow the type 3 review process as described in subsection 10-4-1(C) of the Charleston City Code.

1. Purpose: The purpose of conditional use review is to allow the city to exercise some discretion over the extent and design of certain activities that could have a detrimental effect on the community if permitted to exist in large numbers, in certain locations or without special conditions. Therefore, these regulations enable the city to authorize a conditional use subject to conditions that mitigate the potential problems associated with the use or its location in relation to the neighboring properties. A conditional use is not a use by right.
2. Applicability: Conditional uses, as shown in Tables 5-2 and 5-3 of the Charleston City Code (subsections 10-5-3 (B) and (C)), are uses that have negative impacts upon allowed uses that can be mitigated for some sites. A conditional use, once approved, goes with the land for the approved use only, unless the permit is revoked due to violations enumerated in part 6 "Revocation" of this section. The designation of a use in a zoning district as a conditional use does not constitute an authorization or assurance that such use will be approved. Temporary uses for commercial, recreational or amusement land uses also shall be required to receive approval of a conditional use permit.
3. Application and Procedures: The applicant shall file an application with the required information listed herein and any additional information as prescribed in the Charleston City Code and as requested by the Building Code Official or City Planner.
4. Review Criteria: The following criteria shall be used when determining approval of a conditional use permit:

These items (a-g) should be addressed in the application:

- a. The proposed use at the specified location is consistent with the goals, objectives and policies of the comprehensive plan;

Providing quality childcare, in a safe and nurturing, child centered environment is the key goal, and meeting the standards set forth by the city, and DCFS.

- b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations and complies with requirements of this code;

Requirements have been met, for the proposed approval of eight children in my care, as outlined in my letter of intent.

- c. The proposed conditional use is not materially detrimental to the public health, safety, comfort and general welfare, and will not result in material damage or prejudice to other property in the vicinity;

No changes have been made to property, or surrounding areas that affect the safety or comfort of others, nor will there be any future plans to do so.

- d. The proposed use is compatible with and preserves or enhances the character and integrity of adjacent development and includes improvements necessary to mitigate adverse development related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

No identification or visual display is evident on our property, as to a daycare or preschool being present. We fully intend to maintain a residential appearance. An 8ft. privacy fence was installed to reduce any disruptions to neighbors.

- e. The proposed use does not generate pedestrian and vehicular traffic that will be hazardous to the existing and anticipated traffic in the neighborhood;

Our half circle driveway located on the south side of residence, as well as, a designated entry for families in my care, will not effect existing + anticipated public school traffic.

- f. The proposed conditional use complies will all fire, health, building, plumbing, electrical and storm water drainage regulations of the city, county, state and federal agencies; and

We have a drafted fire safety plan in place, and our home inspection in June of 2020, when purchasing residence, passed all building, plumbing + electrical codes. Nothing has been altered.

- g. Adequate utilities exist to service the proposed conditional use.

Ameren + City of Charleston water dept. service our property, and are current.

If applicable to this proposed conditional use permit, the applicant should also specifically address any "Supplementary Conditions for Specific Uses" as outlined in Chapter 7 of Title 10 (Unified Development Code) of the City Code below:

* No identification from our public street by signage, graphics, display or other visual means is evident. We fully intend for our property to maintain a residential appearance, with no changes to the existing property that would disrupt the integrity of our neighborhood.

* An outdoor play space has been provided, with more than the required square footage per child. An 8ft privacy fence has been installed to reduce any disruption to neighbors, and for the safety of children.

* A spacious indoor space of over 85ft² per child has been specifically designed to enrich the learning environment of 8 children.

* Our driveway holds 6-7 vehicles easily, and a designated entry for families in my care is available, making dropoff + pick-up safe + hassle free.

* I am licensed by DCFS for 8 children



Elizabeth Copsy

1927 Reynolds Drive

Charleston, Illinois 61920



City of Charleston

Board of Zoning Appeals and Planning

520 Jackson Ave.

Charleston, Illinois 61920

Re: Letter of Intent – Conditional Use Application

Proposed In-Home Childcare Services

1927 Reynolds Drive

To Whom It May Concern:

Please let this letter serve as a request for a conditional use permit, allowing approval to conduct childcare services as owner/operator and resident, in my home located at 1927 Reynolds Drive, for the number of children listed on license issued by the DCFS.

Quality childcare is an important aspect for every family. My mission is to provide a safe, nurturing child-centered environment that promotes curiosity, exploration, and learning. This environment will serve children ages 3-5 years and provide developmentally appropriate experiences designed to enrich each child's individual growth. After school care will also be provided for children ages 5-9. Services would be available Monday thru Friday, 7:30am-4:30pm, and run consistent with the CUSD 1 school calendar.

The proposed use is parallel with the 10-7-8 zoning district regulations and complies with the requirements of this code, regarding Child daycare homes, as defined in 225 Illinois Compiled Statutes 10/2.18.

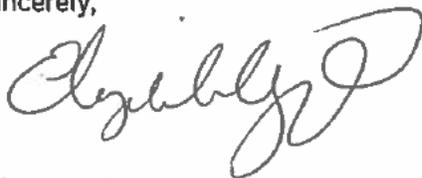
- No identification from our public street by signage, graphics, display or other visual means is evident. We fully intend for our property to maintain its residential appearance, with no changes to the existing property that would disrupt the integrity of our neighborhood.
- An outdoor play space has been provided for the children in my care, with more than the required square footage per child. An eight-foot privacy fence has also been installed to mitigate adverse development related impacts, such as noise, odors, visual nuisances or other similar adverse effects to adjacent development and neighborhood.
- A spacious indoor space, offering over 85 square feet per child, has been specifically designed to enrich the learning environment available to each of the 8 children the state of Illinois has licensed me to care for.
- The proposed use does not generate pedestrian and vehicular traffic that will be hazardous to the existing and anticipated regular or public-school traffic in the neighborhood due to a half circle driveway located on the south side of residence, which can accommodate over 6-7 vehicles, and a designated entry for families in my care.

A fire safety plan has been drafted, and regular drills will be conducted as required by DCFS. All persons residing in the home have gone through background checks, and received updated physicals and health screenings. The property building, plumbing, and electrical is up to date, as of June 2020, when we requested a home inspection while purchasing the residence. Adequate utilities service the property, thru Ameren and City of Charleston Water Department.

Many years in the childcare industry has made me aware of the need & demand for developmentally sound programs in our community. Those which promote the focus of family and fostering diversity. The dismissal of such a proposal, would be a great disservice to the families on my current waiting list, and those still seeking this type of individualized care. My proposal is a service I would like to provide for many families, for years to come.

Thank you for your full consideration of my application, and request. I look forward to the opportunity of continuing to serve my community in its future capacity.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Copsy". The signature is fluid and cursive, with a large initial "E" and "C".

Elizabeth Copsy

State of Illinois
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Type of Facility
DAY CARE HOME

PRINT DATE: 05-07-2021

NO.
598481-01

LICENSE ISSUED TO
COPSY ELIZABETH A
1927 REYNOLDS DR
CHARLESTON IL 61920-3158

Effective Dates
05-04-2021 - 05-04-2024

Capacity
EXTD: 000
DAY: 008
NIGHT: 000

Supervising Child Welfare Agency

Area Used for Children

MAIN FLOOR ONLY EXCLUDES SW BEDROOM AND UPSTAIRS

Ages of Children Served

DAY: 02Y TO 12Y

HOURS OPERATION: 07:00AM - 05:00PM

Mailing Address for this facility is:

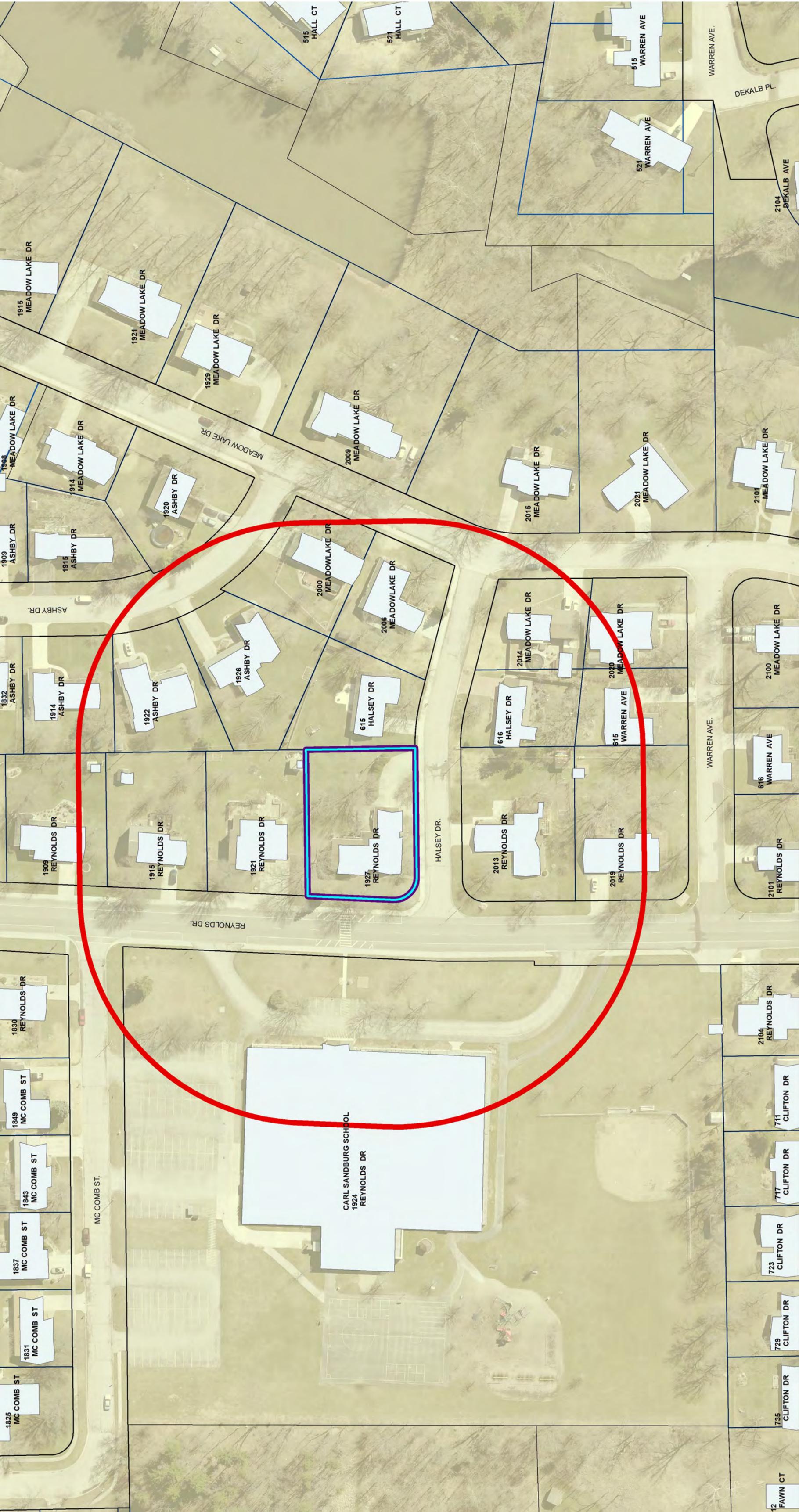
COPSY ELIZABETH A
1927 REYNOLDS DR
CHARLESTON IL 61920-3158

Acting Director
Marc D. Smith



3B- -47

NOT TRANSFERABLE - Supersedes all prior licenses for type of care specified above.



1927 REYNOLDS DR

CARL SANDBURG SCHOOL
1924 REYNOLDS DR

1915 MEADOW LAKE DR
1921 MEADOW LAKE DR
1929 MEADOW LAKE DR
2009 MEADOW LAKE DR
1914 MEADOW LAKE DR
1915 MEADOW LAKE DR
1909 ASHBY DR
1915 ASHBY DR
1914 ASHBY DR
1920 ASHBY DR
1922 ASHBY DR
1926 ASHBY DR
2000 MEADOWLAKE DR
2006 MEADOWLAKE DR
615 HALSEY DR
2014 MEADOW LAKE DR
2020 MEADOW LAKE DR
616 HALSEY DR
615 WARREN AVE
2021 MEADOW LAKE DR
2101 MEADOW LAKE DR
1832 ASHBY DR
1914 ASHBY DR
1909 REYNOLDS DR
1915 REYNOLDS DR
1921 REYNOLDS DR
1927 REYNOLDS DR
2013 REYNOLDS DR
2019 REYNOLDS DR
2101 REYNOLDS DR
2100 MEADOW LAKE DR
616 WARREN AVE
1830 REYNOLDS DR
1849 MC COMB ST
1843 MC COMB ST
1837 MC COMB ST
1831 MC COMB ST
1825 MC COMB ST
2104 REYNOLDS DR
711 CLIFTON DR
717 CLIFTON DR
723 CLIFTON DR
729 CLIFTON DR
735 CLIFTON DR
515 HALL CT
521 HALL CT
515 WARREN AVE
521 WARREN AVE
WARREN AVE
DEKALB PL
2104 DEKALB AVE
12 FAWN CT

**Communications in support of or in
opposition to the Petition of Elizabeth
Copsy for a Conditional Use Permit at
1927 Reynolds Drive.**

Attachments are in Order of Receipt.

City of Charleston - City Planner

From: City of Charleston - City Clerk
Sent: Friday, July 30, 2021 11:31 AM
To: City of Charleston - City Planner
Subject: FW: Zoning Copsy, 1927 Reynolds Dr.

Deborah L. Muller, MA, RMC, CMC
City Clerk/FOIA Officer
MCI President
City of Charleston
520 Jackson Avenue
Charleston, IL 61920
(217) 345-8426
CityClerk@co.coles.il.us



From: Mandi Starwalt [REDACTED]
Sent: Friday, July 30, 2021 9:33 AM
To: City of Charleston - City Clerk <CityClerk@co.coles.il.us>
Subject: Zoning Copsy, 1927 Reynolds Dr.

Hi Ms. Muller,

My family and I live at [REDACTED] and support this in home day care/preschool in our neighborhood. Additional child care for our community is so important. The location across from the elementary school is convenient and the neighborhood has always been family friendly. I have heard good things about Ms. Copsy also as a teacher and child care provider.

Thank you,
Amanda Starwalt
[REDACTED]

[Sent from Yahoo Mail on Android](#)

City of Charleston - City Planner

From: City of Charleston - City Clerk
Sent: Friday, July 30, 2021 11:37 AM
To: City of Charleston - City Planner
Subject: FW: Zoning: Copsy: 1927 Reynolds Drive

Deborah L. Muller, MA, RMC, CMC
City Clerk/FOIA Officer
MCI President
City of Charleston
520 Jackson Avenue
Charleston, IL 61920
(217) 345-8426
CityClerk@co.coles.il.us



From: Trevyn & Missi Wambach [REDACTED]
Sent: Friday, July 30, 2021 9:56 AM
To: City of Charleston - City Clerk <CityClerk@co.coles.il.us>
Subject: Zoning: Copsy: 1927 Reynolds Drive

To whom it may concern,

We wanted to provide our statement of support in the placement of this daycare/preschool in our community! There is a huge need for preschools in our area! Elizabeth Copsy is willing & able to provide another option and very needed service to the Charleston area. My husband & I fully support her in doing so. The location of her business is ideal as well. The design of her driveway will allow for easy drop off and pick up without upsetting the flow of traffic. Her educational area is set up to provide those she serves the tools to succeed as well.

Thank you for your time,
Trevyn and Melissa Wambach

City of Charleston - City Clerk

From: Colleen R Peterlich & [REDACTED]
Sent: Tuesday, August 03, 2021 11:14 AM
To: City of Charleston - City Clerk
Subject: Ms. Liz's Kids & Co. - Conditional Use Permit

To Whom This May Concern,

My name is Colleen Peterlich and I live at 1818 Reynolds Drive in Charleston across the street and 4 houses down from Liz Cospy's home who is trying To get a "Conditional use Permit".

She has done an incredible job preparing her home and yard for a safe and healthy Pre-school program in our neighborhood. Her home is directly across the street from Carl Sandburg elementary school and will provide a convenient drop off for many families and their children at both schools in a timely manner.

I have known Liz for many years (I was a former teacher of hers at Charleston HS) and I can't begin to say how more than qualified she is to do this in her home. It will not in any way distract from the single family homes in our neighborhood. If anything, it will enrich our neighborhood with the sounds of laughter and smiles of children!

Liz has my full support with her new adventure and hope that my adult special needs son can volunteer weekly for her to enhance the awareness of ALL people.

Sincerely,
Colleen R Peterlich
Charleston Resident & Neighbor of the Copsy Family

To: The Charleston Board of Zoning and Planning
Re: Support of a Zoning Application

I am a close neighbor of Mike and Elizabeth Copsey and wish to support Elizabeth's application for a zoning conditional use permit to establish a Child Care Facility in their home at 1927 Reynolds Drive. I believe the Facility is to be called "Ms. Liz's Kids & Co.". I am familiar with the property and it is quite obviously more than adequate for the proposed use.

Our neighborhood is very familiar with the physical activities associated with elementary age school children as Carl Sandburg is directly across the street from 1927 Reynolds Drive.

Mike and Elizabeth are fine people. Elizabeth has had 20 years of classroom experience educating and caring for small children. She has developed a curriculum and care plan and has created the physical environment to implement it in a safe and healthy manner. I am looking forward to having children in the view from my kitchen window.

Respectively submitted,

L Stephen Whitley
L Stephen Whitley

 Charleston

City of Charleston - City Clerk

From: Mary "Sam" Laingen [REDACTED]
Sent: Tuesday, August 03, 2021 10:36 PM
To: City of Charleston - City Clerk
Subject: 1927 Reynolds Drive Zoning Hearing

City Clerk Muller,

Please accept this letter in support of the conditional use permit for Ms. Liz's Kids & Co. As a parent in Charleston, I remember the struggle to find high-quality child care for my children. The waiting lists are long at most childcare facilities. Having Liz Copsy, with her many years of early childhood education experience, educating preschoolers in her home is a fantastic addition to the childcare options in Charleston.

It has been a pleasure to have the Copsy family as neighbors for the last year. They are kind, caring, and considerate people. They always have a friendly smile for all passersby and welcome neighbors to their gatherings. Mike and Liz not only take good care of their own property but often offer to help neighbors with snow removal and lawn care. Their patience and hospitality with my children are incredible. They always welcome them to join in any fun they are having and treat them like family. They are wonderful neighbors!

I also appreciate Mike and Liz's open discussion about plans to open a preschool. I respect Liz's decision to keep the number of children below the DCFS limit in order to provide the highest quality care and education to the families she will serve. I believe the opening and operation of the preschool will have no negative impact on our neighborhood and will be a valuable asset to the Charleston Community. I fully support the conditional use permit for Ms. Liz's Kids & Co. at 1927 Reynolds Drive.

Sincerely,
Mary "Sam" Laingen
615 Halsey Avenue - adjacent property to the east

Charleston Board of Zoning Appeals? Planning
RE: 1927 Reynolds Drive Petition
PIN# 02-2-12759-000

The area proposed for a Conditional Use Permit is and has always been a Single Family Residential Zone. The requested permit is asking to allow a "day care home providing care to six (6) or more children... and a pre-school". The request is asking to allow a for-profit business in a residential zone. This is not simply someone caring for a few children in their home. A "pre-school" is a specialized service provided for a fee. This specialized service business would require dedicated interior home spaces; for a variety of learning and social activities (snacks, lunch, maps, art etc.), specialized teaching tools, accessories and furnishings as well. A single family dwelling would require an interior retrofit to accommodate a school; therefore, becoming a business site with housing for a live-in provider. The proposed pre-school has a business title: Mrs. Liza Keds and Co., a stated address (1927 Reynolds Drive) a business logo and signage, a published-stated schedule of business hours. Description of the specialized service provided speaks of learning goals and social

development. Again, this is not just caring for a few children in a home, it is quite different. A large playground has been constructed in the rear yard. This yard directly borders three (3) private residences with several other homes in near proximity. Playground noise five (5) days per week at hours between 7:30 am / 4:30 pm is not normal for close-in residential areas.

Halsey Avenue is an east-west one block connector street between Meadow Lake Drive and Reynolds Drive. Halsey Avenue borders the south side of the proposed pre-school site and exits at the front entrance to Carl Sandburg Elementary School. There is considerable vehicle and foot traffic in the area. The proposed business will add even more vehicle and foot traffic. There are six (6) private driveway cuts on this one block street. (Halsey Avenue). Parking on one side allows careful two way traffic - parking on both sides makes two way traffic impossible and vehicles frequently use private drives as public turn-arounds. The proposed site has a semi-circle drive with two cuts. There are normally four (4) vehicles parked in this space.

While it is larger than most - even absent the four (4) vehicles it was not constructed or configured to be a public parking lot and drive-thru. Entering and exiting any space to safely escort young children in and out of vehicles requires parking space for vehicles for extended periods of time.

Those who purchase homes in single family residential zones should reasonably expect that it does not include for-profit businesses within its bounds. There are mixed use and business zones more appropriate for this purpose. There is no "value-added" to a stable, well-maintained neighborhood if for-profit businesses are allowed... it begs the question of what is next?

I respectfully oppose this petition. Thank you for your time & attention.

Lynn D. Padovan
616 Kelsey Avenue
Charleston, IL 61920

3 August 2021

City of Charleston - City Clerk

From: Linda Coleman [REDACTED]
Sent: Wednesday, August 04, 2021 11:18 AM
To: City of Charleston - City Clerk
Subject: Ms Liz's kids and company

I am a neighbor living across Halsey street from Liz Copsy who resides at 1927 Reynolds Drive. I knew Liz before she moved in from associations with her as a preschool teacher where my granddaughters attended. I know her to be a very caring person who loves children and loves her profession as a preschool teacher. I am aware of some of the concerns some neighbors have. I can understand the reasons for those concerns. But I am writing in support of Liz's plan. I hope that she can at least be given a chance. I know she will do everything she can to control traffic on Halsey out of respect for her neighbors. I feel that the need for Preschools in Charleston makes this at least worth a try. Thank you for the opportunity to express my opinion.

Linda M Coleman



Virus-free. www.avast.com

City of Charleston - City Clerk

From: Kathy Clark [REDACTED]
Sent: Wednesday, August 04, 2021 8:29 PM
To: City of Charleston - City Clerk
Subject: Ms. Liz's Kids & Co- Conditional Use Permit

Hello,

I am writing in reference to Liz Copsy and her Ms. Liz's Preschool in her home on Reynolds Drive across from Carl Sandberg School.

I have personally taught Liz child development and the how to run a preschool program during her senior year at Charleston High School in the Kermit's Cove Preschool Program and the course that is called Child and Day Care Services. In addition, she has worked at Stepping Stones Child Care Center and Immanuel Lutheran Preschool for several years, where she taught children of all ages.

As a teacher/caregiver, she is absolutely amazing. She cares deeply for the children and the families she works with and stays in touch long after they have grown up. She plans and prepares engaging lesson plans that children enjoy. Liz teaches respect for others, kindness, following directions, rules, letters, themes, etc. She dances, reads, crafts, plays games just to name a few. Making learning fun and active is her goal. Teaching young children to have a love for learning is so apparent in her classroom.

Over the past two years, I have been the Interim Director at Immanuel Lutheran Preschool and have subbed as director as well. Parents had such wonderful things to say about her and how their children love to come to school because of

her. Children who moved on to an older class would stop in each day to give her a hug or see her on there way to their new classroom.

Liz's dream has been to have a preschool in her own home for a long time. Getting a bigger house and setting up a preschool in the living room and dining room has been a goal. She went through DCFS to get licensed and make her home preschool ready. I believe that this preschool will only enhance the neighborhood and foster a sense of community within the children and the surrounding area.

I highly recommend Ms. Liz's Preschool on Reynolds Drive! I stand behind the family and the program she will teach. If you have any further questions, please feel free to call me at [REDACTED].

Respectfully Submitted by:

Kathy Clark

Former Charleston High School - Family and Consumer Sciences Teacher

Former Eastern Illinois University - Family and Consumer Sciences Instructor

Eastern Illinois University - Department of Teaching, Learning and Foundations Instructor

Grandma/Community Member

Sent from my iPad

Get [Outlook for iOS](#)