

CASE NO. 018-V-21

PRELIMINARY MEMORANDUM

August 3, 2021

Petitioners: **Robert Bales**

Request: **Authorize a variance in the AG-2 Agriculture Zoning District for an existing detached shed on a corner lot with a front yard of 7 feet and a setback of 43 feet from the street centerline of Surrey Ct, in lieu of the minimum required 25 feet and 55 feet, per Section 5.3 of the Champaign County Zoning Ordinance.**

Subject Property: **The 0.55-acre Lot 9 of Trailside First Subdivision in Section 13, Township 20 North, Range 7 East of the Third Principal Meridian in Mahomet Township, with an address of 2302 North Trailside Drive, Mahomet.**

Site Area: **0.55 acres (24,000 square feet)**

Time Schedule for Development: **Already in use**

Prepared by: **Susan Burgstrom, Senior Planner**
John Hall, Zoning Administrator

BACKGROUND

The petitioner requests a variance for an existing detached shed that does not meet the minimum front yard and setback requirements. The need for the variance was found when the petitioner applied for a building permit in 2020, and a special condition was added to that permit stating that they would either need to move the shed or apply for a variance. The petitioner received advice from two professionals stating that the 30-year old structure would not withstand a relocation, so he applied for a variance.

Per Section 4.3.3 E. of the Zoning Ordinance, when a property is on a corner lot, both sides fronting the streets must meet the setback and front yard requirements. If the existing shed were located on an interior lot, it would only have to meet the side yard requirement for a detached shed in AG-2, which is 10 feet.

The subject property is located on the northeast corner of North Trailside Drive at Surrey Court. Surrey Court is a dead-end street and the shed is located just east of where Surrey Court ends. There are no known plans to extend Surrey Court north or to expand its width.

The petitioner submitted a letter from the Trailside Homeowners Association, which has no issues with the existing shed location.

The petitioner submitted a letter from Chris Doenitz, Mahomet Township Highway Commissioner, stating that they have no issues with the existing shed location.

No other comments have been received.

EXTRATERRITORIAL JURISDICTION

The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the Village of Mahomet, a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.

The subject property is located within Mahomet Township, which does have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Residential	AG-2 Agriculture
North	Agriculture	Village of Mahomet zoning
South	Residential	AG-2 Agriculture
East	Residential	AG-2 Agriculture
West	Residential	AG-2 Agriculture

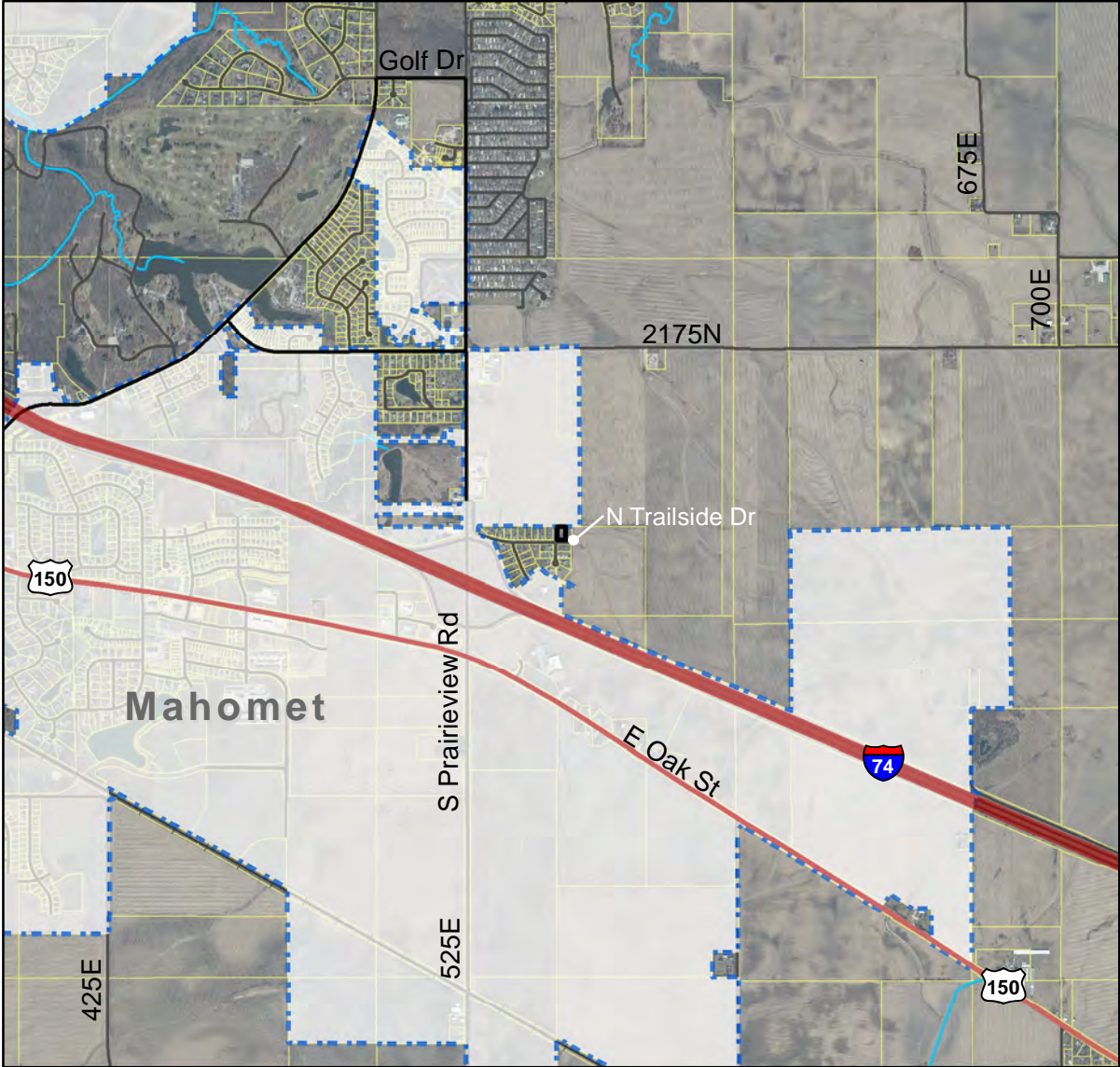
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site from ZUPA #254-20-03 approved September 23, 2020
- C Exhibit A-1: Letter from Trailside Homeowners Association received July 6, 2021
- D Exhibit A-2: Letter from Chris Doenitz, Mahomet Township Road District received July 6, 2021
- E Images of subject property taken July 23, 2021
- F Draft Summary of Evidence, Finding of Fact, and Final Determination dated August 12, 2021

Location Map

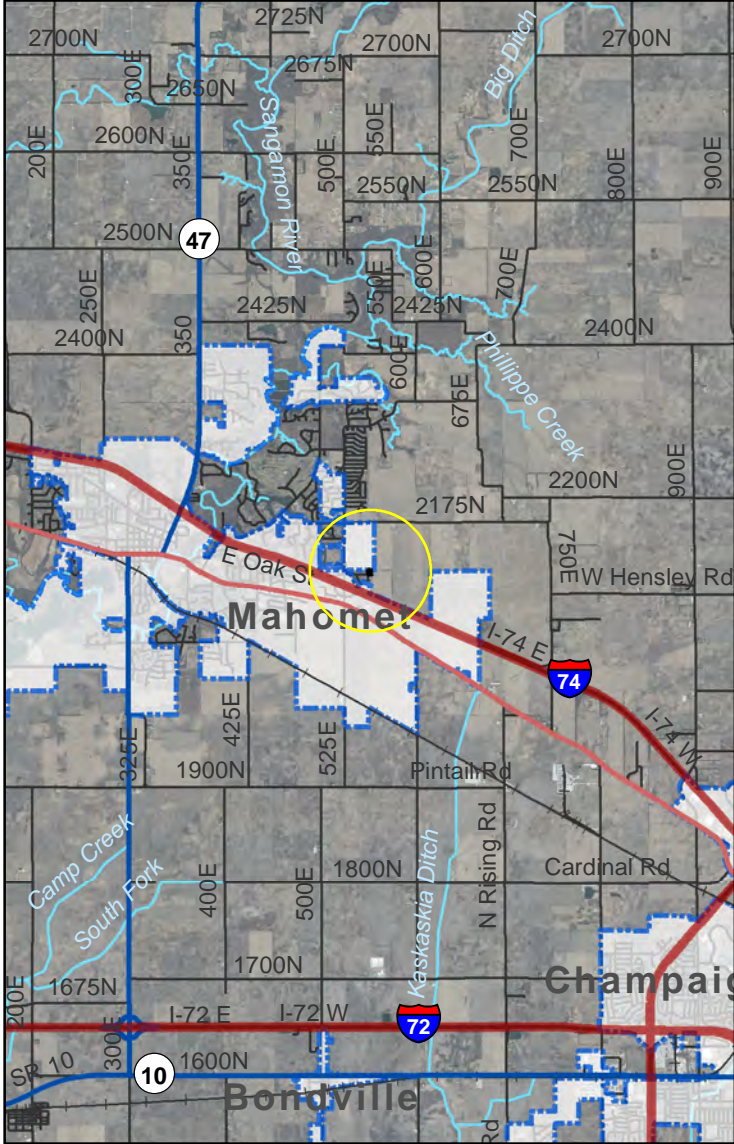
Case 018-V-21
August 12, 2021

Subject Property



- Legend**
- Subject Property
 - Parcels
 - Municipal Boundary

Property location in Champaign County



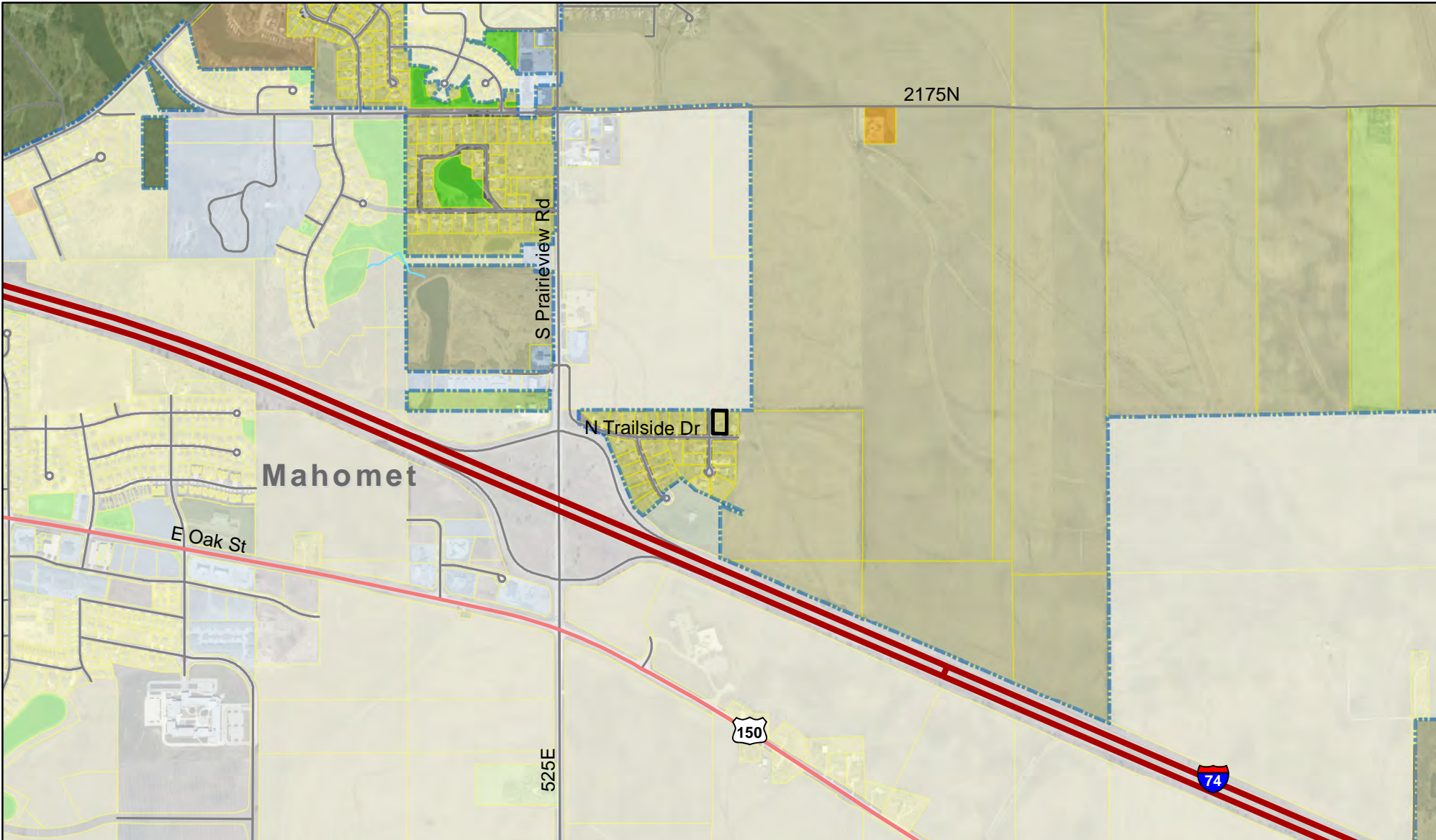
0 0.5 1 2 Miles



Champaign County
Department of
**PLANNING &
ZONING**

Land Use Map

Case 018-V-21
August 12, 2021



Legend

-  Subject Property
-  Municipal Boundary
-  Parcels
-  Tax Exempt
-  Commons Area
-  Ag/Residential
-  Agriculture
-  Residential
-  Commercial
-  Veteran or Fraternal Org
-  Industrial
-  Utility

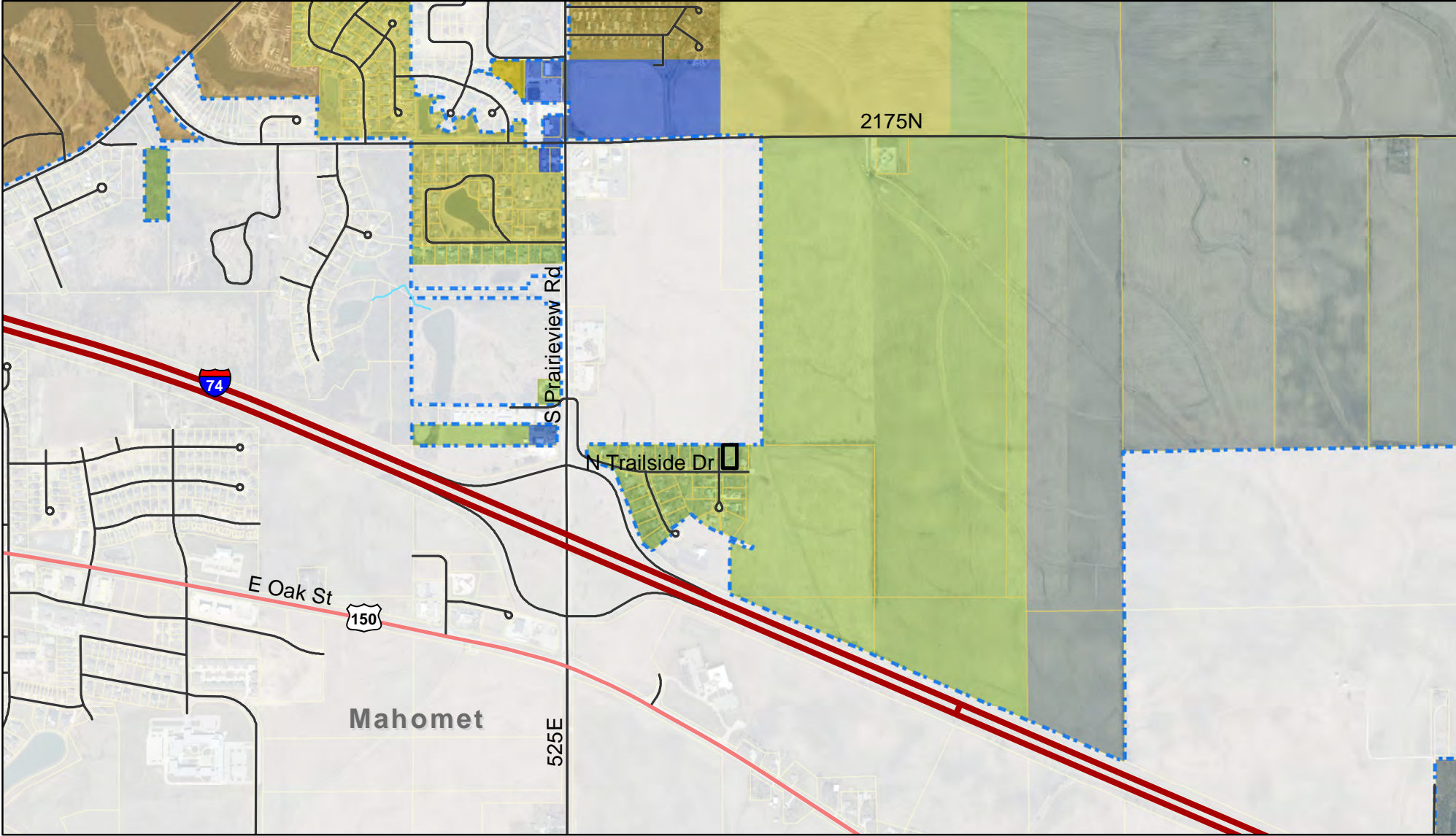
0 300 600 1,200 Feet



Champaign County
Department of
PLANNING &
ZONING


Zoning Map

Case 018-V-21
August 12, 2021

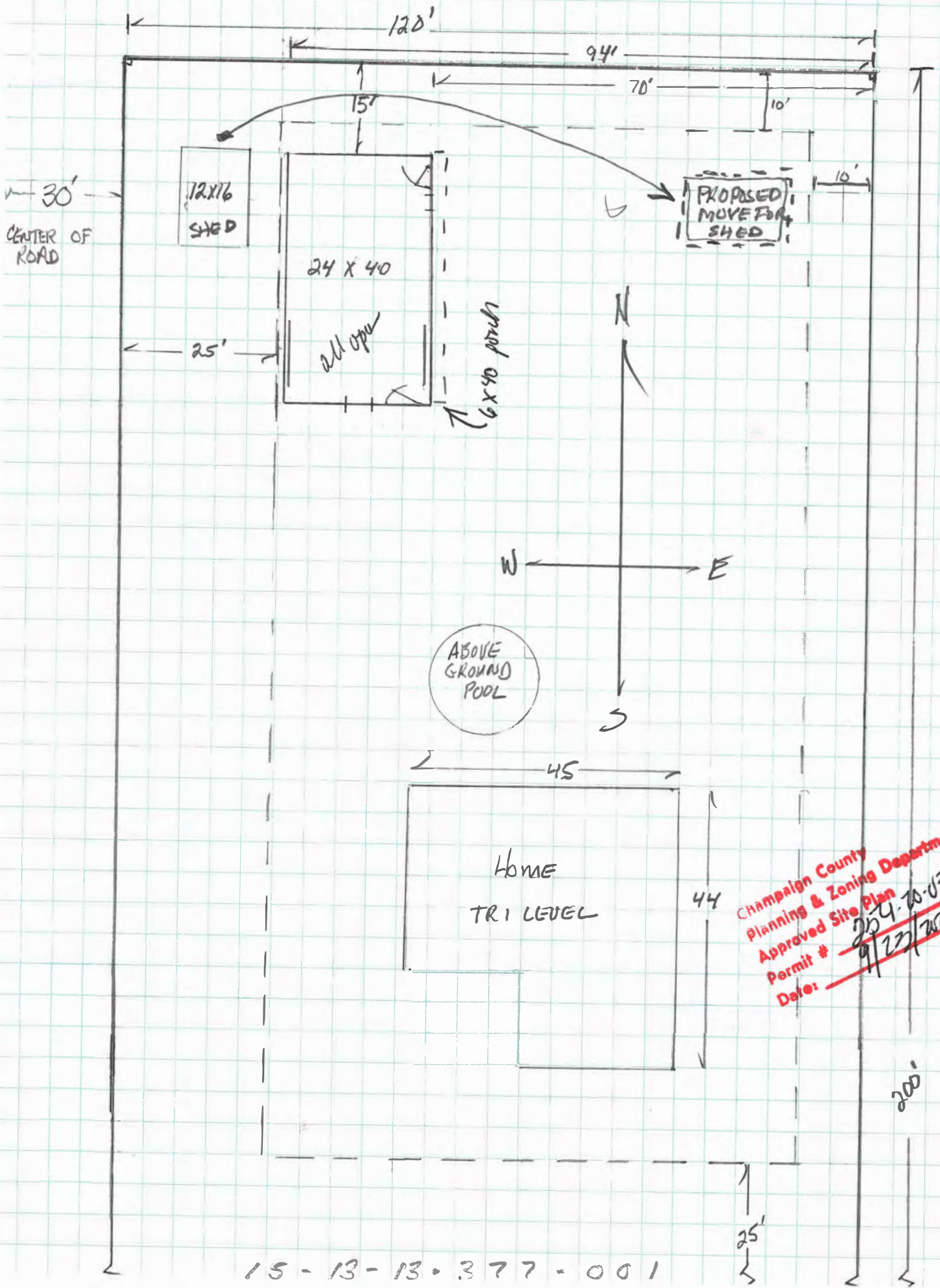


- Legend**
- Subject Property
 - Municipal Boundary
 - Parcels
 - CR Conservation Recreation
 - AG-1 Agriculture
 - AG-2 Agriculture
 - R-1 Single-Family Residence
 - R-3 Two-Family Residence
 - R-5 Manufactured Home Park
 - B-3 Highway Business
 - B-4 General Business

Feet
 0 300 600 1,200



Champaign County
 Department of
**PLANNING &
 ZONING**



Champaign County
Planning & Zoning Department
Approved Site Plan
Permit # ~~204-20-03~~
Date: ~~9/23/2021~~

15-13-13-377-001

Champaign county Zoning office:

The shed on the property of 2302 East Trailside Dr. Mahomet Illinois is not in any way injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare of any neighbors. It is on a dead end street and has no houses around it. I see no reason for it to be torn down or moved! If you have any questions please feel free to contact Mike or Bonita Leathers at 493-3879 president of the Trailside homeowner's association.

*Bonita Leathers
Trailside Homeowners Ass.*

EXHIBIT A-1

MAHOMET TOWNSHIP ROAD DISTRICT

Chris Doenitz – Highway Commissioner

2270 County Road 0 East

Mahomet, IL 61853

(217) 586-3022

(217) 202-1910

To Whom It May Concern:

The shed located at 2302 E. N. Trailside Dr. & Surrey Lane does not interfere with any Mahomet Township Road District right-of-way or cause any issues with Mahomet Township Road District.



Chris Doenitz
Mahomet Township
Highway Commissioner

EXHIBIT A-2

018-V-21 Site Images



Surrey Court, with existing shed to the right



End of Surrey Court, with existing shed to the right

018-V-21 Site Images



From NW corner property pin, facing South



Subject property on NE corner of North Trailside Dr and Surrey Ct

PRELIMINARY DRAFT

018-V-21

**SUMMARY OF EVIDENCE, FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: ***{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}***

Date: ***{August 12, 2021}***

Petitioner: **Robert Bales**

Request: **Authorize a variance in the AG-2 Agriculture Zoning District for an existing detached shed on a corner lot with a front yard of 7 feet and a setback of 43 feet from the street centerline of Surrey Ct, in lieu of the minimum required 25 feet and 55 feet, per Section 5.3 of the Champaign County Zoning Ordinance.**

Table of Contents

General Application Information 2

Required Variance 3

Specific Ordinance Requirements 3 - 5

Variance Evidence..... 5 - 8

Documents of Record..... 9

Case 018-V-21 Findings of Fact 10

Case 018-V-21 Final Determination 11

PRELIMINARY DRAFT

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **August 12, 2021**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Robert Bales, 2302 Trailside Dr, Champaign, owns the subject property.
2. The subject property is the 0.55-acre Lot 9 of Trailside First Subdivision in Section 13, Township 20 North, Range 7 East of the Third Principal Meridian in Mahomet Township, with an address of 2302 North Trailside Drive, Mahomet.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the Village of Mahomet, a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.
 - B. The subject property is located within Mahomet Township, which does have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is a 0.55-acre lot and is zoned AG-2 Agriculture. Land use is a single-family residence.
 - B. Land to the north is within the Village of Mahomet and is in agricultural production.
 - C. Land to the south, east and west is zoned AG-2 Agriculture and is residential in use.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Regarding the site plan for the subject property:
 - A. The Petitioner's Site Plan is the approved Site Plan from ZUPA #254-20-03, which indicates the following:
 - (1) The following are existing structures on the subject property:
 - a. One 2,000 square feet residence, constructed under ZUPA #221-84-03 approved on August 13, 1984;
 - b. One 12 feet by 16 feet (192 square feet) detached shed located in the northwest corner of the subject property (the subject of this variance);
 - c. One 24 feet by 40 feet (960 square feet) shop located east of the shed, constructed under ZUPA #254-20-03 approved September 23, 2020; and
 - d. One above-ground swimming pool located north of the house.
 - (2) No construction is proposed.
 - B. The following previous Zoning Use Permits were issued for the subject property:

PRELIMINARY DRAFT**Case 018-V-21**

Page 3 of 11

- (1) ZUPA #221-84-03 was approved on August 13, 1984 to construct a single-family residence.
 - (2) ZUPA #254-20-03 was approved on September 23, 2020 to construct the 960 square feet shop and the previously constructed smaller shed and the swimming pool.
- C. There are no prior Zoning Cases for the subject property and one previous variance in the neighborhood:
- (1) Case 869-V-93 was approved on July 15, 1993 at 2202 N. Trailside Drive to allow a four feet wide side yard for a detached structure in lieu of the minimum required 10 feet.
- D. The required variance is as follows:
- (1) Authorize a variance in the AG-2 Agriculture Zoning District for an existing detached shed on a corner lot with a front yard of 7 feet and a setback of 43 feet from the street centerline of Surrey Ct, in lieu of the minimum required 25 feet and 55 feet.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES

6. Regarding authorization for the proposed variance:
- A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Variance (capitalized words are defined in the Ordinance):
- (1) “ACCESSORY BUILDING” is a BUILDING on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.
 - (2) “BUILDING, DETACHED” is a BUILDING having no walls in common with other BUILDINGS.
 - (3) “BUILDING RESTRICTION LINE” is a line usually parallel to the FRONT, side, or REAR LOT LINE set so as to provide the required YARDS for a BUILDING or STRUCTURE.
 - (4) “FRONTAGE” is that portion of a LOT abutting a STREET or ALLEY.
 - (5) “LOT” is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
 - (6) “LOT, CORNER” is a LOT located:
 - (a) at the junction of and abutting two or more intersecting STREETS; or
 - (b) at the junction of and abutting a STREET and the nearest shoreline or high water line of a storm or floodwater runoff channel or basin; or
 - (c) at and abutting the point of abrupt change of a single STREET where the interior angle is less than 135 degrees and the radius of the STREET is less than 100 feet.

PRELIMINARY DRAFT

Case 018-V-21
Page 4 of 11

- (7) “LOT LINE, FRONT” is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
 - (8) “RIGHT-OF-WAY” is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
 - (9) “SETBACK LINE” is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.
 - (10) “STREET” is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:
 - (a) MAJOR STREET: Federal or State highways.
 - (b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.
 - (c) MINOR STREET: Township roads and other local roads.
 - (11) “VARIANCE” is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.
 - (12) “YARD” is an OPEN SPACE, other than a COURT, of uniform width or depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.
 - (13) “YARD, FRONT” is a YARD extending the full width of a LOT and situated between the FRONT LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT. Where a LOT is located such that its REAR and FRONT LOT LINES each abut a STREET RIGHT-OF-WAY both such YARDS shall be classified as FRONT YARDS.
- B. The AG-2 Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.
- C. Section 4.3.3 E. states, “The minimum SIDE YARD on the STREET SIDE of a CORNER LOT shall be equal to the minimum FRONT YARD otherwise required in the DISTRICT.

PRELIMINARY DRAFT**Case 018-V-21**

Page 5 of 11

- D. Paragraph 9.1.9 D. of the *Zoning Ordinance* requires the ZBA to make the following findings for a variance:
- (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9 C. of the *Zoning Ordinance* states that a variance from the terms of the *Champaign County Zoning Ordinance* shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
 - a. That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district.
 - b. That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.
 - c. That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
 - d. That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
 - e. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
 - (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9 D.2.
- D. Regarding the proposed variance:
- (1) Minimum setback from the centerline of a minor street for an accessory structure in the AG-2 Agriculture District is established in Section 5.3 of the *Zoning Ordinance* as 55 feet.
 - (2) Minimum front yard from the street right of way to the proposed structure in the AG-2 Agriculture District is established in Section 5.3 of the *Zoning Ordinance* as 25 feet.

GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

7. Generally regarding the *Zoning Ordinance* requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. The Petitioner has testified on the application, **“Please consider the unusual features of its location. It faces approximately 30 feet north to active farm ground. Within the lot/property line, it faces west to a 200 foot undeveloped road right of way that dead ends to the farm ground. This road right of way has never been used, other than by myself or my neighbor for parking our vehicles. The Mahomet Township Road District has issued a statement on the matter. (EXHIBIT A-2).”**

PRELIMINARY DRAFT

- B. When a property is on a corner lot, both sides fronting the streets must meet the setback and front yard requirements established in Section 5.3. If the existing shed were located on an interior lot, it would only have to meet the side yard requirement for a detached shed in AG-2, which is 10 feet.

GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
- A. The Petitioner has testified on the application, **“The practical difficulty and hardship involves the moving of the shed. It has been determined professionally that the structure (being over 30 years old and two layers of roofing shingles) will not survive a move. I need the use of the shed and to destroy it would be a hardship.”**
- B. Regarding the proposed variance for a minimum setback from the centerline of a minor street of 43 feet in lieu of 55 feet and a front yard of 7 feet in lieu of 25 feet: without the proposed variance, the Petitioner would have to move the structure at least 18 feet east.

GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioner has testified on the application, **“Not sure as to how this applies, unless it refers to the decision at the time to place the shed where it currently is. If so, this was my wife and I's first home 36 years ago and I was only aware of the property lines and easements on the north and south. When I placed the shed I was unaware and never informed of building setback lines. I did not intentionally or knowingly intend to violate any codes.”**

GENERALLY PERTAINING TO WHETHER OR NOT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **“My personal understanding of the ordinance is to insure that future structures will not be a hindrance or inconvenience to neighboring lots or public needs by imposing building set back lines. I can only give you my assurance that being a first time home buyer at the time (1985), I truthfully was unaware of any set back lines. Only property lines and easements. I was told by two professionals that the shed in its current condition could not survive a move. The Homeowners Association has expressed their opinion on the matter in a written note to the zoning committee (EXHIBIT A-1). The Mahomet Township Road District has done the same (EXHIBIT A-2). In an attempt to remain in harmony I attempted to amend my initial permit application to include a written statement from myself that I would promptly remove the shed should it ever be required for future development even though it is well within my properly**

line. I was told that revising or amending the permit application was not possible and that I would have to pay for a variance request.”

- B. Regarding the proposed variance for a minimum setback from the centerline of a minor street of 43 feet in lieu of 55 feet: the requested variance is 78.2% of the minimum required, for a variance of 21.8%.
- C. Regarding the proposed variance for a front yard of 7 feet in lieu of the minimum required 25 feet: the requested variance is 28% of the minimum required, for a variance of 72%.
- D. Regarding the proposed variance, the Zoning Ordinance does not clearly state the considerations that underlie the minimum setback requirements and front yard requirements. Presumably the setback from street centerline and front yard minimum is intended to ensure the following:
 - (1) Adequate separation from roads.
 - (2) Allow adequate area for road expansion and right-of-way acquisition.
 - a. There are no known plans to expand Surrey Court at this location.
 - (3) Parking, where applicable.

GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED VARIANCE ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE

- 11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
 - A. The Petitioner has testified on the application: **“I am absolutely certain that the current location of the shed has never in the past 30 plus years been injurious to the neighborhood, detrimental, unsafe, or otherwise to the welfare of the Trailside Subdivision. After speaking to the Mahomet zoning department about any future development of the bordering farm ground, I am lead to believe that the dead end road right of way of undeveloped Surrey Ln. will remain so for some time. I requested and received a statement from the Trailside Homeowners Association on 6/12/2021 addressing this topic (See Attachment A-1). The Mahomet Township Road District has done the same. (EXHIBIT A-2).”**
 - B. The Mahomet Township Road Commissioner has been notified of this variance, and submitted a letter stating, “the shed does not interfere with any Mahomet Township Road District right-of-way or cause any issues with Mahomet Township Road District.”
 - C. The Cornbelt Fire Protection District has been notified of this variance, and no comments have been received.
 - D. The nearest structure on adjacent property to the existing shed is the residence located over 125 feet away on the west side of Surrey Court.

PRELIMINARY DRAFT

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

12. Generally regarding and other circumstances which justify the Variance:
 - A. The Petitioner did not provide a response on the application.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

13. Regarding proposed special conditions of approval:
 - A. No special conditions are proposed.

DOCUMENTS OF RECORD

1. Variance Application received on July 6, 2021, with attachments:
 - A Exhibit A-1: Letter from Trailside Homeowners Association
 - B Exhibit A-2: Letter from Chris Doenitz, Mahomet Township Road District
 - C Exhibit B: photo showing shed dated 1989
 - D Aerial view using Google Maps
 - E Street view using Google Maps
 - F Partial site plan showing shed dimensions

2. Preliminary Memorandum dated August 3, 2021, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site from ZUPA #254-20-03 approved September 23, 2020
 - C Exhibit A-1: Letter from Trailside Homeowners Association received July 6, 2021
 - D Exhibit A-2: Letter from Chris Doenitz, Mahomet Township Road District received July 6, 2021
 - E Images of subject property taken July 23, 2021
 - F Draft Summary of Evidence, Finding of Fact, and Final Determination dated August 12, 2021

PRELIMINARY DRAFT**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **018-V-21** held on **August 12, 2021**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **{DO / DO NOT}** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - a. ***When a property is on a corner lot, both sides fronting the streets must meet the setback and front yard requirements established in Section 5.3, even if it is a detached structure. If the existing shed were located on an interior lot, it would only have to meet the side yard requirement for a detached shed in AG-2, which is 10 feet.***
2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **{WILL / WILL NOT}** prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - a. ***It has been determined professionally that the structure would not survive a move.***
 - b. ***The petitioner would experience a hardship if they had to destroy the shed.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. ***The petitioner was only aware of the property lines and easements on the north and south of the property, not of the building setback lines.***
4. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** in harmony with the general purpose and intent of the Ordinance because:
 - a. ***The shed is adjacent to the road right-of-way of a street that dead ends at their north lot line and is unlikely to be expanded or extended.***
5. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - a. ***The Mahomet Township Road Commissioner was notified of this variance, and submitted a letter stating that the shed does not interfere with any Mahomet Township Road District right-of-way or cause any issues with Mahomet Township Road District.”***
 - b. ***Other relevant jurisdictions were notified of this variance, and no comments have been received.***
6. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** the minimum variation that will make possible the reasonable use of the land/structure because:
7. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***

FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval in Section 9.1.9.C *{HAVE/HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **018-V-21** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioners, **Robert Bales**, to authorize the following variance in the AG-2 Agriculture Zoning District:

Authorize a variance in the AG-2 Agriculture Zoning District for an existing detached shed on a corner lot with a front yard of 7 feet and a setback of 43 feet from the street centerline of Surrey Ct, in lieu of the minimum required 25 feet and 55 feet, per Section 5.3 of the Champaign County Zoning Ordinance.

{SUBJECT TO THE FOLLOWING CONDITION(S):}

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

SIGNED:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals
Date