

CASE NO. 136-V-24

PRELIMINARY MEMORANDUM

April 17, 2024

Petitioner: **Jeffrey Kenyon**

Request: **Authorize a variance for a proposed 3.38-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

Subject Property: **Part of the southwest quarter of the southwest quarter of Section 33, Township 21 North, Range 10 East of the Third Principal Meridian in Compromise Township, with an address of 2008 CR 2400N, Thomasboro.**

Site Area: **3.38 acres**

Time Schedule for Development: **As soon as possible**

Prepared by: **Charlie Campo**, Senior Planner
John Hall, Zoning Administrator

BACKGROUND

The petitioner owns a 2.98-acre “L” shaped lot and would like to create a 3.38-acre rectangular lot that provides adequate setbacks for existing and proposed structures on the property and is convenient to farm around. The proposed lot is on Best Prime Farmland, which has a 3-acre maximum per the Zoning Ordinance.

The petitioner and the surrounding land-owner will exchange land as shown and the attached draft Plat of Survey. Tract 1 (11,258 sq. ft.) will be removed from the petitioner’s property in exchange for Tract 2 (28,688 sq ft.) The petitioner has stated that no land is proposed to be taken out of agricultural production. A soils map can be found in Attachment E.

The P&Z Department has not received any comments regarding the proposed variance, and staff does not propose any special conditions of approval.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Residential, Agriculture	AG-1 Agriculture
North	Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Agriculture, Residential	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

EXTRATERRITORIAL JURISDICTION

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

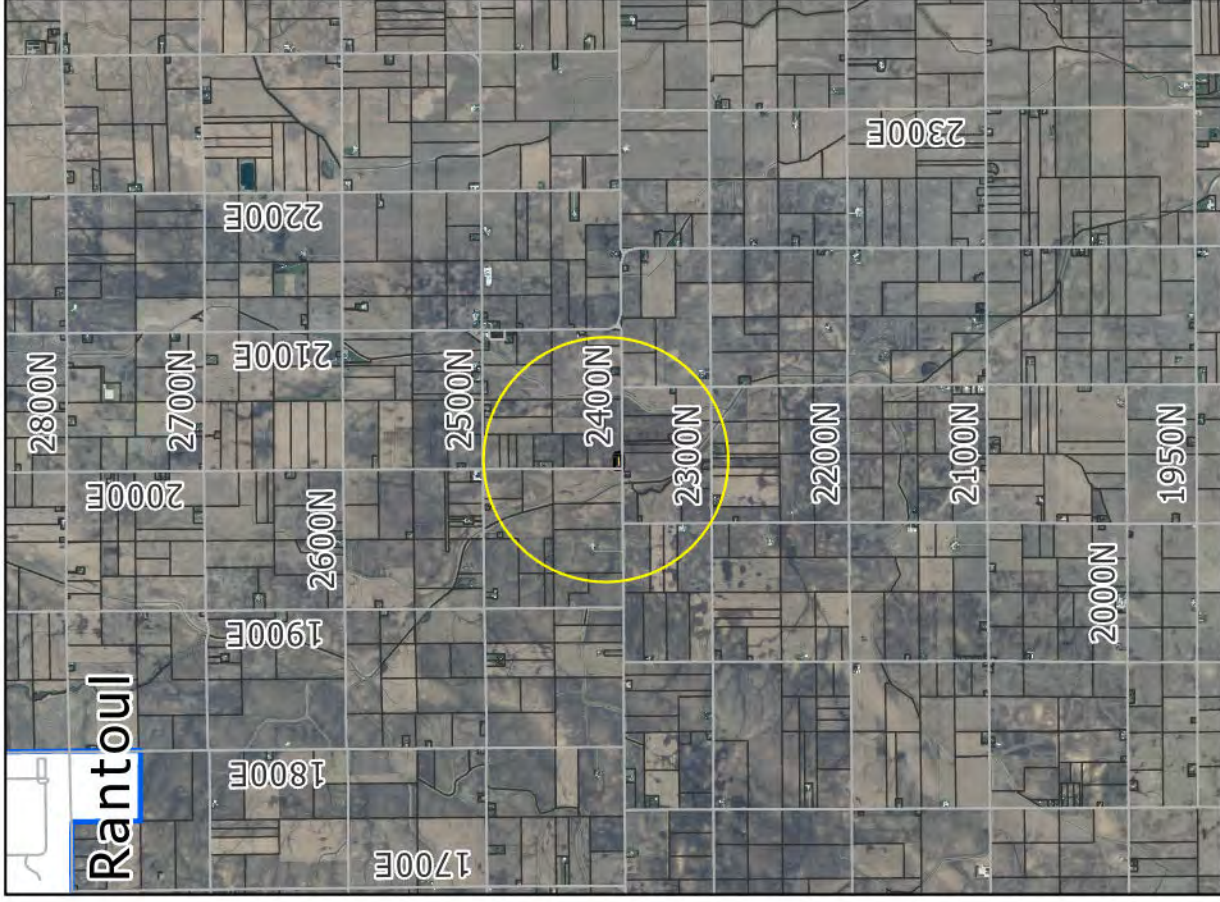
The subject property is located within Compromise Township, which has a Plan Commission. Townships with Plan Commissions have protest rights on a variance and receive notification of such cases.

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received March 28, 2024
- C 2023 aerial photo
- D 2011 aerial photo
- E Soils Map
- F Site Images taken April 16, 2024
- G Email from Jeffrey Kenyon dated April 15, 2024
- H Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 136-V-24 dated April 25, 2024

Location Map

Case 136-V-24
April 25, 2024

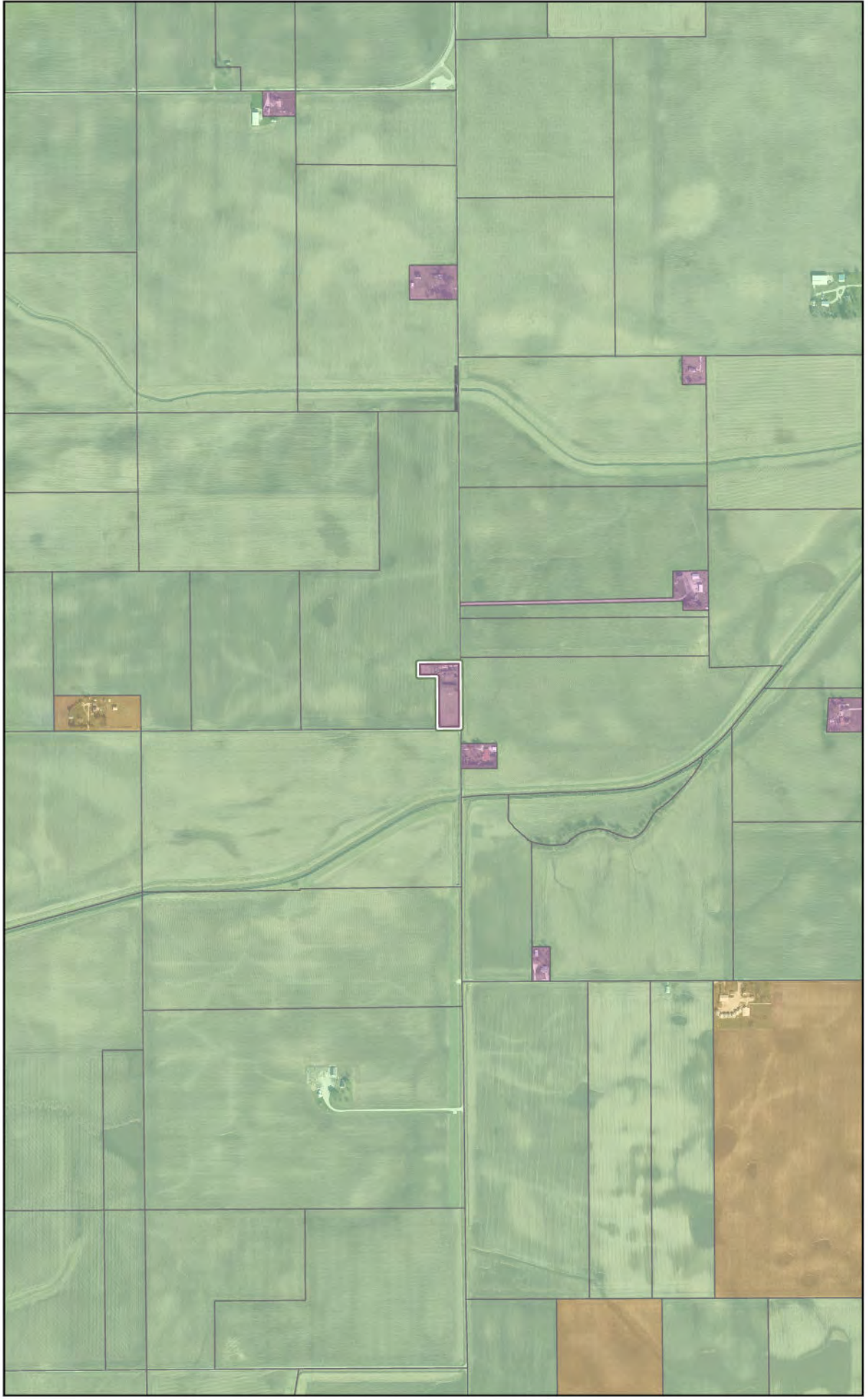


PLANNING &
ZONING

Land Use Map

Case 136-V-24

April 25, 2024



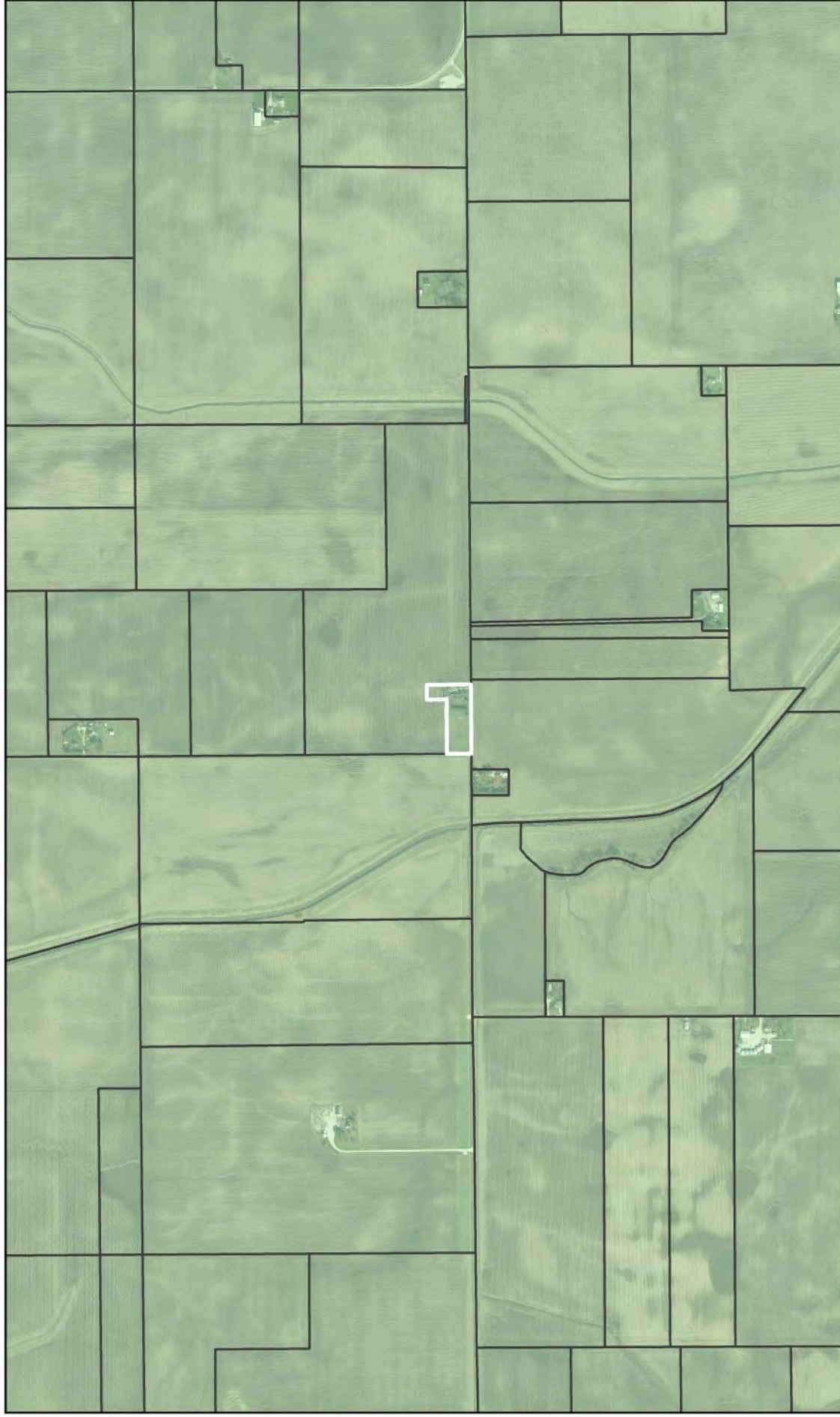
- Agriculture
- Agriculture/Residential
- Residential
- Subject Property



PLANNING &
ZONING

Zoning Map

Case 136-V-24
April 25, 2024



-  Existing Lot
-  AG-1 Agriculture

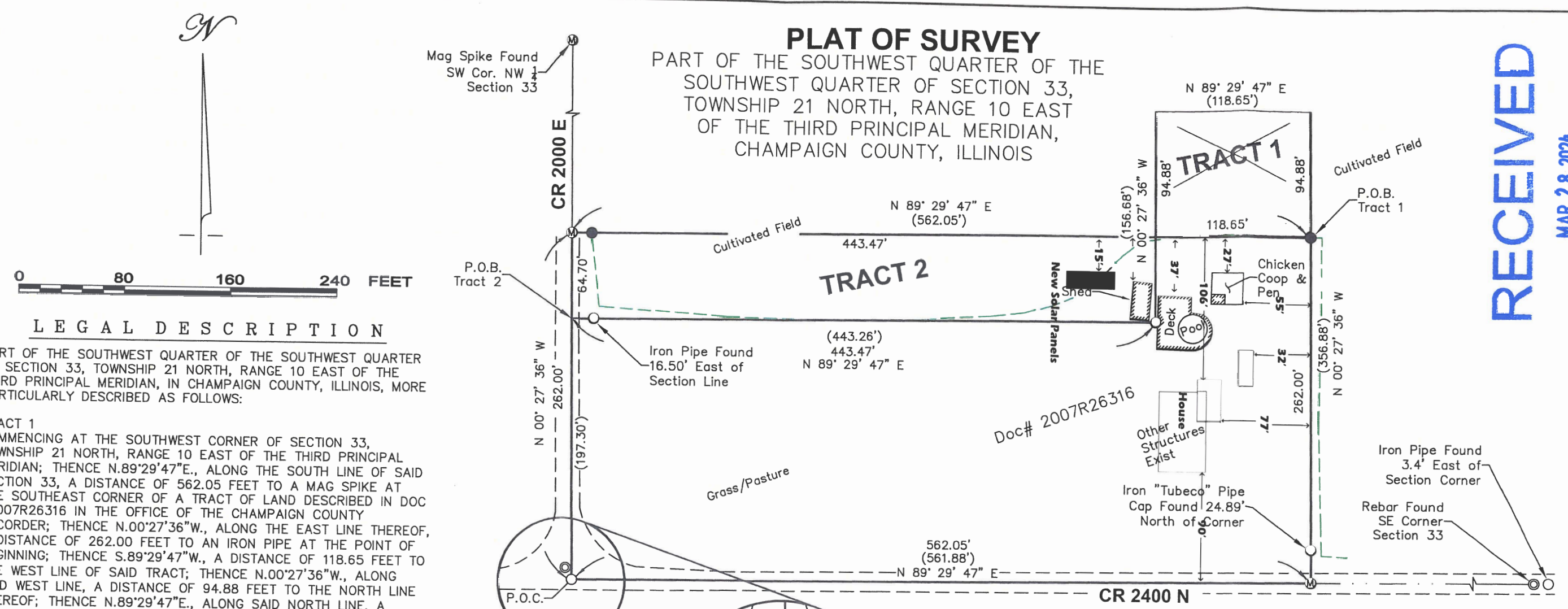


PLANNING &
ZONING

PLAT OF SURVEY

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS

RECEIVED
MAR 28 2024
CHAMPAIGN CO. P & Z DEPARTMENT



LEGAL DESCRIPTION

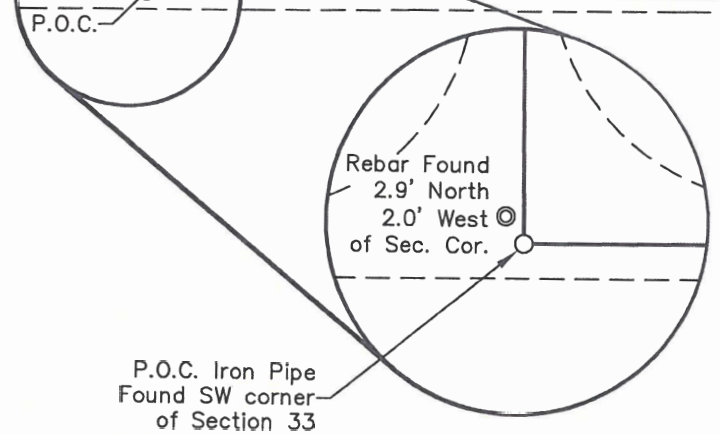
PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE N.89°29'47"E., ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 562.05 FEET TO A MAG SPIKE AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DOC #2007R26316 IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER; THENCE N.00°27'36"W., ALONG THE EAST LINE THEREOF, A DISTANCE OF 262.00 FEET TO AN IRON PIPE AT THE POINT OF BEGINNING; THENCE S.89°29'47"W., A DISTANCE OF 118.65 FEET TO THE WEST LINE OF SAID TRACT; THENCE N.00°27'36"W., ALONG SAID WEST LINE, A DISTANCE OF 94.88 FEET TO THE NORTH LINE THEREOF; THENCE N.89°29'47"E., ALONG SAID NORTH LINE, A DISTANCE OF 118.65 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE S.00°27'36"E., ALONG THE EAST LINE THEREOF, A DISTANCE OF 94.88 FEET TO THE POINT OF BEGINNING, ENCOMPASSING 11,258 SQUARE FEET, MORE OR LESS, ALL BEING SITUATED IN CHAMPAIGN COUNTY, ILLINOIS

TRACT 2
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE N.00°27'36"W., ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 197.30 FEET, TO A POINT ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DOC #2007R26316 IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING N.00°27'36"W., ALONG SAID WEST LINE, A DISTANCE OF 64.70 FEET TO A MAG SPIKE; THENCE N.89°29'47"E. A DISTANCE OF 443.47 FEET; THENCE S.00°27'36"E. A DISTANCE OF 64.70 FEET; THENCE S.89°29'47"W. A DISTANCE OF 443.47 FEET TO THE POINT OF BEGINNING, ENCOMPASSING 28,688 SQUARE FEET, MORE OR LESS, ALL BEING SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

NOTES

- Client Name: Jeffery Kenyon
- Field Work Completion Date: February 16, 2024
- Basis of Bearings: NAD 1983, Illinois State Plane Coordinate System (East Zone 1201)
- Utilities and other improvements exist, but are not shown on this survey.



This professional service conforms to the current Illinois minimum standards for a boundary survey. Dimensions are shown in feet, tenths, and hundredths. Signed and dated in Ogden, Illinois, this 21th day of February, 2024.

Theodore P. Hartke
Theodore P. Hartke
Illinois Professional Land Surveyor No. 3594





LEGEND	
●	1/2" X 30" Iron Pipe Set with I.P.L.S. 3594 Identification Cap
○	Existing Survey Monument
⊙	Rebar Found
⊗	Mag Spike Found/Set
123.45'	Measured Distance
(123.45')	Distance of Record
—	Boundary of Surveyed Tract
- - -	Edge of Road Surface
- - - - -	Cultivation Line

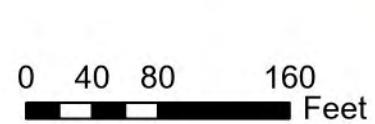
DATE OF PREPARATION: 2/18/2024	PROJECT ID: 24000400
<p>HARTKE ENGINEERING AND SURVEYING INC. 217.840.1612 tedhartke@hartke.pro</p>	SHEET NO.
	1
117 S. EAST AVE. P.O. BOX 123 OGDEN, IL 61859 101 W. OTTAWA ROAD PAXTON, IL 60957	OF 1 SHEETS
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184.006128	

Annotated 2023 Aerial

Case 136-V-24
April 25, 2024



-  Proposed Lot
-  Existing Lot

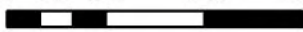


Annotated 2011 Aerial

Case 136-V-24
April 25, 2024



 Existing Lot

0 30 60 120 180
 Feet



Soils Map

Case 136-V-24
April 25, 2024

2023 Aerial

Case 136-V-24, ZBA 04/25/24, Attachment E



80

ft

This map was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGIS member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this map is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this map and information contained herein. The use of this map constitutes acknowledgement of this disclaimer.



Date: Wednesday, April 17, 2024

136-V-24 Site Images



From intersection of 2400N and 2000E facing NE to subject property



From 2400N facing NW to subject property.

136-V-24 Site Images



From intersection of 2400N and 2000E facing SW to neighboring property



From intersection of 2400N and 2000E facing SE to neighboring property.

Charles W. Campo

From: Jeff Kenyon <jeffk@castlehomecomfort.com>
Sent: Monday, April 15, 2024 11:11 AM
To: Charles W. Campo
Subject: Case 136-V-24

CAUTION: External email, be careful when opening.

Charlie,

Thank you for taking the time to speak with me, my apologies again for being unavailable on the 25th.

Jeff Robinson will be attending the meeting on my behalf on the 25th. I would also like to note that any tillable ground that is being re zoned, will continue to be used for agricultural production from our neighbor farmer Mr. Lynn Hulls.

If you have any questions for me, please don't hesitate to reach out. Thanks again.

Jeffrey Kenyon
General Manager
Castle Home Comfort
217-352-2800



PRELIMINARY DRAFT

136-V-24

**FINDING OF FACT
AND FINAL DETERMINATION**

**of the
Champaign County Zoning Board of Appeals**

Final Determination: ***{GRANTED/GRANTED WITH SPECIAL CONDITION(S)/DENIED}***

Date: ***{April 25, 2024}***

Petitioners: **Jeffrey Kenyon**

Request: **Authorize a variance for a proposed 3.38-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

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PRELIMINARY DRAFT

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 25, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Jeffrey Kenyon, 2008 CR 2400N, Thomasboro, owns the 2.98-acre lot with an address of 2008 CR 2400n, in the southwest quarter of the southwest quarter of Section 33, Township 21 North, Range 10 East of the Third Principal Meridian in Compromise Township.
2. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.
 - B. The subject property is located within Compromise Township, which has a Plan Commission. Townships with Plan Commissions have protest rights on a variance and receive notification 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 proposed 3.38-acre subject property is zoned AG-1 Agriculture and is in use as residential and agriculture.
 - B. Land surrounding the subject property is also zoned AG-1 Agriculture and is in agricultural production. There is one 1.5-acre property across the street to the west that is zoned AG-1 Agriculture and is in residential use.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Regarding the site plan for the subject property:
 - A. The Site Plan received on March 28, 2024, indicates the following:
 - (1) Existing structures on the property include:
 - a. One single family residence
 - b. A detached garage
 - c. A pool and pool house
 - d. A storage shed
 - e. A chicken coop
 - (2) The petitioner is proposing to add a 1222 sq. ft solar array.
 - B. There is one previous Zoning Use Permit for the subject property for an addition to an existing single-family house that was constructed prior to the adoption of the Zoning Ordinance on October 10, 1973.
 - C. The petitioner has submitted a Zoning Use Application for a solar array and to authorize a previously constructed pool, pool house and storage shed.
 - D. There are no previous zoning cases for the subject property.

PRELIMINARY DRAFT**Case 136-V-24**

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- E. The requested variance is a proposed 3.38-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES

6. Regarding specific *Zoning Ordinance* requirements relevant to this case:
- A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested variances (capitalized words are defined in the Ordinance):
- (1) “AGRICULTURE” is the growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry and the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm BUILDINGS used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm BUILDINGS for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm DWELLINGS occupied by farm OWNERS, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of AGRICULTURE all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed. Agricultural purposes include, without limitation, the growing, developing, processing, conditioning, or selling of hybrid seed corn, seed beans, seed oats, or other farm seeds.
 - (2) “AREA, LOT” is the total area within the LOT LINES.
 - (3) “BEST PRIME FARMLAND” is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:
 - (a) Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County Land Evaluation and Site Assessment (LESA) System;
 - (b) Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA System; or
 - (c) Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils, as determined by the Champaign County LESA System.
 - (4) “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.
 - (5) “LOT LINES” are the lines bounding a LOT.

PRELIMINARY DRAFT

- (6) “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.
- B. Section 5.3 of the Zoning Ordinance Footnote 13 states:
13. The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:
- A) LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:
- 1) The LOT is RRO-exempt;
 - 2) The LOT is made up of soils that are BEST PRIME FARMLAND; and
 - 3) The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.
- C. 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 9.1.9C. 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. Paragraph 9.1.9 E. of the *Zoning Ordinance* authorizes the ZBA to prescribe appropriate conditions and safeguards in granting a variance.

PRELIMINARY DRAFT**Case 136-V-24**

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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 testified the following on the application: **“To provide the proper setback distances to existing and proposed structures and to create regular shaped land descriptions for easier/efficient farming around the perimeter. The original “L” shaped land caused and inside corner which is harder for equipment to plant and till soil within the inside corner.”**
 - B. Regarding the soils that make up the subject property:
 - (1) The soil on the proposed 3.38-acre lot is BEST PRIME FARMLAND and consists of 152 Drummer silty clay loam and 149A Brenton silt loam, and has an average LE of 100.
 - C. The petitioner wants to swap land with the adjacent land owner in order to make a rectangular lot.
 - D. No land will be removed from production.

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 Petitioners testified the following on the application: **“To encompass the established building and solar array to meet proper requirements. Land owner changed property swap to help him and farmer.”**
 - B. Without the proposed variance, the petitioners would need to reconfigure their property in order to provide proper setbacks for the existing and proposed structure but would be left with an irregular shaped lot that would be less practical to farm around.

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 Petitioners testified the following on the application: **“The original “L” shaped land caused an inside corner which is harder for equipment to plant and till soil within the inside corner.”**
 - B. The existing “L” shaped lot was not created by the petitioner. The lot was originally created to extend to 2000E and encompass some existing outbuildings on the north end of the property (See 2011 aerial photo attached) that have since been removed, and the area where the buildings once stood, was put into agricultural production.

PRELIMINARY DRAFT

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 Petitioners testified the following on the application: **“The original “L” shaped land caused and inside corner which is harder for equipment to plant and till soil within the inside corner. The reconfiguration does not change any property values.”**
 - B. The maximum lot size on best prime farmland requirement was first established by Ordinance No. 726 (Case 444-AT-04) on July 22, 2004. It was made permanent with Ordinance No. 773 approved December 20, 2005.
 - C. Ordinance No. 914 (Case 711-AT-12) approved on November 27, 2012, revised the best prime farmland definition to have a Land Evaluation (LE) rating of 91 or higher rather than the previous rating of 85 or higher.
 - D. The 3.38-acre lot area is 112% of the required three acre maximum, for a variance of 12%.
 - E. No land is proposed to be taken out of agricultural production.
 - F. The requested variance is not prohibited by the *Zoning Ordinance*.

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 Petitioners testified the following on the application: **“Farmer requested land swap for simplified farming and not hinder farm equipment”.**
 - B. The Flatville Special Drainage District has been notified of this variance, and no comments have been received.
 - C. The Compromise Township Highway Commissioner has been notified of this variance, and no comments have been received.
 - D. The Compromise Township Supervisor has been notified of this variance, and no comments have been received.
 - E. The Gifford Fire Protection District has been notified of this variance, and no comments have been received.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

12. Generally regarding and other circumstances which justify the Variance:
- A. The Petitioners testified the following on the application: **“Variance will help square off the property for the farmer per his request for better use of equipment.”**

PRELIMINARY DRAFT

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GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

13. Regarding proposed special conditions of approval:

No special conditions are proposed at this time.

PRELIMINARY DRAFT

DOCUMENTS OF RECORD

1. Application for Variance Permit received March 22, 2024, with attachment:
 - Site Plan received March 28, 2024

2. Preliminary Memorandum dated April 17, 2024, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received March 28, 2024
 - C 2023 aerial photo
 - D 2011 aerial photo
 - E Soils Map
 - F Site Images taken April 16, 2024
 - G Email from Jeffrey Kenyon dated April 15, 2024
 - H Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 136-V-24 dated April 25, 2024

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SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **136-V-24** held on **April 25, 2023**, 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. ***The petitioners want to create a rectangular lot that will provide adequate setbacks for the existing and proposed structures on the property and no land is proposed to be removed from production.***
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. ***Without the proposed variance, the petitioners would need to reconfigure their property in order to provide adequate setbacks for the existing and proposed structure but would be left with an irregular shaped lot that would be less practical to farm around.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. ***The existing "L" shaped lot was not created by the petitioner. The lot was originally created to extend to 2000E and encompass some existing outbuilding that have since been removed and the area was put into agricultural production.***
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. ***No land is proposed to be taken out of production.***
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. ***Relevant jurisdictions have been notified of this case, 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: ***it is the minimum lot size that will provide adequate setbacks for existing and proposed structured and will provide a reasonable shape to farm around.***
7. **{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}**

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PRELIMINARY DRAFT

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 **136-V-24** is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioners, **Jeffrey Kenyon**, to authorize the following:

Authorize a variance for a proposed 3.38-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, 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