

# **CASE 198-AM-26, 199-S-26 & 200-V-26**

*PRELIMINARY MEMORANDUM*

*April 23, 2026*

Petitioner: **Patrick Duda**

Request: **Case 198-AM-26**

**Amend the Zoning Map to allow for the development of one single family residential lot in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District in conjunction with related County Board Special Use Permit Case 199-S-26.**

**Case 199-S-26**

**Authorize a Special Use Permit for a Rural Residential Overlay (RRO) Zoning District for one single family residential lot in conjunction with related map amendment Case 198-AM-26 that is also required for an RRO.**

**Case 200-V-26**

**Authorize a variance for a proposed 5.09-acre lot in lieu of the maximum allowed 2 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, with a proposed Rural Residential Overlay as requested in the related cases 198-AM-26 and 199-S-26 per Section 5.3 and 5.4 of the Champaign County Zoning Ordinance**

**Location: A proposed 5.09-acre lot in the Northeast Quarter of the Northeast Quarter of Section 26, Township 21 North, Range 7 East of the Third Principal Meridian, in Newcomb Township, being the north 5.09-acres of an existing 10.18-acre lot at the southwest corner of CR 2600N and 500E with an address of 2595 CR 500E, Mahomet.**

**Site Area: 5.09 acres**

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

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

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## **BACKGROUND**

The petitioner Patrick Duda owns the subject property. The petitioner is proposing to divide off a 5.09-acre lot from an existing 10.18-acre lot.

In general, the Champaign County Zoning Ordinance requires that the creation of more than four lots from a single parcel in the rural districts after January 1, 1998, each of which is less than 35 acres, requires a rezoning and a Special Use Permit to authorize a Rural Residential Overlay (RRO). Four lots have been created from a single parcel since January 1, 1998, so the creation of any additional lots triggers the need for an RRO.

An RRO requires a Map Amendment and County Board Special Use Permit. The Board's task in these cases is to recommend approval or denial based on RRO factors, LRMP Goals & Objectives, LaSalle & Sinclair Factors, and relevance to the purposes of the Zoning Ordinance.

RRO lots have a maximum lot size of two acres on soil that is considered best prime farmland. The petitioner is requesting a variance to allow a lot that is 5.09-acres in area in lieu of the maximum allowed two acres.

### **EXTRATERRITORIAL JURISDICTION**

The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning. Municipalities do not have protest rights on Special Use Permit and Variance cases but were notified about the cases.

The subject property is located within Newcomb Township, which has a Planning Commission. Townships with Plan Commissions receive notification of, and have protest rights in Map Amendment and Variance cases but do not have protest rights on County Board Special Use Permits.

### **EXISTING LAND USE AND ZONING**

**Table 1. Land Use and Zoning in the Vicinity**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
Onsite	Residential/Agriculture	AG-1 Agriculture
North	Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Agriculture (Horse Stable)	AG-1 Agriculture
South	Residential/Agriculture	AG-1 Agriculture

### **RRO FACTORS**

Paragraph 5.4.3.C.1 of the Zoning Ordinance requires the Zoning Board of Appeals to make two specific findings for an RRO approval:

- (1) That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
- (2) That the proposed residential development will or will not be compatible with surrounding agriculture.

Paragraph 5.4.3 C.2 of the Zoning Ordinance requires the Zoning Board of Appeals to consider the following factors in making the required findings:

- A. Adequacy and safety of roads providing access to the site;
- B. Effects on nearby farmland and farm operations;
- C. Effects of nearby farm operations on the proposed residential development;
- D. The Land Evaluation and Site Assessment (LESA) score of the subject site.
- E. Effects on drainage both upstream and downstream;
- F. The suitability of the site for onsite wastewater systems;

- G. The availability of water supply to the site;
- H. The availability of public services to the site;
- I. The flood hazard status of the site;
- J. Effects on wetlands, historic/archeological sites, natural or scenic areas or wildlife habitat;
- K. The presence of nearby natural or manmade hazards;
- L. The amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated; and

P&Z Staff did a preliminary analysis of these factors, which can be found in the draft Finding of Fact/Summary of Evidence dated April 30, 2026. Attachment C to this memo is a table summarizing each factor and the criteria used to assess the suitability for any proposed RRO. In summary, the analysis shows that compared to “common conditions” found at rural sites in Champaign County, the subject property is similar to the following:

- A. “Ideal or Nearly Ideal” conditions for three factors:
  - (1) RRO Factor G: Availability of water supply
  - (2) RRO Factor J: Effects on sensitive natural areas
  - (3) RRO Factor K: Natural or manmade hazards
- B. “Much Better Than Typical” conditions for three factors:
  - (1) RRO Factor C: Effects of nearby farms
  - (2) RRO Factor D: LESA score
  - (3) RRO Factor E: Effects on drainage
- C. “More or Less Typical” conditions for five factors:
  - (1) RRO Factor A: Adequacy and Safety of Roads
  - (2) RRO Factor B: Effects on farms
  - (3) RRO Factor H: Emergency services
  - (4) RRO Factor I: Flood hazard status
  - (5) RRO Factor L: Land converted from agricultural uses
- D. “Much Worse Than Typical conditions for one factor:
  - (1) RRO Factor F: Septic suitability
- E. “Worst or Nearly Worst” conditions for no factors

### DECISION POINTS FOR CASE 198-AM-26

P&Z Staff have made recommendations on items in the combined Finding of Fact/Summary of Evidence for the RRO, denoted by text in ***BOLD ITALICS***, which can be accepted as is or discussed by the Board. Staff did not identify any decision points for these cases, but this does not preclude the Board from raising decision points for discussion.

### PROPOSED SPECIAL CONDITIONS

The following special condition is proposed for the Map Amendment:

- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425 (see attached).**

The special condition stated above is required to ensure the following:

### Conformance with Land Resource Management Plan Policy 4.2.3.

The following special conditions are proposed for the Special Use:

**A. The Special Use is subject to the approval of Case 198-AM-26.**

The special condition stated above is required to ensure the following:

**That the Special Use is consistent with the intent of the Zoning Ordinance and ZBA recommendations.**

**B. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

The special condition stated above is required to ensure the following:

**That any future exterior lighting installations meet the requirements established for Special Uses in the Zoning Ordinance.**

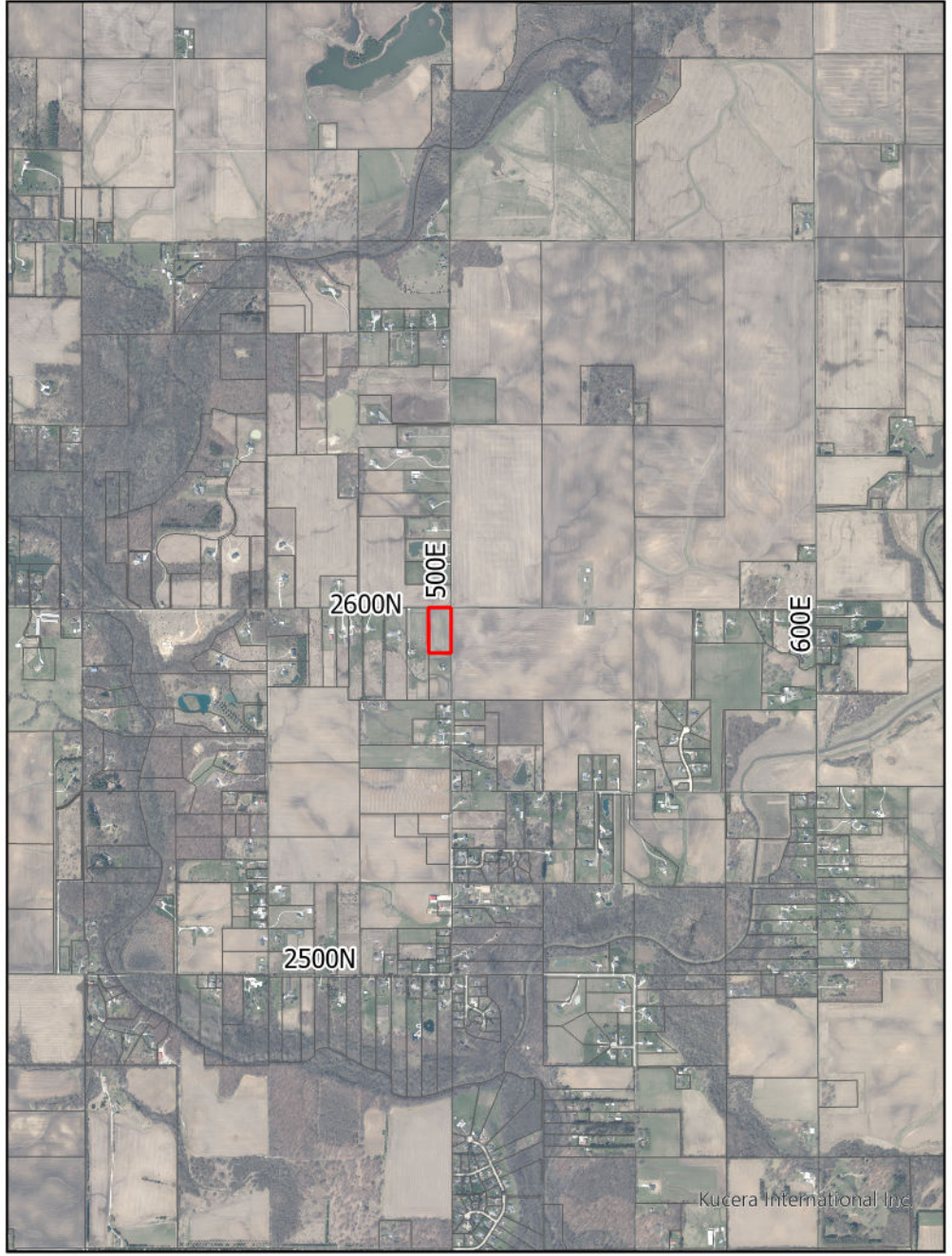
### ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Preliminary Plat of Survey received February 12, 2026
- C Table of Common Conditions Influencing the Suitability of Locations for Rural Residential Development in Champaign County revised June 7, 2016
- D 2023 Annotated Aerial Photo
- E Soils Map
- F Drainage statement from Mark Miller, P.E., Precision Engineering Group, dated January 23, 2026
- G LRMP Land Use Goals, Objectives, and Policies (*provided online*)
- H LRMP Appendix of Defined Terms (*provided online*)
- I Right to Farm Resolution 3425
- J Natural Resource Report from the Champaign County Soil and Water Conservation District dated March 31, 2026
- K Land Evaluation and Site Assessment (LESA) Worksheet completed by staff on April 22, 2026
- L Site Visit Photos taken April 22, 2026
- M Email From Jill and Jim Rogers in opposition to the project received February 20, 2026
- N Combined Summary of Evidence, Findings of Fact, and Final Determinations for RRO Cases 198-AM-26 and 199-S-26 dated April 30, 2026
- O Summary of Evidence, Finding of Fact, and Final Determination for Variance Case 200-V-26, dated April 30, 2026

# Location Map

Case 198-AM-26,199-S-26 & 200-V-26

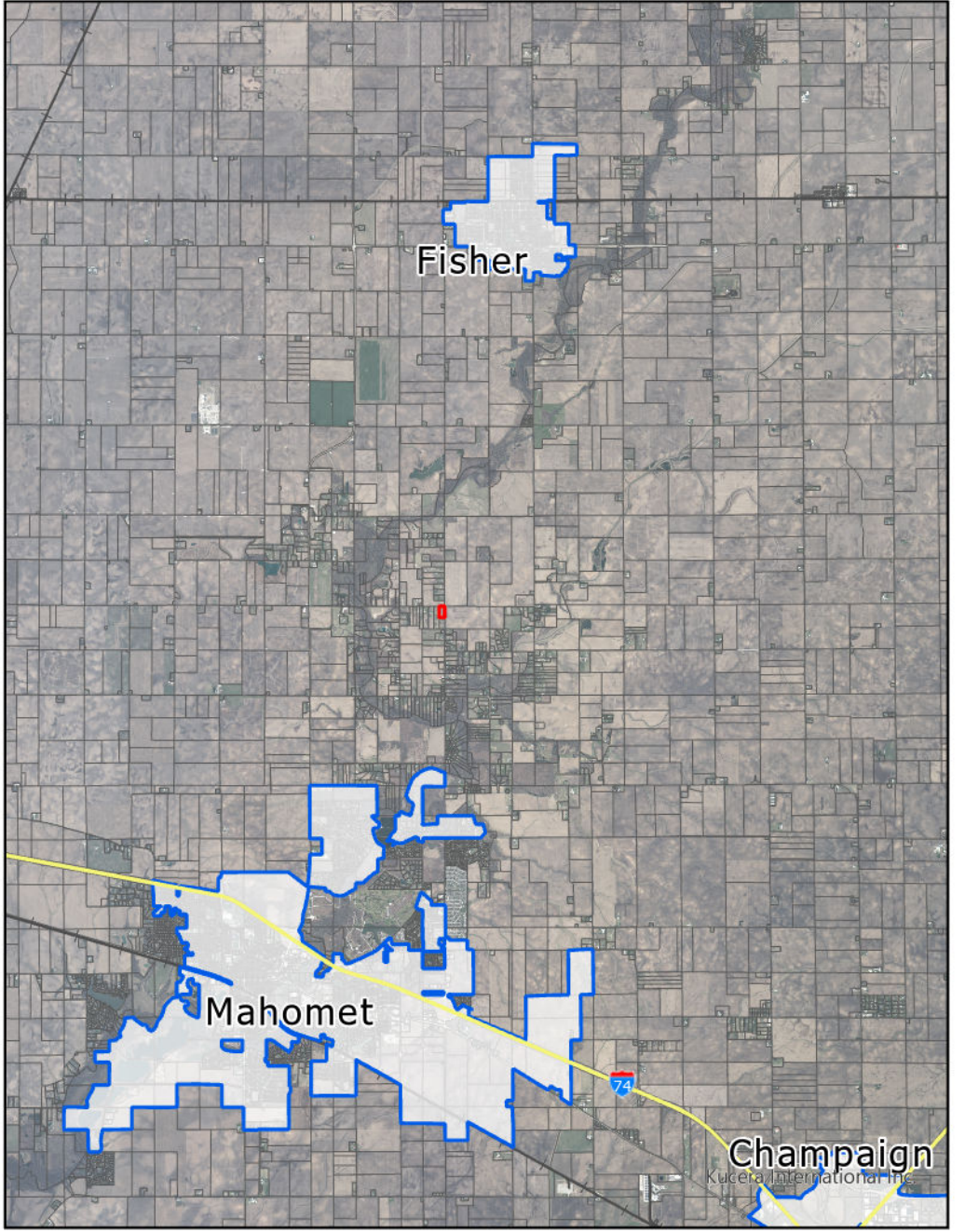
April 30, 2026



 Subject Parcel

0 0.5 1 Miles

# Property Location in Champaign County



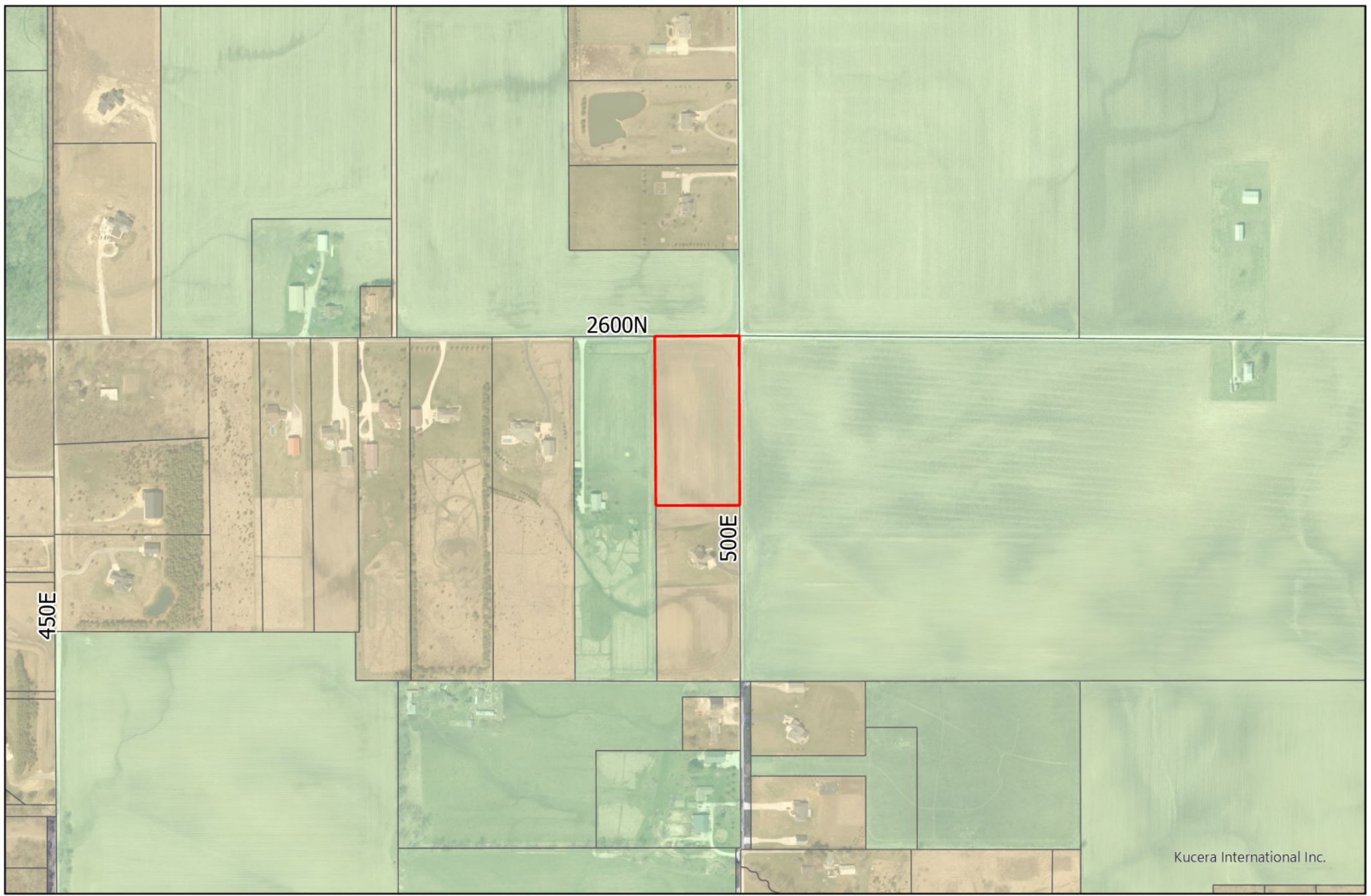
0 2 4 Miles

 PLANNING & ZONING

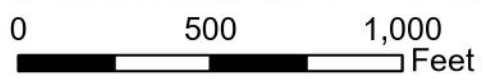
# Land Use Map

Case 198-AM-26,199-S-26 & 200-V-26

April 30, 2026



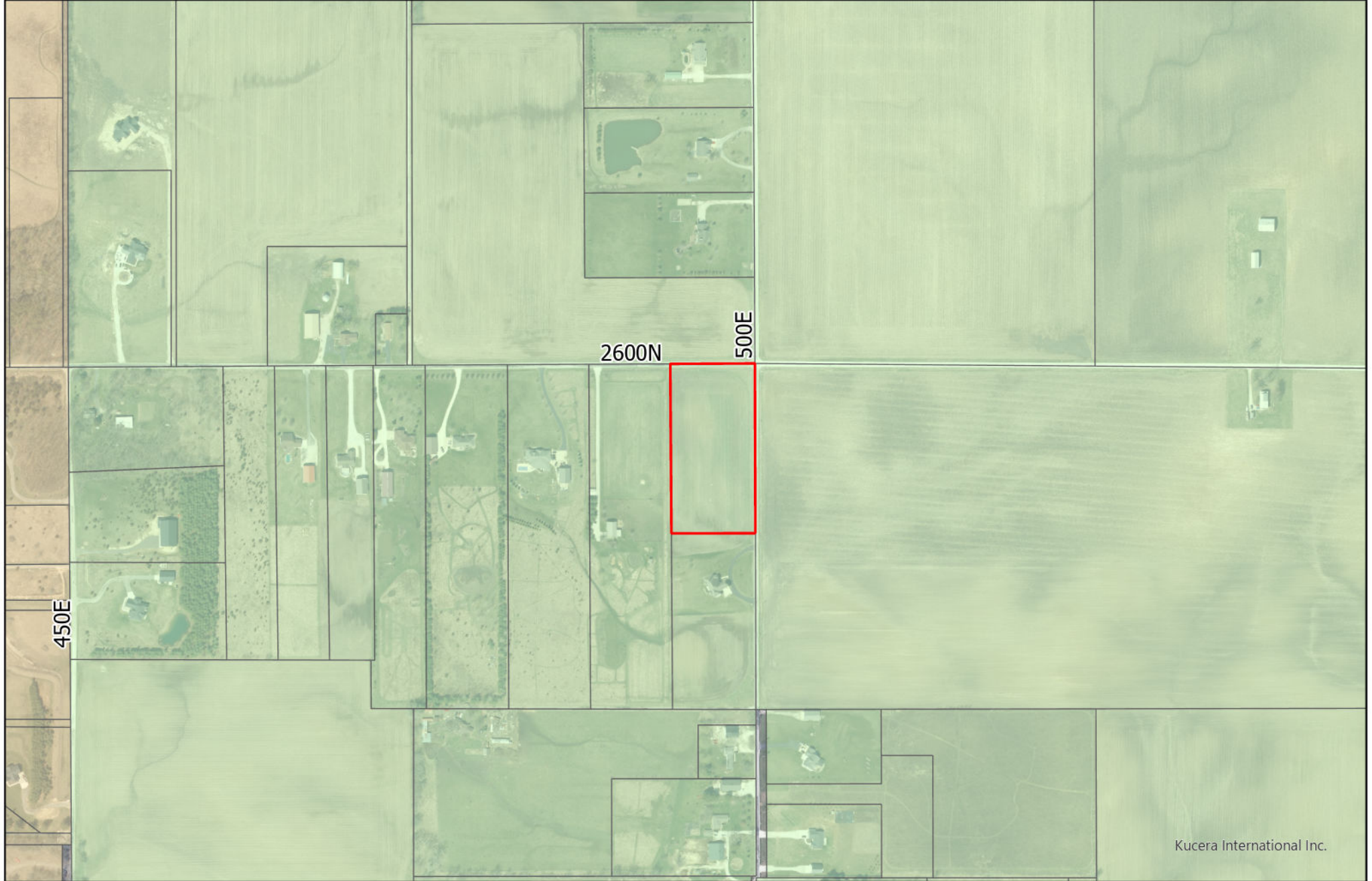
Subject Parcel     Agricultural     Residential



# Zoning Map

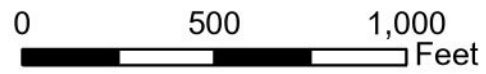
Case 198-AM-26,199-S-26 & 200-V-26

April 30, 2026



Kucera International Inc.

Subject Parcel     AG-1 Agriculture     CR Conservation Recreation



# PLAT OF SURVEY

PART OF THE NORTHEAST QUARTER OF SECTION TWENTY-SIX, TOWNSHIP TWENTY-ONE NORTH, RANGE SEVEN EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS.

## LEGAL DESCRIPTIONS

### TRACT 1

PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 26, THENCE SOUTH 00° 09' 09" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR 659.86 FEET; THENCE SOUTH 89° 42' 59" WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 333.97 FEET TO THE WEST LINE OF TRACT 8 AS SHOWN ON A PLAT OF SURVEY RECORDED AS DOCUMENT NUMBER 2004R17854 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE; THENCE NORTH 00° 31' 50" WEST ALONG SAID WEST LINE FOR 659.88 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89° 42' 59" WEST ALONG SAID NORTH LINE FOR 338.32 FEET BACK TO THE POINT OF BEGINNING, ALL-ENCOMPASSING 5.09 ACRES, MORE OR LESS.

### TRACT 2

PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26, THENCE SOUTH 00° 09' 09" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR 659.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00° 09' 09" EAST ALONG SAID EAST LINE FOR 668.83 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER; THENCE SOUTH 89° 47' 28" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER FOR 329.55 FEET TO THE SOUTHWEST CORNER OF TRACT 8 AS SHOWN ON A PLAT OF SURVEY RECORDED AS DOCUMENT NUMBER 2004R17854 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE; THENCE NORTH 00° 31' 50" WEST ALONG THE WEST LINE OF SAID TRACT FOR 668.39 FEET; THENCE NORTH 89° 42' 59" EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 333.97 FEET BACK TO THE POINT OF BEGINNING, ALL-ENCOMPASSING 5.09 ACRES, MORE OR LESS.

## SURVEYOR'S NOTES

1. FIELD WORK WAS COMPLETED ON JANUARY 13, 2026.
2. THIS PROFESSIONAL SERVICE CONFORMS TO THE ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.
4. THERE HAS BEEN NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.
5. ALL MEASUREMENTS ON THE FACE OF THE PLAT ARE ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (2011).

## DRAINAGE STATEMENT

WE HEREBY STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS OF THIS PLAT WILL NOT BE CHANGED BY THE CONSTRUCTION OF THE IMPROVEMENTS OF THIS SUBDIVISION OR ANY PART THEREOF OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

SIGNED AND SEALED THIS 15TH DAY OF MAY, 2024.

*Mark A. Miller*

MARK A. MILLER  
ILLINOIS LICENSED PROFESSIONAL ENGINEER NO. 062.056290  
LICENSE EXPIRES 11/30/2025



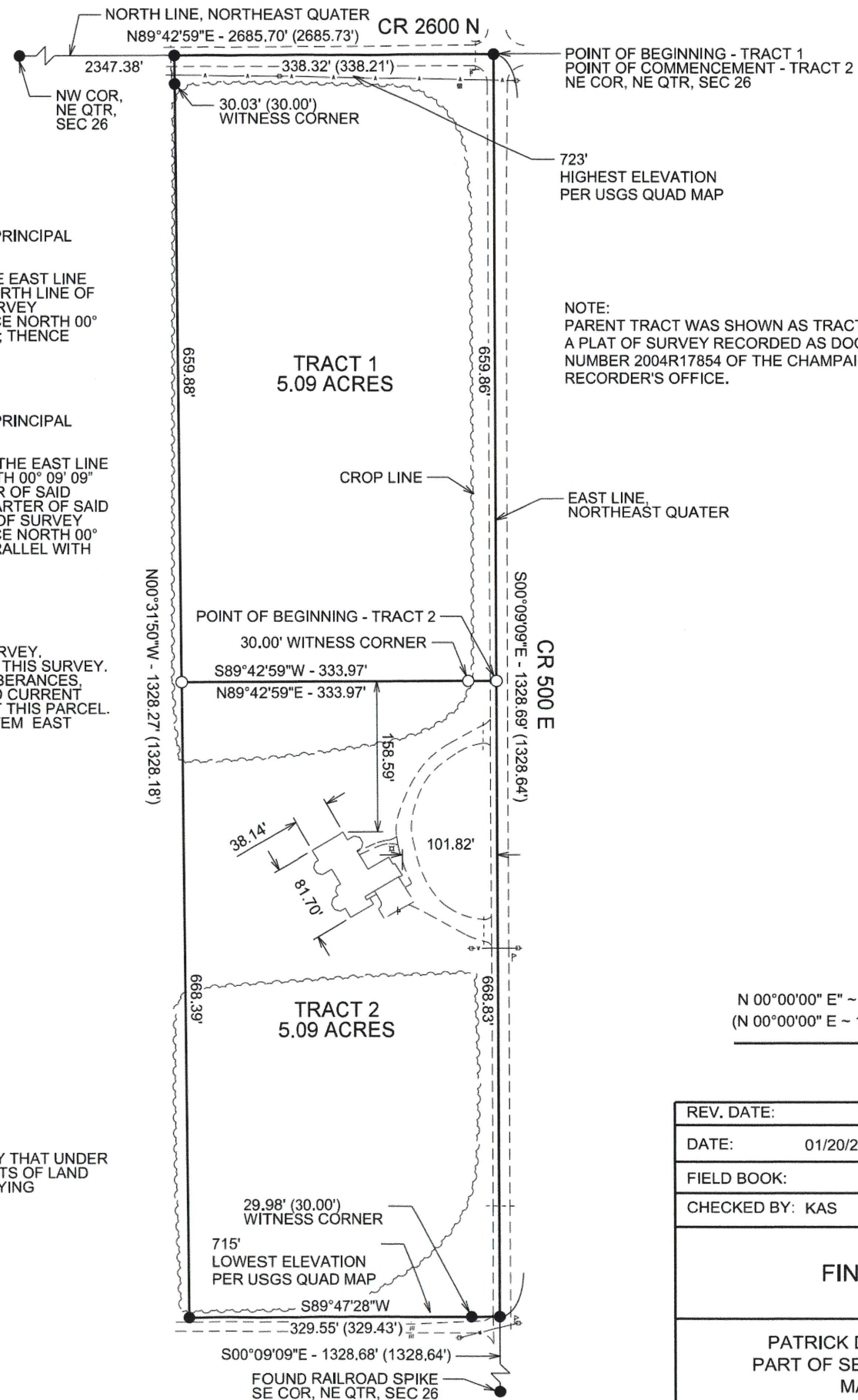
## SURVEYOR'S CERTIFICATE

I, KYLE A. SCHULTZE, BEING ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3920, DO HEREBY CERTIFY THAT UNDER MY DIRECT SUPERVISION I HAVE CAUSED A SURVEY TO BE MADE AND A PLAT TO BE DRAWN OF THE TRACTS OF LAND DESCRIBED HEREON. I FURTHER CERTIFY THAT AS A PART OF THE SURVEY I HAVE FOUND OR SET SURVEYING MONUMENTS AS SHOWN AND THAT THIS PLAT IS A TRUE REPRESENTATION THEREOF.

SIGNED AND SEALED THIS 20TH DAY OF JANUARY, 2026.

*Kyle A. Schultze*

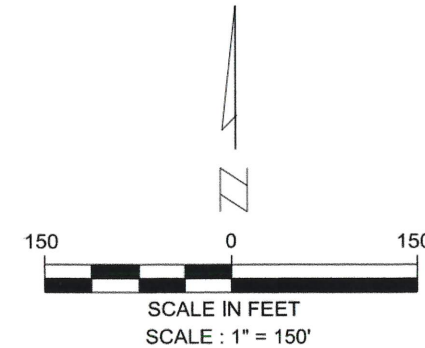
KYLE A. SCHULTZE  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3920  
LICENSE EXPIRES 11/30/2026



POINT OF BEGINNING - TRACT 1  
POINT OF COMMENCEMENT - TRACT 2  
NE COR, NE QTR, SEC 26

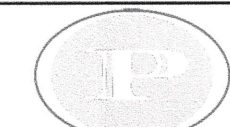
723'  
HIGHEST ELEVATION  
PER USGS QUAD MAP

NOTE:  
PARENT TRACT WAS SHOWN AS TRACT 8 ON  
A PLAT OF SURVEY RECORDED AS DOCUMENT  
NUMBER 2004R17854 OF THE CHAMPAIGN COUNTY  
RECORDER'S OFFICE.



## LEGEND

- IDOT VAULT FOUND
- IRON PIN FOUND UNLESS OTHERWISE NOTED
- △ MAG NAIL SET
- IRON PIN SET (1/2" DIA. X 30" LONG) WITH YELLOW SURVEYOR'S CAP "PRECISION FIRM 7585"
- MEASURED BEARING AND DISTANCE
- - - RECORD BEARING AND DISTANCE
- PROPERTY LINE

REV. DATE:	REVISION MADE:		 <b>PRECISION ENGINEERING GROUP, INC.</b> P.O. BOX 784 CHAMPAIGN, IL 61824-0784 PHONE: 217.260.4751 CIVIL ENGINEERING - LAND SURVEYING ILLINOIS DESIGN FIRM REGISTRATION NO. 184007585
DATE: 01/20/2026	SCALE: AS SHOWN		
FIELD BOOK:	DRAWN BY: KAS		
CHECKED BY: KAS			
<b>FINAL PLAT</b>			
PATRICK DUDA BOUNDARY SURVEY PART OF SEC. 26, T.21 N., R. 7 E., 3RD P.M. MAHOMET, ILLINOIS			FILE # 59126001 SHEET 1 OF 1

RECEIVED

FEB 12 2026

CHAMPAIGN CO. P & Z DEPARTMENT

**Table Of Common Conditions Influencing the Suitability of Locations  
for Rural Residential Development In Champaign County**

Worst Or Nearly Worst Condition <sup>3</sup> ☐	Much Worse Than Typical Condition <sup>4</sup> ■	More Or Less Typical Condition <sup>5</sup> ○	Much Better Than Typical Condition <sup>4</sup> ☆	Ideal Or Nearly Ideal Conditions <sup>6</sup> ★
<b>A RRO<sup>2</sup> ZONING FACTOR: Adequacy and safety of roads providing access</b>				
<p>Access for all trips is from a Township Highway that has serious deficiencies (based on existing traffic load) in terms of both pavement width and shoulder width. There may also be other deficiencies in the roadway.</p> <p>The point of access to the Township Highway is a location with serious visibility problems.</p> <p>The site is at more than five miles from a County or State highway. The intersections are uncontrolled and have visibility problems.</p>	<p>Access for all trips is from a Township Highway that has serious deficiencies (based on existing traffic load or traffic speed) in terms of both pavement width and shoulder width between the proposed site and where the road connects to a County or State Highway <b>OR</b></p> <p>there is an uncontrolled railroad crossing between the proposed site and where the road connects to a County or State Highway.</p> <p>The site is within five miles of a County or State highway. The road intersections are uncontrolled and have visibility problems.</p> <p>The point of access to the Township Highway has reasonable visibility.</p>	<p>Access from a Township Highway which does not have adequate shoulder width and may also have insufficient (based on either existing traffic load or traffic speed) pavement width for a small portion of the distance between the proposed site and where the road connects to a County or State Highway.</p> <p>The site is within five miles of a County or State highway. Intersections are uncontrolled and have visibility problems.</p> <p>The point of access to the Highway has good visibility. See discussion of Effects On Farms for farm related traffic concerns.</p>	<p>Access is from a Township Highway with no deficiencies (even including the proposed increase in ADT) between the proposed site and where the road connects to a County or State Highway.</p> <p>The intersections are uncontrolled and have visibility problems.</p> <p>Access is at a location with good visibility.</p>	<p>Access from any of the following: 1) a County Highway or 2) a Township Highway with no deficiencies (even including the proposed increase in ADT) and is less than one mile travel to a County or State Highway.</p> <p>Access is at a location with good visibility.</p> <p>Access should not be directly to a State or Federal highway because vehicle turning movements could create safety concerns.</p>

**Table Of Common Conditions Influencing the Suitability of Locations  
for Rural Residential Development In Champaign County**

Worst Or Nearly Worst Condition <sup>3</sup> ☐	Much Worse Than Typical Condition <sup>4</sup> ■	More Or Less Typical Condition <sup>5</sup> ○	Much Better Than Typical Condition <sup>4</sup> ☆	Ideal Or Nearly Ideal Conditions <sup>6</sup> ★
<b>B RRO<sup>2</sup> ZONING FACTOR: Effects on nearby farmland and farm operations</b>				
Points of access to RRO homes create safety conflicts with ag equipment  Crops are negatively impacted by drainage from residential properties in RRO		Driveways are co-located and groups of driveways are widely separated so as to minimize interference with agricultural traffic  No significant change to drainage		All proposed homes front a new public street that carries no agricultural traffic. The traffic from proposed homes is not likely to interfere with agricultural activities  Drainage benefits surrounding agricultural land
<b>C RRO<sup>2</sup> ZONING FACTOR: Effects of nearby farm operations on the proposed development</b>				
Bordered by row crop agriculture on three sides and an existing livestock and/or stable operation on the fourth side.	Bordered by row crop agriculture on three sides but also close to and downwind of an existing livestock and/or stable operation.	Bordered on all sides by significant (more than a few acres) row crop agriculture so there are some incompatibilities that may lead to complaints from residences.	Bordered on no more than two sides by significant row crop agriculture	No effects because not adjacent to significant row crop agriculture nor downwind of any animal operations.
<b>D RRO<sup>2</sup> ZONING FACTOR: The LESA score</b>				
292 to 286 (Very high rating for protection)  Land Evaluation part: 100 to 98 (100% of soil in Ag. Value Groups 1 & 2; Flanagan & Drummer soils generally)  Site Assessment part: 192 to 188	285 to 256 (Very high rating for protection)  Land Evaluation part: 97 to 93 (remainder between worst & overall average)  Site Assessment part: 187 to 163	254 to 238 (Very high rating for protection)  Land Evaluation part: 92 (reflects overall average for entire County)  Site Assessment part: 162 to 146	237 to 188 (Very high rating to moderate rating for protection)  Land Evaluation part: 91-85 (remainder between overall average & ideal)  Site Assessment part: 145 to 103	186 to 121 (Moderate rating to low (170) rating for protection)  Land Evaluation part: 84 to 41 <sup>4</sup> (No best prime farmland soils)  Site Assessment part: 102 to 80

**Table Of Common Conditions Influencing the Suitability of Locations  
for Rural Residential Development In Champaign County**

Worst Or Nearly Worst Condition <sup>3</sup> ☐	Much Worse Than Typical Condition <sup>4</sup> ■	More Or Less Typical Condition <sup>5</sup> ○	Much Better Than Typical Condition <sup>4</sup> ☆	Ideal Or Nearly Ideal Conditions <sup>6</sup> ★
<b>D RRO<sup>2</sup> ZONING FACTOR: The LESA score</b> <i>continued</i>				
(See hypothetical worksheet for assumptions)	(remainder between worst & overall average)	(See hypothetical worksheet for assumptions)	(remainder between overall average & ideal)	(Conditions intended to reflect a rural location within a municipal ETJ without sewer or water; typical urban subdivision at or near municipal boundary has site assessment of 82 to 54; see hypothetical worksheet for assumptions)
<b>E RRO<sup>2</sup> ZONING FACTOR: Effects on drainage both upstream and downstream</b>				
<p>100% of site has wet soils that must be drained for development. Large parts of the site also pond.</p> <p>There is no natural drainage outlet for either surface or subsurface flows so offsite improvements are necessary.</p> <p>An alternative problem is the condition in which the site is bisected by a natural drainageway with large flows from upstream offsite areas which have significant effects on site development.</p>	<p>Between 90% and 100% of the site has wet soils that must be improved for development.</p> <p>Only about half of the site drains to existing road ditches. The rest of the site drains over adjacent land that is under different ownership which require offsite improvements.</p> <p>Ponding is a significant problem.</p>	<p>Approximately 90% of the site has wet soils that must be improved for development.</p> <p>There may also be large areas where ponding occurs.</p> <p>Most of the site drains through township road ditches that do not have adequate capacity.</p>	<p>Probably less than half of the site has wet soils.</p> <p>The site drains to Township road ditches that are more or less adequate or to other natural drainage features that have adequate capacity.</p>	<p>No wet soils so no “dry weather flows” problems <b>OR</b></p> <p>if wet soils are present the site drains directly to a drainage district facility with adequate capacity or to a river.</p>

**Table Of Common Conditions Influencing the Suitability of Locations  
for Rural Residential Development In Champaign County**

Worst Or Nearly Worst Condition <sup>3</sup> ☐	Much Worse Than Typical Condition <sup>4</sup> ■	More Or Less Typical Condition <sup>5</sup> ○	Much Better Than Typical Condition <sup>4</sup> ☆	Ideal Or Nearly Ideal Conditions <sup>6</sup> ★
<b>F RRO<sup>2</sup> ZONING FACTOR: Suitability for onsite wastewater systems</b>				
100% of site with Low or Very Low Potential for septic tank leach fields.	More than 50% of site (but less than 95%) with Low Potential for septic tank leach fields.	No more than 50% of site with Low Potential for septic tank leach fields.	More than 50% of site with at least a Moderate Potential for septic tank leach fields.	100% of site with at least a High Potential for septic tank leach fields or positive soil analysis (regardless of soil potential).
<b>G RRO<sup>2</sup> ZONING FACTOR: Availability of water supply</b>				
In the area with suspected problems of groundwater availability near existing wells which have experienced reliability problems and for which no investigations have proven otherwise.	An area with suspected problems of groundwater availability and for which no investigations have proven otherwise.	Reasonable confidence of water availability (area with no suspected problems of groundwater availability) and no reason to suspect impact on neighboring wells.		Virtual certainty of water availability (i.e., located above the Mahomet-Teays Aquifer) or anywhere that investigations indicate availability with no significant impact on existing wells.
<b>H RRO<sup>2</sup> ZONING FACTOR: The availability of emergency services<sup>7</sup></b>				
Located more than five road miles from a fire station within the district with an intervening railroad crossing with heavy rail traffic.	Located more than five road miles from a fire station within the district.	Located about five road miles from a fire station within the district.	Located between two-and-half and five road miles from a fire station within the district.	Located less than two-and-half road miles from the fire station within the district and with no intervening railroad grade crossings. <sup>5</sup>
<b>I RRO<sup>2</sup> ZONING FACTOR: Flood hazard status</b>				
Every lot is entirely within the SFHA (based on actual topography) as is the road that provides access.	Some of the proposed lots and parts of the road that provide access are in the SFHA.  Some lots may require fill to have adequate buildable area above the BFE.	Small portions of the site may be in the SFHA but all lots have adequate buildable area outside of the SFHA.		No part of the proposed site nor the roads that provide emergency access are located in the Special Flood Hazard Area (SFHA, which is the 100-year floodplain).

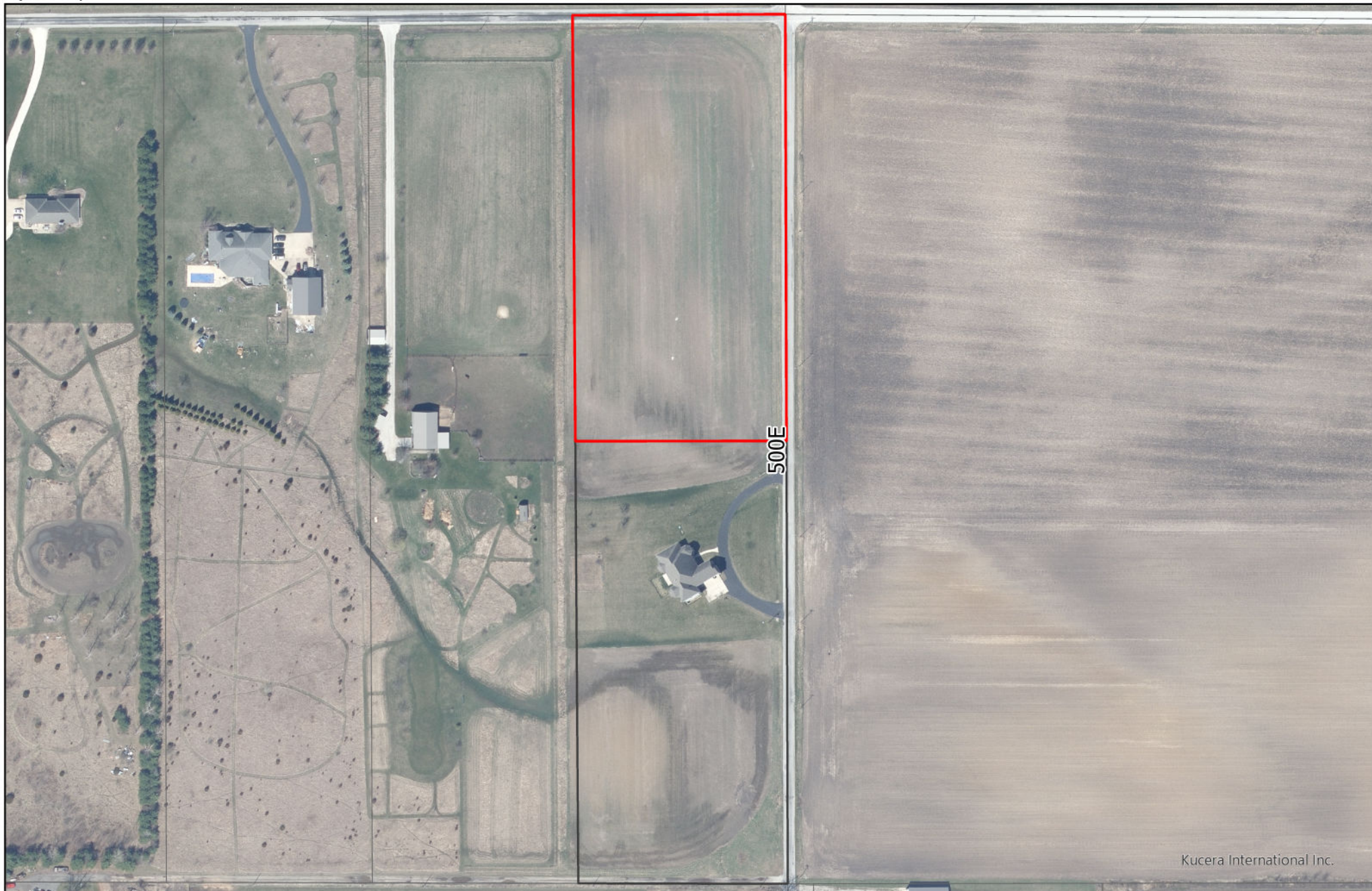
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<b>J RRO<sup>2</sup> ZONING FACTOR: Effects on wetlands, historic or archeological sites, natural or scenic areas, and/or wildlife habitat</b>				
Significant negative effects for more than one concern.		Archaeological concerns may apply to a small part of the site but in general no negative effects. <sup>6</sup>		Nothing present to be concerned about.
<b>K RRO<sup>2</sup> ZONING FACTOR: The presence of nearby natural<sup>8</sup> or manmade hazards</b>				
More than one man-made hazard is present or adjacent to the site.  Access roads from fire protection station are prone to snow drifts.	One or more man-made hazards are present or adjacent to the site.  Access roads from fire protection station are prone to snow drifts.	It is not unusual for a site to be close to some kind of hazard such as a pipeline, high tension electrical transmission lines, or railroad tracks.  Snow drifts may block access from fire protection station.	Not close to any man-made hazard although snow drifts may block access from fire protection station.	Not close to any man-made hazard and relatively close to urbanized areas.
<b>L RRO ZONING FACTOR: The amount of land to be converted from agricultural USES versus the number of DWELLING UNITS to be accommodated.</b>				
More than a few higher acreage residential lots converted from ag land  Sparse distribution of converted residential areas affecting many agricultural lands		A few residential lots of varying densities converted from ag land  Mix of lot sizes affecting both agricultural and near-urban areas, mix of prime and not prime soils		No more than a few lower acreage residential lots converted from ag land  Compact development of residential areas closer to urban areas and/or on less than prime farmland

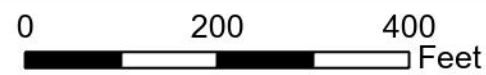
**Table Of Common Conditions Influencing the Suitability of Locations  
for Rural Residential Development In Champaign County**

<p align="center"><b>Worst Or Nearly Worst Condition<sup>3</sup></b></p> <p align="center">☐</p>	<p align="center"><b>Much Worse Than Typical Condition<sup>4</sup></b></p> <p align="center">■</p>	<p align="center"><b>More Or Less Typical Condition<sup>5</sup></b></p> <p align="center">○</p>	<p align="center"><b>Much Better Than Typical Condition<sup>4</sup></b></p> <p align="center">☆</p>	<p align="center"><b>Ideal Or Nearly Ideal Conditions<sup>6</sup></b></p> <p align="center">★</p>
<p>NOTES</p> <p>1. Five different “typical” conditions are identified that are representative of the range of conditions that exist in Champaign County. The characterization of these conditions are based solely on the opinions of County Staff.</p> <p>2. RRO= Rural Residential Overlay</p> <p>3. The WORST conditions are based on the worst possible conditions <u>for each factor</u> that can be found in rural Champaign County regardless of the amount of land that might be available and regardless of whether or not any individual site would likely ever combine “worst” ratings on all factors.</p> <p>4. MUCH WORSE THAN TYPICAL and MUCH BETTER THAN TYPICAL conditions are Staff judgements.</p> <p>5. Where possible, TYPICAL Champaign County rural residential development site conditions are based on averages for the entire County. For example, the overall average Land Evaluation is for all of the land in the County. Some factors are based on a review of data for all major rural subdivisions (such as the gross average lot size). Differences in water availability are localized and not averaged over the entire County.</p> <p>6. The IDEAL Champaign County rural residential development site conditions are based on the best possible conditions <u>for each factor</u> that can be found in rural Champaign County regardless of the amount of land that might be available and regardless of whether or not any individual site would likely ever combine “ideal” ratings on all factors.</p> <p>7. Ambulance service can presumably be further than five miles distance and be acceptable. <i>NO STANDARD OF COMPARISON IS PROPOSED FOR EMERGENCY AMBULANCE SERVICE.</i></p> <p>8. Any location in the County is subject to natural hazards such as tornadoes, freezing rain, etc.</p>				

Annotated 2023 Aerial  
Case 198-AM-26, 199-S-26 & 200-V-26  
April 30, 2026



 Proposed 5.09-acre parcel



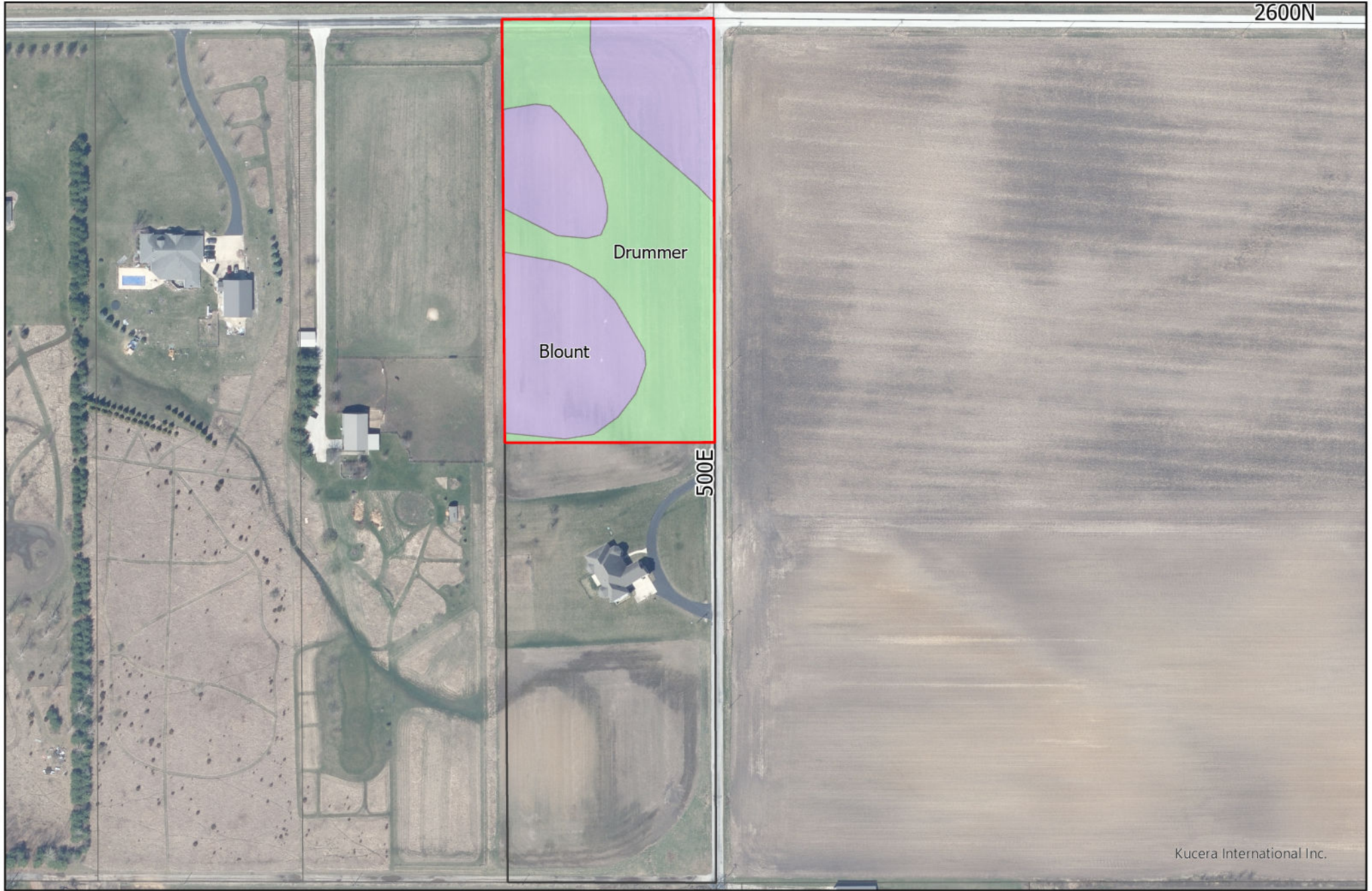
Kucera International Inc.



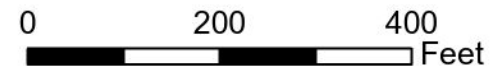
# Annotated 2023 Aerial with Soils

Case 198-AM-26 ,199-S-26 & 200-V-26

April 30, 2026



 Proposed 5.09-acre parcel



Kucera International Inc.





RECEIVED

FEB 12 2026

CHAMPAIGN CO. P & Z DEPARTMENT

Precision Engineering Group, Inc.  
PO Box 784  
Champaign, IL 61824

01/23/2026

Champaign County Board  
Scott M. Bennett Administrative Center  
102 E. Main Street  
Urbana, IL 61801  
217-384-3708

To Whom It May Concern,

Mr. Duda's property consists of 10.18 acres and has an average slope of approximately 0.6% from the North property line to the South property line, as shown on the attached Plat of Survey. Water leaves the property to the South, eventually entering a small stream that leads to the Sangamon River. Significant ponding of water is not a concern due to consistent slopes and lack of low spots. The additional runoff created by roof area, sump pumps, etc. of the additional lot and the home that will occupy it is negligible when considering the large lot size for the water to naturally percolate into the soil.

Sincerely,

Mark Miller, P.E.  
President  
Precision Engineering Group, Inc.

RESOLUTION NO. 3425

A RESOLUTION PERTAINING TO THE  
RIGHT TO FARM IN CHAMPAIGN COUNTY

WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and

WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and

WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Chairman and the Board of Champaign County as follows:

1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.

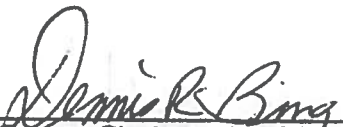
2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.

3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.

4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 24<sup>th</sup> day of May, A.D., 1994.

  
\_\_\_\_\_  
Chairman, County Board of the  
County of Champaign, Illinois

ATTEST:   
\_\_\_\_\_  
County Clerk and Ex-Officio  
Clerk of the County Board

**Champaign County**  
**Soil & Water Conservation District**

2110 W Park Court – Suite C

Champaign, IL 61821

217-352-3536 Ext 3



[www.ccswcd.com](http://www.ccswcd.com)

**March 31, 2026**

Patrick Duda  
2595 CR 500 E  
Mahomet, IL 6185

Re: Natural Resource Information Report  
Location: T21N R7E Sec. 26  
NRI#: 2026-03-01  
Zoning: No Change

Dear Patrick Duda:

The Champaign Soil & Water Conservation District (CCSWCD) has reviewed your application for a Natural Resource Information Report (NRI) for the following property:

Due to the size of the parcel and/or minimal soil disturbance from construction, the CCSWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full NRI Report will not be necessary, however we would recommend that the following resources on or near the property boundary be considered:

No wetlands or floodplains were found on the site from office maps (see attached). However, it is important to note that there are hydric soils found within the survey area. Our inventories are for informational and planning purposes only. Any proposed drainage work, in wet areas, requires a certified wetland delineation. If drainage work is to occur, please contact the Army Corps of Engineers and Champaign County Department of Planning & Development for permit information.

This letter fulfills your requirement to notify the CCSWCD of land use changes as per the Illinois Compiled State Statutes, Illinois Revised Statutes, and the Champaign County policy. If you have any questions concerning this letter, feel free to call our office at the number listed above.

Sincerely,

Natalie Sutton  
Resource Conservationist



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov

March 30, 2026

- Wetlands**
- Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Other
  - Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# National Flood Hazard Layer FIRMette



88°22'16"W 40°15'17"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

88°21'39"W 40°14'50"N

Basemap Imagery Source: USGS National Map 2 023

## Legend

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

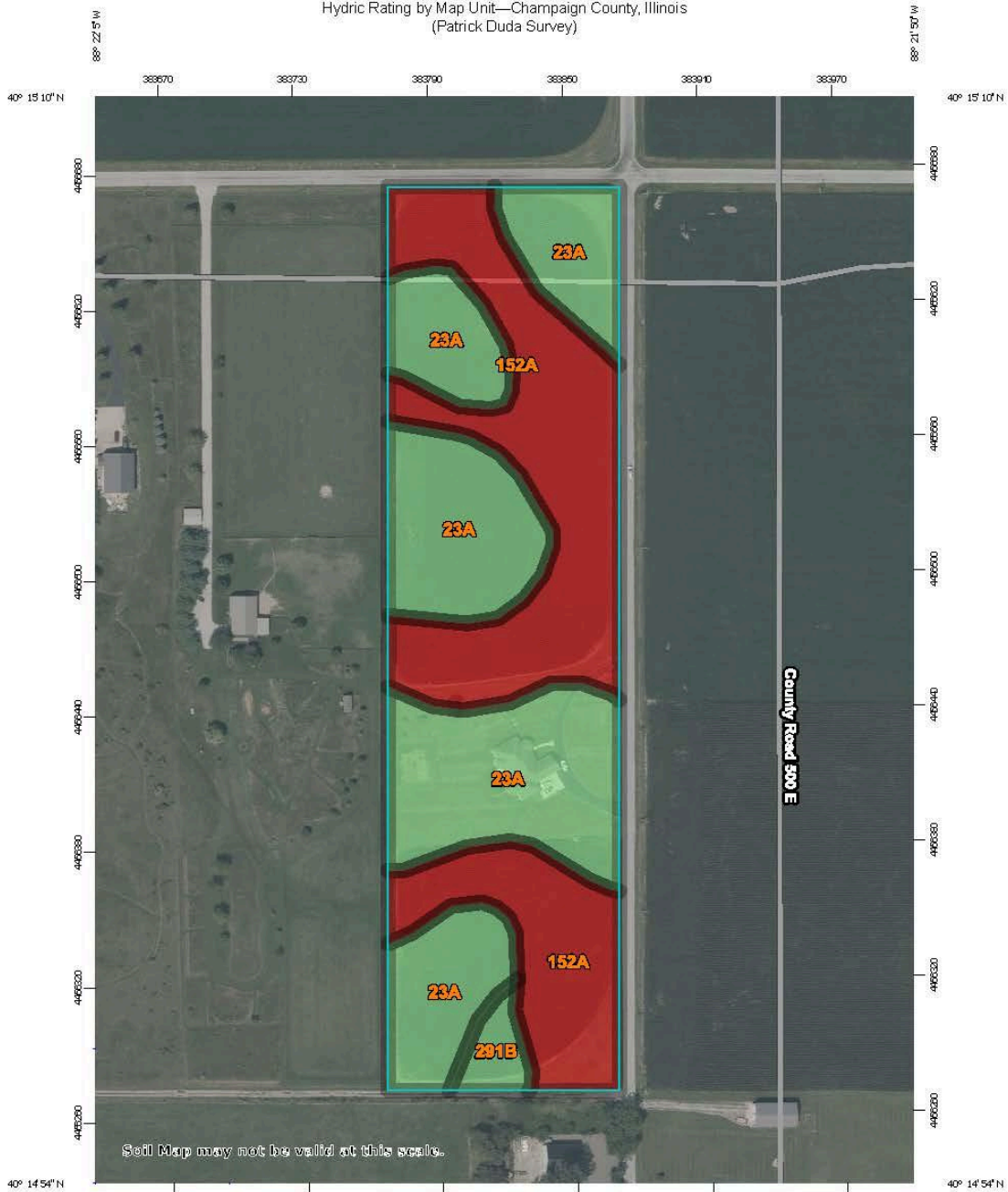
<b>SPECIAL FLOOD HAZARD AREAS</b>	<ul style="list-style-type: none"> <li>Without Base Flood Elevation (BFE) Zone X, Zone D</li> <li>With BFE or Depth Zone AE, AO, AH, VE, AR</li> <li>Regulatory Floodway</li> </ul>
<b>OTHER AREAS OF FLOOD HAZARD</b>	<ul style="list-style-type: none"> <li>0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X</li> <li>Future Conditions: 1% Annual Chance Flood Hazard Zone X</li> <li>Area with Reduced Flood Risk due to Levee. See Notes. Zone S</li> <li>Area with Flood Risk due to Levee Zone D</li> </ul>
<b>OTHER AREAS</b>	<ul style="list-style-type: none"> <li>NO SCREEN Area of Minimal Flood Hazard Zone X</li> <li>Effective LOMRs</li> <li>Area of Undetermined Flood Hazard Zone D</li> </ul>
<b>GENERAL STRUCTURES</b>	<ul style="list-style-type: none"> <li>Channel, Culvert, or Storm Sewer</li> <li>Levee, Dike, or Floodwall</li> </ul>
<b>OTHER FEATURES</b>	<ul style="list-style-type: none"> <li>Cross Sections with 1% Annual Chance Water Surface Elevation</li> <li>Coastal Transect</li> <li>Base Flood Elevation Line (BFE)</li> <li>Limit of Study</li> <li>Jurisdiction Boundary</li> <li>Coastal Transect Baseline</li> <li>Profile Baseline</li> <li>Hydrographic Feature</li> </ul>
<b>MAP PANELS</b>	<ul style="list-style-type: none"> <li>Digital Data Available</li> <li>No Digital Data Available</li> <li>Unmapped</li> </ul> <p>The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</p>

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

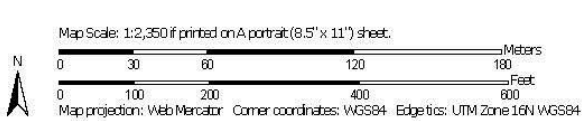
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was reported on 3/30/2028 at 4:31 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

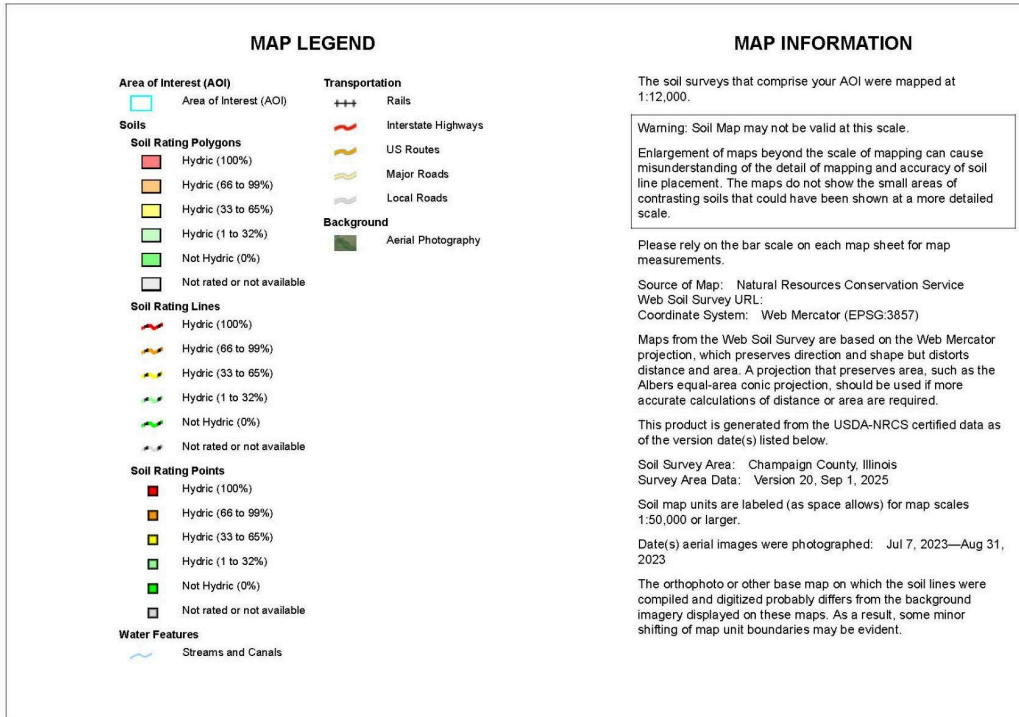
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Hydric Rating by Map Unit—Champaign County, Illinois  
(Patrick Duda Survey)



Soil Map may not be valid at this scale.





## Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
23A	Blount silt loam, Lake Michigan Lobe, 0 to 2 percent slopes	4	5.4	52.5%
152A	Drummer silty clay loam, 0 to 2 percent slopes	100	4.6	45.0%
291B	Xenia silt loam, Bloomington Ridged Plain, 2 to 5 percent slopes	6	0.3	2.5%
<b>Totals for Area of Interest</b>			<b>10.2</b>	<b>100.0%</b>



## Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

### References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.



Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

### **Rating Options**

*Aggregation Method:* Percent Present

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Lower



## SITE ASSESSMENT (SA) WORKSHEET

<b>1</b>	What size is the subject site?	More than 25 acres 20.1 to 25 acres 15.1 to 20 acres 10.1 to 15 acres 5.01 to 10 acres 5 acres or less	10 points 8 points 6 points 4 points 2 points 0 points	_____
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**Factor 1** considers that the size of the subject site has an impact on its long-term viability for agricultural purposes. The factor recognizes that the predominant row crop form of agriculture is generally more efficiently farmed on larger sites.

**Scoring Factor 1:** Determine the area of the subject site based on current Champaign County Assessor Office tax parcel size data or on a legal description of the subject site.

<b>2a</b>	Is the subject site Best Prime Farmland?	Yes No	30 points 0 points	_____
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**Factor 2a** assigns value to a subject site if it is designated as Best Prime Farmland, consistent with the *Champaign County Land Resource Management Plan* goals, objectives and policies.

An estimated 96.6% of the County consists of Prime Farmland soils. “Best Prime Farmland” is a subset of Prime Farmland soils identified by Champaign County in order to differentiate among Prime Farmland soils. The definition of ‘Best Prime Farmland’ is provided in the *Champaign County Zoning Ordinance*.

**Scoring Factor 2a:** Refer to the LE score of the subject site and to the “Best Prime Farmland” definition in the *Champaign County Zoning Ordinance*.

<b>2b</b>	If the subject site is Best Prime Farmland, which one of the following statements is correct: (1) The subject site is 15% or less of a larger real estate tax parcel (or multiple parcels) that existed on January 1, 2004. (Yes 0 points) (2) The subject site is larger than 15% of a larger real estate tax parcel (or multiple parcels) that existed on January 1, 2004. (Yes 10 points) (3) The subject site was not part of a larger tax parcel or parcels on January 1, 2004, and is 25 acres or less. (Yes 0 points ) (4) The subject site was not part of a larger tax parcel or parcels on January 1, 2004, and is larger than 25 acres. (Yes 10 points)	10 points	_____
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**Factor 2b** assigns value to a subject site if it exceeds the lot size and configuration limits noted. The 15% limit and 25-acre lot size limit featured are arbitrary values selected to represent the general concern about the conversion and loss of best prime farmland. The *Champaign County Zoning Ordinance* has included a maximum lot size limit on Best Prime Farmland since July, 2004.

**Scoring Factor 2b:** Review subject site size and configuration based on Champaign County parcel identification tax maps for the year 2004 (also referred to as the 27<sup>th</sup> Edition of the Champaign County tax map atlas).

## SITE ASSESSMENT (SA) WORKSHEET

<b>2c</b>	<p>If the subject site is not Best Prime Farmland and is at least 51% Prime Farmland, which one of the following statements is correct:</p> <p>(1) The subject site is larger than 25 acres. (Yes 10 points)</p> <p>(2) All of the following statements are true:</p> <p style="margin-left: 20px;">i. The subject site is part of a larger parcel that existed on April 12, 2011.</p> <p style="margin-left: 20px;">ii. Since April 12, 2011, a separate portion or portions of that larger parcel have been converted to a non-agricultural use as the result of a rezoning or special use.</p> <p style="margin-left: 20px;">iii. In total, the area of the subject site and those areas converted to a non-agricultural use (as identified in item ii. above) is larger than 25 acres. (Yes 10 points)</p> <p>(3) Neither (1) or (2) above apply to the subject site. (Yes 0 points)</p>		
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**Factor 2c** assigns value to a subject site which is not Best Prime Farmland but which consists of at least 51% Prime Farmland and exceeds a 25-acre lot size and configuration as of April 12, 2011. The 25-acre size threshold is an arbitrary value selected to represent the general concern about the conversion and loss of Prime Farmland.

This factor awards 10 points to a subject site if it would result in conversion of more than 25 acres of Prime Farmland, or if the subject site would cumulatively contribute to the conversion of more than 25 acres of Prime Farmland on a larger parcel existing as of April 12, 2011.

**Scoring Factor 2c:** Assess whether the soils on the subject site are comprised of at least 51% Prime Farmland based on the 'Farmland Classification' column of Table A in Appendix A.

Review the lot size and configuration based on Champaign County parcel identification tax maps and digital orthophotography as of April 12, 2011. (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.)

<b>3</b>	Is the subject site located within the Contiguous Urban Growth Area?	no yes	40 points 0 points	_____
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**Factor 3** is a general measure of development pressures which tend to support the conversion of agricultural sites to urban uses.

The 'Land Use Management Areas Map' of the *Champaign County Land Resource Management Plan* specifies the location of the 'Contiguous Urban Growth Area' (CUGA). CUGA is land designated for non-agricultural land use, and consists of:

- land designated for urban land use on the future land use map of an adopted municipal comprehensive land use plan, intergovernmental plan or special area plan, and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near-to mid-term (within approximately five years);
- land to be annexed by a municipality and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near-to mid-term (within approximately five years); or
- land surrounded by incorporated land or other urban land within the County.

**Scoring Factor 3:** Review the CUGA boundaries of the current *Champaign County Land Resource Management Plan* "Land Use Management Map".

**If the subject site is located within the CUGA, skip the remaining SA Factor questions and indicate a total SA score for only SA Factors 1, 2 and 3 at the end of the SA Worksheet.**

## SITE ASSESSMENT (SA) WORKSHEET

Continue to answer the following SA Factor questions only if the subject site is located outside the CUGA . . .

<b>4</b>	<p>Amount of the perimeter of a subject site that is adjacent to parcels with a principal use of agriculture.</p> <p>a) If the subject site is Best Prime Farmland and/or at least 51% Prime Farmland, the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture that existed on April 12, 2011.</p> <p>b) If the subject site is less than 51% Prime Farmland, the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture.</p>	<p>91 to 100% of perimeter 81 to 90% of perimeter 71 to 80% of perimeter 61 to 70% of perimeter 51 to 60% of perimeter 41 to 50% of perimeter 31 to 40% of perimeter 21 to 30% of perimeter 11 to 20% of perimeter 1 to 10% of perimeter none</p> <p style="text-align: center;">1394/3294=42%</p>	<p>20 points 18 points 16 points 14 points 12 points 10 points 8 points 6 points 4 points 2 points 0 points</p>	
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**Factor 4** assesses the amount of the perimeter of the subject site that is adjacent to parcels that have the principal use of agriculture. The assessment is made based on principal use of each parcel that is adjacent to the subject site. The principal use of a parcel (as used in the *Champaign County Zoning Ordinance*) represents the main use for which a lot is intended.

Additionally, for a subject site that is Best Prime Farmland and/or at least 51% Prime Farmland, Factor 4 includes the provision to not recognize any adjacent non-agricultural principal use established after a set date of April 12, 2011 (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.) This measure is intended to partially address the problem referred to as ‘creeping effect’ whereby case-by-case land use decisions may lower LESA scores on nearby sites, thereby justifying more land conversion decisions.

More points are assigned to a subject site that is surrounded by parcels with the principal use of agriculture.

**Scoring Factor 4:** Measure the perimeter of the subject site adjacent to parcels with a principal use of agriculture.

Defined terms relevant to the scoring of this factor include:

**AGRICULTURE:** 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.

**FARM DWELLING:** A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

**PRINCIPAL USE:** As used in the *Champaign County Zoning Ordinance*, the main purpose for which land is designed, arranged, intended, or for which it is or may be occupied or maintained. (The primary purpose of a lot may not necessarily be the largest use on the lot in terms of the area of the lot that is occupied by that use and it may not necessarily be the use that generates the most income for the person who owns or resides on the lot.)

## SITE ASSESSMENT (SA) WORKSHEET

**Guidelines for measuring perimeter of subject site adjacent to parcels with principal use of agriculture:**

Adjacent property is property that touches or that is directly across a street, highway or interstate right-of-way or a rail road right-of-way from a subject site.

Measure the perimeter of the subject site that is adjacent to parcels that have a principal use of agriculture. Parcels with a principal use of agriculture are generally as follows:

- a. Any parcel that is 35 acres or larger whether or not there is a dwelling, with the exceptions noted below.
- b. Parcels that are less than 35 acres in area and that either have a farm dwelling or have no dwelling, with the exceptions noted below.
- c. Exceptions to the above are the following:
  - (1) Any parcel that is inside an incorporated municipality.
  - (2) Any parcel that is zoned Residential, Business, or Industrial on the Champaign County Zoning Map and contains a non-agricultural principal use.
  - (3) Any parcel or portion of a parcel on which a Special Use has been approved by the County except for a Rural Specialty Business or greenhouse.
  - (4) Institutional land that is not specifically used for production agriculture such as land owned by the University of Illinois but not in agricultural production or land owned by the Champaign County Forest Preserve District that is not in agricultural production.
  - (5) Any parcel or portion of a parcel considered as nonconforming use, as defined in the *Champaign County Zoning Ordinance*.

<b>5</b>	Distance from the subject site to the nearest city or village limits.	more than 3 miles 1.51 to 3 miles within 1.5 miles adjacent	15 points 10 points 5 points 0 points	<input style="width: 100%; height: 100%;" type="text"/>
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**Factor 5** awards higher points the further a subject site is from a city or village. Factor 5 is based on the general assumption that the further the subject site is from a municipality, the less chance there is of a nearby land use or development that would conflict with the agricultural land use of that subject site.

**Scoring Factor 5:** Measure outward from the property lines of the subject site to the nearest municipal boundary.

<b>6</b>	The highest percentage of the subject site in agricultural production in any of the last 5 years.	80 to 100% 60 to 79% 40 to 59% 20 to 39% less than 20%	15 points 11 points 7 points 3 points 0 points	<input style="width: 100%; height: 100%;" type="text"/>
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**Factor 6** is intended to serve as a general indicator of the agricultural viability of a subject site.

**Scoring Factor 6:** Based on the most recent five years of annual digital orthophotography, estimate the highest percentage of area of the subject site in agricultural production. To obtain accurate information, the scoring of Factor 6 may additionally require a field site inspection, windshield survey of the subject site, or landowner interview.

Defined terms relevant to the scoring of this factor include:

**AGRICULTURAL PRODUCTION:** The growing, harvesting, and storing of crops and the keeping, raising, and feeding of livestock or poultry and the buildings and land used in those activities, including:

## SITE ASSESSMENT (SA) WORKSHEET

- any farm dwelling,
- land taken out of production for purposes of government-sponsored agricultural programs, or
- land being used productively, such as woodlands for which there is a plan for managing the timber.

**FARM DWELLING:** A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

***Guidelines for estimating percentage of subject site in agricultural production in any of the last 5 years***

Based on review of digital orthophotography of the subject site for the most recent five years,

- a. If there is no structure on the subject site and the subject site appears to be in crop land, then count the entire subject site as in agricultural production.
- b. If only a street or road improvement is present on the subject site, and no wooded area is present on the subject site, then count the entire subject site as in agricultural production.
- c. Unless information is available to indicate otherwise,
  - (1) If the subject site is 35 acres or larger and has both a dwelling and what appears to be crop land, then count the entire site as agricultural production.
  - (2) If the subject site is less than 35 acres and has both a dwelling and what appears to be crop land, then count all of the subject site-- except for one acre, inclusive of the dwelling – as in agricultural production. The one acre will be assumed to contain the well, septic system, and any non-agricultural outbuildings.
- d. A part of the subject site that appears not to be crop land may be counted as in agricultural production only provided the landowner indicates that part of the subject site was or is not in production due to participation in a government-sponsored agricultural program, or due to implementation of a crop management plan.

<b>7</b>	Percentage of land zoned AG-1 Agriculture, AG-2 Agriculture or CR Conservation-Recreation within 1 mile of subject site.	91 to 100%	10 points	
		81 to 90%	9 points	
		71 to 80%	8 points	
		61 to 70%	7 points	
		51 to 60%	6 points	
		41 to 50%	5 points	
		31 to 40%	4 points	
		21 to 30%	3 points	
		11 to 20%	2 points	
		1 to 10%	1 points	
none	0 points			

**Factor 7** measures the amount of land in the one-mile area surrounding the subject site zoned AG-1 Agriculture, AG-2 Agriculture, or CR Conservation-Recreation. These are the rural zoning districts within the County.

More points are assigned to a higher percentage of land zoned AG-1, AG-2, or CR within one mile of the subject site because:

- rural zoning districts are intended for agricultural land uses, and
- land within these districts is subject to use restrictions and limits on the density and location of non-agricultural land uses.

**Scoring Factor 7:** Measure the area zoned AG-1, AG-2, and CR outward one mile from the property lines of the subject site.

## SITE ASSESSMENT (SA) WORKSHEET

<b>8</b>	Percentage of area within 1 mile of a subject site which consists of parcels with a principal use of agriculture.	91 to 100%	20 points	
		81 to 90%	18 points	
		71 to 80%	16 points	
	a) If the subject site is Best Prime Farmland and/or at least 51% Prime Farmland, the percentage of area within one mile of the subject site which consists of parcels with a principal use of agriculture that existed on April 12, 2011.	61 to 70%	14 points	
		51 to 60%	12 points	
		41 to 50%	10 points	
		31 to 40%	8 points	
		21 to 30%	6 points	
		11 to 20%	4 points	
	b) If the subject site is less than 51% Prime Farmland, the percentage of area within one mile of the subject site which consists of parcels with a principal use of agriculture.	1 to 10%	2 points	
		none	0 points	

**Factor 8** is a major indicator of the agricultural character of the general area, based on the assumption that areas in the County dominated by agriculture are generally more viable for farm purposes. The assessment is made based on the principal use of parcels located within one mile of the subject site. The principal use of a parcel (as used in the *Champaign County Zoning Ordinance*) represents the main use for which a lot is intended.

Additionally, for a subject site that is Best Prime Farmland and/or at least 51% Prime Farmland, Factor 8 includes the provision to not recognize any non-agricultural principal use established after a set date of April 12, 2011 within one mile of the subject site except for development that has been annexed by a municipality. (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.) This measure is intended to partially address the problem referred to as ‘creeping effect’ whereby case-by-case land use decisions may lower LESA scores on nearby sites, thereby justifying more land conversion decisions.

More points are assigned to a subject site with a greater percentage of area within one mile consisting of parcels with the principal use of agriculture.

**Scoring Factor 8:** Estimate the area of land within a one-mile distance outward from the property lines of the subject site that consists of parcels with the principal use of agriculture.

The defined terms shown below generally form the basis on which this factor is scored:

**AGRICULTURE:** 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.

**FARM DWELLING:** A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

**PRINCIPAL USE:** As used in the *Champaign County Zoning Ordinance*, the main purpose for which land is designed, arranged, intended, or for which it is or may be occupied or maintained. (The primary purpose of a lot may not necessarily be the largest use on the lot in terms of the area of the lot that is occupied by that use and it may not necessarily be the use that generates the most income for the person who owns or resides on the lot.)

## SITE ASSESSMENT (SA) WORKSHEET

**Guidelines for estimating area within one mile of subject site consisting of parcels with principal use of agriculture:**

Generally identify parcels with a principal use of agriculture as follows:

- a. Any parcel that is 35 acres or larger whether or not there is a dwelling, with the exceptions noted below.
- b. Parcels that are less than 35 acres in area and that either have a farm dwelling or have no dwelling, with the exceptions noted below.
- c. Exceptions to the above are the following:
  - (1) Any parcel that is inside an incorporated municipality.
  - (2) Any parcel that is zoned Residential, Business, or Industrial on the Champaign County Zoning Map and contains a non-agricultural principal use.
  - (3) Any parcel or portion of a parcel on which a Special Use has been approved by the County, except for a Rural Specialty Business or greenhouse.
  - (4) Institutional land that is not specifically used for production agriculture such as land owned by the University of Illinois but not in agricultural production, or land owned by the Champaign County Forest Preserve District that is not in agricultural production.
  - (5) Any parcel or portion of a parcel considered as nonconforming use, as defined in the *Champaign County Zoning Ordinance*.

<b>9</b>	What is the distance from the subject site to the nearest 10 non-farm dwellings?	more than 1 mile	20 points	
		0.76 to 1 mile	18 points	
		0.51 to 0.75 mile	16 points	
		0.26 to 0.50 mile	14 points	
		0.01 to 0.25 mile	12 points	
		adjacent	0 points	

**Factor 9** considers the proximity of the nearest 10 non-farm dwellings as a general indicator of an existing land use incompatibility with production agriculture and an incompatibility with livestock facilities vis-a-vis the *Illinois Livestock Management Facilities Act* (510 ILCS 77/ et seq.)

In Champaign County, it is generally assumed that a dwelling located on a lot less than 35 acres is a non-farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates that a dwelling is part of on-site agricultural operations or otherwise qualifying as a farm dwelling.

The defined term for Non-Farm Dwelling is shown below:

**NON-FARM DWELLING:** A dwelling that is not occupied by a farm owner or operator, tenant farm worker, or hired farm worker.

**Scoring Factor 9:** Measure the linear distance outward from the closest point on the property line of the subject site to the façade of the tenth nearest non-farm dwelling.

## SITE ASSESSMENT (SA) WORKSHEET

<b>10</b>	a) How close is the subject site to a known livestock management facility of 400 or more animal units?  <i>Answer Parts b or c) <u>only</u> if the subject site is more than 1 mile from a known livestock management facility of 400 or more animal units.</i>	adjacent to 0.25 mile 0.26 to 0.5 mile 0.51 to 0.75 mile 0.76 to 1 mile more than 1 mile	10 points 9 points 8 points 7 points n/a	_____
	b) How close is the subject site to a known livestock management facility of 200 - 399 animal units?  <i>Answer Part c) <u>only</u> if the subject site is more than 1 mile from a known livestock management facility of 200-399 animal units.</i>	adjacent to 0.25 mile 0.26 to 0.5 mile 0.51 to 0.75 mile 0.76 to 1 mile more than 1 mile	7 points 6 points 5 points 4 points n/a	
	c) How close is the subject site to a known livestock management facility of 50 – 199 animal units?	adjacent to 0.25 mile 0.26 to 0.5 mile 0.51 to 0.75 mile 0.76 to 1 mile more than 1 mile	4 points 3 points 2 points 1 point 0 points	

**Factor 10** is a measure of the compatibility of the subject site for continued agricultural use based on its proximity to an existing nearby livestock management facility. More points are assigned to a subject site in closer proximity to a known livestock management facility.

**Scoring Factor 10:** A response may be based on data available from the Livestock Management Facilities Program, Illinois Department of Agriculture, actual site inspection, and/or landowner interview. The maximum points possible for this factor is 10 points.

This is a 3-part factor. Part a) measures proximity of a subject site to a livestock management facility of 400 or more animal units. If the subject site is located more than one mile from such facility, then respond to Part b). Part b) measures proximity of a subject site to a livestock management facility of 200-399 animal units. If the subject site is located more than one mile from such facility, then respond to Part c).

<b>SA Total Score</b>	_____
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### CALCULATING THE TOTAL LESA SCORE

The total LESA score is the sum of the LE points and SA points for a particular site or parcel. The maximum total LESA score possible for a site is 300 points.\*

LE Total	_____
SA Total	_____
Total LESA Score	_____

The higher the total LESA score, the more highly rated the subject site or parcel is to be protected for continued agricultural use. The total LESA score of a site signifies a rating for protection of the subject site or parcel as follows:

251 – 300	very high rating for protection
226 – 250	high rating for protection
151 – 225	moderate rating for protection
150 or below	low rating for protection

The maximum LE score possible for a site is 100 points.  
 The maximum SA score possible for a site is 200 points.

## 200-V-26 Site Images



**From 500E looking west toward subject property**



**From 500E at the southwest corner of subject property looking northwest**

## 200-V-26 Site Images



**From intersection of 500e and 2600N looking southwest toward subject property**



**From 2600N looking west along subject property**

## 200-V-26 Site Images



**From 500E looking north along subject property**



**From 2600N looking south toward subject property**

**Charles W. Campo**

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**From:** Jill Rogers <jillrogers1001@gmail.com>  
**Sent:** Friday, February 20, 2026 12:15 PM  
**To:** Lori Busboom  
**Cc:** zoningdept  
**Subject:** Objection to Re-Zoning and Subdivide request for: 2595 County Road 500E, Mahomet IL 61853

**CAUTION:** External email, be careful when opening.

Dear Lori,

Thank you for taking the time week before last to discuss our concerns about the attempted division of our adjoining neighbors' property at 2595 CR 500E in Mahomet. Our property is at 491 County Road 2600N.

I am writing to you today to voice our objections and concerns as their request makes its way through your departments.

We purchased our 10-acre parcel in 2007, after being relocated to the area. We were thrilled to find this land, as it had been a dream for many years. One of the deciding factors for choosing this parcel was the fact that it was undividable, according to our realtor, the broker and the county at the time. This ensured the area would stay farm-like, quiet, private and beautiful. We would not see houses popping up like subdivisions and the area would feel rural as intended.

The Duda's built their home several years following the purchase of our property. During this time, we spent many hours trying to determine the cost to build from scratch on our own parcel. It became apparent the cost to build would likely never provide a return on our investment and we would lose value on the land, so we stayed in the home we had recently purchased. Instead, we moved forward fixing up the property to include driveway, electric, well, fencing, pasures, shed for our two horses, over 100 trees and now a portable building for all the stray cats who show up. It's been an amazing escape that we enjoy every day, year round. We savor the views, the quiet, the wildlife, and the privacy it affords. Everyone who lives on that Dunlap stretch seems to be in step with this lifestyle.

We are very friendly with the Duda's and we have all been wonderful neighbors to each other. In other words, this is in no way personal. They have made the decision to leave the state and move back to Utah near their family. They placed their home and 10 acres on the market and got no offers in 2024. It was on the market for a very long time, long into 2025. They took it off the market to regroup and find a new realtor this year. Prior to this, Patrick Duda had mentioned to us they were trying to divide it. This was immediately concerning to us, so we called the Planning Commission, at which time we were informed that no request had yet been submitted and that it was unlikely to be approved.

Fast forward to early February 2026. The new listing appeared in my inbox with a price reduction and much to our surprise, it was listed as a 5-acre parcel, not 10. This is when I called you to find out what was going on. You reported that no application had yet been submitted. After seeing a recent survey happening, we feel the application is imminent.

We are upset by this development, as we feel the Dudas are merely doing this to maximize their profits and recoup money after realizing they overbuilt on their land. This mistake should not affect the rest of the neighborhood and especially not the people right next door. We trusted what we were told when we purchased our land: It was not dividable. No one else has attempted to divide their land on the previous Dunlap properties. One of our big concerns, aside from how this immediately affects and in our opinion diminishes the value and aesthetic of our property, is the precedent it will create as someone else decides to sell and needs extra money as they go. We also fear it could cause others to simply sell their extra acreage and let houses spring up everywhere.

Since we spoke, the Duda's house has gone pending with the 5 acres. The new buyer (it's a small town) has been told the Duda's plan to continue "farming" their remaining acreage and this is the reason they want to keep/divide it. We feel this is false. They are not farmers, they have no equipment or desire to farm. They always hired a farmer to farm it for tax benefits it afforded them on their place. We strongly feel this will be the reason they give for dividing the land. This is not long held family property where they are trying to hang on to nostalgia, this is the first step in having it approved to divide. They can then proceed with rezoning to residential and sell it for nearly double. Our thoughts are that their realtor, Nate Evans, told them this is how to succeed.

We kindly ask your consideration for the land owners who are staying and for the value of peace, quiet, privacy, wildlife, investment and views to remain for us to enjoy.

Please do not approve this attempt to divide and sell off their five acres.

Thank you for listening.

Sincerely,

Jill (and Jim) Rogers  
217-552-2122

*PRELIMINARY DRAFT*

**CASES 198-AM-26 & 199-S-26**

**FINDING OF FACT  
AND FINAL DETERMINATION**

**of  
Champaign County Zoning Board of Appeals**

Final Determination: *{RECOMMEND ENACTMENT / RECOMMEND DENIAL}*

Date: *{April 30, 2026}*

Petitioner: **Patrick Duda**

Request: **CASE 198-AM-26**  
**Amend the Zoning Map to allow for the development of one single family residential lot in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District in conjunction with related County Board Special Use Permit Case 199-S-26.**

**CASE 199-S-26**  
**Authorize a Special Use Permit for a Rural Residential Overlay (RRO) Zoning District for one single family residential lot in conjunction with related map amendment Case 198-AM-26 that is also required for an RRO.**

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**FINDING OF FACT FOR CASE 094-AM-23 & SUMMARY OF EVIDENCE FOR CASE 095-S-23**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Patrick Duda owns the subject property.
2. The subject property is one proposed 5.09-acre lot in the Northeast Quarter of the Northeast Quarter of Section 26, Township 21 North, Range 7 East of the Third Principal Meridian, in Newcomb Township, being the north 5.09-acres of an existing 10.18-acre lot at the southwest corner of CR 2600N and 500E with an address of 2595 CR 500E, Mahomet.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
  - A. The subject property is not within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning. Zoned municipalities have protest rights in Map Amendment cases, but do not have protest rights on County Board Special Use Permits.
  - B. The subject property is located within Newcomb Township, which has a Planning Commission. Townships with Plan Commissions receive notification of, and have protest rights in Map Amendment and Variance cases but do not have protest rights on County Board Special Use Permits.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated: **“The present ordinance reduces the allowable proposed acreage to two acres to the property classification of Best Prime Farmland. The Rural Residential Overlay would allow them to divide the tract from 10.18 acres to two 5.09-acre tracts.”**
5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning, the petitioner has indicated: **“This area consists of many tracts raging in size from 1-10 acres, most of which are 5 acres. Approval of the Rural Residential Overlay would be consistent with the surrounding properties.”**
  - A. P&Z Staff note that the AG-1 Agriculture Zoning District allows the single-family residential land use, so there will be no rezoning to a Residential Zoning District. The proposed Map Amendment is only to add the Rural Residential Overlay (RRO) designation to the existing AG-1 Agriculture Zoning District.

***GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY***

6. Land use and zoning on the subject property and in the vicinity are as follows:
  - A. The existing 10.18-acre subject property is currently zoned AG-1 Agriculture, with a proposed single-lot RRO overlay on the north 5.09-acres. The tract is currently in use as residential and agricultural production.
  - B. Land to the north is zoned AG-1 Agriculture and is in agricultural production.
  - C. Land to the east is zoned AG-1 Agriculture and is in agricultural production.

- D. Land to the south is zoned AG-1 Agriculture and is in use as residential and agriculture.
- E. Land to the west is zoned AG-1 Agriculture and is in use as agriculture (horse stable).

**GENERALLY REGARDING THE PROPOSED RRO DISTRICT**

- 7. The Plat of Survey received on February 12, 2026, toward fulfillment of the Schematic Plan requirement indicates the following:
  - A. There is one existing single-family residence.
  - B. The petitioner proposes creating the following tracts:
    - (1) Tract 1, 5.09-acres of vacant land that is currently in agricultural production, this lot would be zoned AG-1 with an RRO overlay;
    - (2) Tract 2, 5.09-acres that contains a single-family residence and approximately 2-acres of land in agricultural production, this lot would remain zoned AG-1.
  - C. Zoning Use Permit 25-08-01 was approved on January 31, 2008, for the construction of a single-family home.
  - D. There are no previous zoning cases for the subject property.

**GENERALLY REGARDING ORDINANCE REQUIREMENTS FOR ESTABLISHING AN RRO DISTRICT**

- 8. Generally regarding relevant requirements from the *Zoning Ordinance* for establishing an RRO District:
  - A. The Rural Residential Overlay (RRO) Zoning District is an overlay zoning designation that is in addition to the pre-existing (underlying) rural zoning. An RRO is established using the basic rezoning procedure except that specific considerations are taken into account in approvals for rezoning to the RRO District.
  - B. The adoption of an RRO requires both a Map Amendment and a County Board Special Use Permit, per paragraph 5.4.3 B. of the *Zoning Ordinance*.
  - C. Paragraph 5.4.3.C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to make two specific findings for an RRO approval:
    - (1) That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
    - (2) That the proposed residential development will or will not be compatible with surrounding agriculture.
  - D. Paragraph 5.4.3 C.2 of the *Zoning Ordinance* requires the Zoning Board of Appeals to consider the following factors in making the required findings:
    - (1) Adequacy and safety of roads providing access to the site;
    - (2) Effects on nearby farmland and farm operations;

- (3) Effects of nearby farm operations on the proposed residential development;
- (4) The Land Evaluation and Site Assessment (LESA) score of the subject site;
- (5) Effects on drainage both upstream and downstream;
- (6) The suitability of the site for onsite wastewater systems;
- (7) The availability of water supply to the site;
- (8) The availability of public services to the site;
- (9) The flood hazard status of the site;
- (10) Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
- (11) The presence of nearby natural or manmade hazards; and
- (12) The amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated.

**FOR THE RRO SPECIAL USE PERMIT  
GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS**

9. Regarding the requested Special Use in the AG-1 Zoning District:
  - A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (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 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;
  - 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 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.
- (6) “LOT LINE, REAR” is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.
- (7) “LOT LINES” are the lines bounding a LOT.
- (8) “OVERLAY” is a DISTRICT that modifies or supplements the standards and requirements of an underlying DISTRICT. Those standards and requirements of the underlying DISTRICT that are not specifically modified by the terms of the OVERLAY DISTRICT remain in full force and effect.
- (9) “PLAT” is a map, plan or layout showing the SUBDIVISION of land and indicating the location and boundaries of individual LOTS.
- (10) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (11) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- (12) “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.
- (13) “SUBDIVISION” is any division, development, or re-subdivision of any part, LOT, area or tract of land by the OWNER or agent, either by LOTS or by metes and bounds, into LOTS two or more in number, for the purpose, whether immediate or future, of conveyance, transfer, improvement, or sale, with the appurtenant STREETS, ALLEYS, and easements, dedicated or intended to be dedicated to public use or for the use of the purchasers or OWNERS within the tract subdivided. The division of land for AGRICULTURAL purposes not involving any new STREET, ALLEY, or other means of ACCESS, shall not be deemed a SUBDIVISION for the purpose of the regulations and standards of this ordinance.
- (14) “SUITED OVERALL” is a discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be SUITED OVERALL if the site meets these criteria:
- a. The site features or site location will not detract from the proposed use;
  - b. The site will not create a risk to health, safety or property of the occupants, the neighbors or the general public;
  - c. The site is not clearly inadequate in one respect, even if it is acceptable in other respects;
  - d. Necessary infrastructure is in place or provided by the proposed development; and
  - e. Available public services are adequate to support the proposed development effectively and safely.
- (15) “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.
- (16) “WELL SUITED OVERALL” is a discretionary review performance standard to describe the site on which a development is proposed. A site may be found WELL SUITED OVERALL if the site meets these criteria:
- a. The site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public; and
  - b. The site is reasonably well-suited in all respects and has no major defects.
- B. Subsection 6.1 contains standard conditions that apply to all SPECIAL USES, standard conditions that may apply to all SPECIAL USES, and standard conditions for specific types of SPECIAL USES. Relevant requirements from Subsection 6.1 are as follows:

- (1) Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
  - a. All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
  - b. No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
  - c. Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.
  - d. The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
  - e. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
  
- C. Section 9.1.11 requires that a Special Use Permit shall not be granted by the Zoning Board of Appeals unless the public hearing record and written application demonstrate the following:
  - (1) That the Special Use is necessary for the public convenience at that location;
  - (2) That the Special Use is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:
    - a. The property is either BEST PRIME FARMLAND and the property with proposed improvements is WELL SUITED OVERALL or the property is not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.
    - b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
    - c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
  - (3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
  - (4) That the Special Use is in harmony with the general purpose and intent of this ordinance.

- (5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
  - (6) That the SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s).
- D. Paragraph 9.1.11.D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS NECESSARY FOR THE PUBLIC CONVENIENCE AT THIS LOCATION***

- 10. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
  - A. The Petitioner has testified on the application, **“Dividing the property from a single 10.18-acre tract to two 5.09-acre tracts provides additional opportunity for home ownership in a rural area that already contains several tracts of this size and type.”**

***GENERALLY REGARDING WHETHER THE SPECIAL USE WILL BE INJURIOUS TO THE DISTRICT OR OTHERWISE INJURIOUS TO THE PUBLIC WELFARE***

- 11. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:
  - A. The Petitioner has testified on the application, **“The proposed change would allow for a single-family home with no major changes to the land, only that which is required for a home build and driveway. There would be no change to the roadway, drainage or utilities within the tract.”**
  - B. Regarding traffic, the following evidence is provided:
    - (1) The Illinois Department of Transportation measures traffic on various roads throughout the County. IDOT determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). The most recent AADT data near the subject property is from 2021:
      - a. CR 500E near the subject property had an AADT of 275.
      - b. In 2020 CR 2600N near the subject property had an AADT of 75.
    - (2) There will be a minimal increase in traffic for the one proposed residential lot.
    - (3) The Newcomb Township Road Commissioner has been notified of this case, and no comments have been received.

- C. Regarding fire protection, the subject property is located approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet; the approximate travel time is 9 minutes. The Fire Chief has been notified of this request for an RRO, and no comments have been received.
- D. No part of the subject property is located in the Special Flood Hazard Area.
- E. The proposed residential lot is considered BEST PRIME FARMLAND. The soil on the proposed lot consists of 152A Drummer silty clay and 23A Blount silt loam, and has an average LE of 85.
- F. Regarding outdoor lighting on the subject property, the petitioner did not provide information on proposed construction or lighting in the application. A special condition has been added to ensure compliance for any future outdoor lighting.
- G. Regarding wastewater treatment and disposal on the subject property:
  - (1) There is no wastewater treatment system on the subject property. The proposed residential lot will have to undergo permitting through the Champaign County Health Department for any new septic system.
- H. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

**GENERALLY REGARDING WHETHER THE SPECIAL USE CONFORMS TO APPLICABLE REGULATIONS AND STANDARDS AND PRESERVES THE ESSENTIAL CHARACTER OF THE DISTRICT**

- 12. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conform to all applicable regulations and standards and preserve the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
  - A. The Petitioner has testified on the application: “Yes.”
  - B. Regarding compliance with the *Zoning Ordinance*:
    - (1) The Rural Residential Overlay (RRO) Zoning District is an overlay zoning designation that is in addition to the pre-existing (underlying) rural zoning. The adoption of an RRO requires both a Map Amendment and a County Board Special Use Permit per paragraph 5.4.3 B. of the *Zoning Ordinance*.
    - (2) The Rural Residential Overlay has been deemed appropriate only in the AG-1 Agriculture, AG-2 Agriculture, and CR Conservation Recreation Zoning Districts.
    - (3) The proposed lot complies with all requirements with one exception.
      - a. The proposed Tract 1 is 5.09-acres in area in lieu of the maximum allowed 2-acres for lots within an RRO District that are best prime farmland.

- C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*:
  - (1) An RRO does not require compliance with the SWMEC Ordinance.
  - (2) Any development within an approved RRO must comply or be exempted from the SWMEC Ordinance, which will be determined on a case-by-case basis during the construction permitting process.
- D. Regarding the *Special Flood Hazard Areas Ordinance*, No part of the subject property is located in the Special Flood Hazard Area.
- E. Regarding the Subdivision Regulations, the subject property is located in the Champaign County subdivision jurisdiction, and the proposed lot will not need to be approved in a Subdivision process.
- F. Regarding the requirement that the Special Use preserve the essential character of the AG-1 Agriculture Zoning District:
  - (1) A Rural Residential Overlay is permitted in the AG-1, AG-2, and CR districts with a combined Map Amendment and County Board Special Use Permit.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE***

- 13. Regarding the *Zoning Ordinance* requirement that the proposed Special Use is in harmony with the general intent and purpose of the Ordinance:
  - A. A Rural Residential Overlay may be authorized by the County Board in the AG-1 Agriculture, AG-2 Agriculture, or CR Conservation Recreation Zoning Districts as a combined Map Amendment and Special Use provided all other zoning requirements and standard conditions are met or waived.
  - B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
    - (1) Subsection 5.1.16 of the Ordinance states the general intent of the Rural Residential Overlay (RRO) District and states as follows (capitalized words are defined in the Ordinance):

The RRO, Rural Residential OVERLAY DISTRICT is intended to provide rural areas that are suitable for residential development and whose development will not significantly interfere with AGRICULTURAL pursuits in neighboring areas.
    - (2) The types of uses authorized in the AG-1, AG-2, and CR Districts are in fact the types of uses that have been determined to be acceptable in those Districts. RROs authorized by Special Use Permit are acceptable uses in those districts provided that they are determined by the ZBA to meet the criteria for RROs in Section 5.4 and for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE***

14. Regarding the *Zoning Ordinance* requirement that in the case of an existing NONCONFORMING USE the granting of the Special Use Permit will make the use more compatible with its surroundings:
- A. The Petitioner has testified on the application: **“Not applicable.”**
  - B. The existing 10.18-acre lot is a nonconforming lot that was created prior to the adoption of the 3-acre maximum lot size for properties on best prime farmland.
    - (1) The proposed 5.09-acre Tract 1 will require a variance to exceed the maximum lot size of 2-acres for a lot with soils that are best prime farmland in the AG-1 zoning district with a proposed RRO. The Variance is the associated case 200-V-26.
    - (2) The proposed 5.09-acre Tract 2 that contains the existing home will be reduced in area from 10.18-acres to 5.09-acres and will still be a nonconforming lot, but it will be closer to the 3-acre maximum lot size and will not require a variance.

**GENERALLY REGARDING SOILS ON THE SUBJECT PROPERTY**

15. Evaluation of a property depends on soil characteristics in many ways, including suitability for agricultural production, septic systems, and development. The following are soil characteristics for the subject property:
- A. The proposed lot is considered BEST PRIME FARMLAND. The soil on the proposed lot consists of 152A Drummer silty clay and 23A Blount silt loam, and has an average LE of 85.
  - B. Information on soils can be found under RRO Factors C.2.E and C.2.F, and Land Resource Management Goals 4 and 8.

**RRO FACTOR C.1.A: OVERALL SUITABILITY OF THE SITE FOR RURAL RESIDENTIAL DEVELOPMENT**

16. Attachment C to the Preliminary Memorandum dated April 22, 2026, is a table summarizing each factor and the criteria used to assess the suitability for any proposed RRO. Compared to “common conditions” found at rural sites in Champaign County, the subject property is similar to the following (see individual RRO factor evidence starting at Item 17 below):
- A. “Ideal or Nearly Ideal” conditions for three factors:
    - (1) RRO Factor G: Availability of water supply
    - (2) RRO Factor J: Effects on sensitive natural areas
    - (3) RRO Factor K: Natural or manmade hazards
  - B. “Much Better Than Typical” conditions for three factors:
    - (1) RRO Factor C: Effects of nearby farms
    - (2) RRO Factor D: LESA score
    - (3) RRO Factor E: Effects on drainage
  - C. “More or Less Typical” conditions for five factors:
    - (1) RRO Factor A: Adequacy and Safety of Roads
    - (2) RRO Factor B: Effects on farms
    - (3) RRO Factor H: Emergency services

- (4) RRO Factor I: Flood hazard status
  - (5) RRO Factor L: Land converted from agricultural uses
- D. “Much Worse Than Typical conditions for one factor:
- (1) RRO Factor F: Septic suitability
- E. “Worst or Nearly Worst” conditions for no factors.

***RRO FACTOR C.1.B: COMPATIBILITY WITH SURROUNDING AGRICULTURE***

17. Discussion regarding compatibility of the proposed residential development with surrounding agriculture can be found under RRO Factor C.2.B (Item 19 below) and RRO Factor C.2.C (Item 20 below).

***RRO FACTOR C.2.A: THE ADEQUACY AND SAFETY OF ROADS***

18. Regarding the adequacy and safety of roads providing access to the proposed RRO District:
- A. There will be a minimal increase in traffic from the proposed residential lot.
  - B. The Illinois Department of Transportation measures traffic on various roads throughout the County. IDOT determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). The most recent AADT data near the subject property is from 2021:
    - (1) CR 500E near the subject property had an AADT of 275.
    - (2) In 2020 CR 2600N near the subject property had an AADT of 75.
  - C. CR 2600N and CR 500E both have pavement widths of approximately 18 feet and a recommended Average Daily Trips (ADT) of 0 to 250 ADT by IDOT.
  - D. Overall, the subject property and proposed RRO are comparable to “more or less typical” conditions for Champaign County in terms of common conditions for the adequacy and safety of roads providing access, because access is via a township road without adequate shoulder or pavement width.

***RRO FACTOR C.2.B: THE EFFECTS ON NEARBY FARMLAND AND FARM OPERATIONS***

19. Regarding the likely effects of the proposed development on nearby farm operations:
- A. Overall, the subject property and proposed RRO are comparable to “more or less typical” conditions for Champaign County in terms of effects on nearby farmland and farm operations, because driveways for the proposed lot will provide adequate separation to other driveways, and there should be no significant changes to drainage.

***RRO FACTOR C.2.C: EFFECTS OF NEARBY FARM OPERATIONS ON THE PROPOSED RESIDENTIAL DEVELOPMENT***

20. Regarding the likely effects of nearby farm operations on the proposed development:

- A. Rough analysis of land use within a one-half mile radius of the subject property indicates the following:
  - (1) Row crop production agriculture occupies a significant portion of the land area within the immediate vicinity of the proposed RRO, but occurs on no more than two sides of the property.
  - (2) Row crop production produces noise, dust and odors that homeowners sometimes find objectionable. Farm operations may begin early and continue until well after dark, exacerbating the impact of noise related to fieldwork.
  - (3) There are small scale animal operations to the west and south of the subject property.
  
- B. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the effects of nearby farmland operations on the proposed development because the proposed lot would be separated on two sides to row crop agriculture by roads, and there are small scale animal operations nearby.

***RRO FACTOR C.2.D: THE LAND EVALUATION AND SITE ASSESSMENT (LESA) SCORE OF THE SUBJECT SITE***

- 21. Regarding the LESA score of the proposed RRO District:
  - A. The Champaign County LESA system is a method of evaluating the viability of farmland for agricultural uses. The LESA system results in a score consisting of a Land Evaluation portion and a Site Assessment portion. The score indicates the degree of protection for agricultural uses on that particular site as follows:
    - (1) An overall score of 251 to 300 indicates a very high rating for protection.
    - (2) An overall score of 226 to 250 indicates a high rating for protection.
    - (3) An overall score of 151 to 225 indicates a moderate rating for protection.
    - (4) An overall score of 150 or lower indicates a low rating for protection.
  
  - B. The LESA worksheets are an attachment to the Preliminary Memorandum. The component and total scores are as follows:
    - (1) The Land Evaluation score for the proposed RRO is 85 out of 100 possible.
    - (2) The Site Assessment score for the proposed RRO District is 149 out of 200 possible.
    - (3) The total LESA score is 234 and indicates a “high” rating for protection of agriculture, which is the second highest rating of 4 ratings and toward the lower end of the “high” range.
  
  - C. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the LESA score because a portion of the property is best prime farmland and the property received a high rating for protection in the LESA evaluation.

***RRO FACTOR C.2.E: EFFECTS ON DRAINAGE***

22. Regarding the effects of the proposed RRO District on drainage both upstream and downstream:
- A. A drainage statement has been provided on the Plat of Survey received February 12, 2026 states, “We hereby state that to the best of our knowledge and belief the drainage of surface waters of this plat will not be changed by the construction of the improvements of this subdivision or any part thereof or that if such surface water drainage will be changed, reasonable provisions have been made for the collection and diversion of such surface waters into public areas or drains which the subdivider has a right to use and that such surface waters will be planned for in accordance with the generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision.”
  - B. A written explanation by an Illinois Professional Engineer of the proposed surface drainage system received February 12, 2026, was included with the application and states: “Mr. Duda’s property consists of 10.18 acres and has an average slope of approximately 0.6% from the north property line to the south property line, as shown on the attached Plat of Survey. Water leaves the property to the South, eventually entering a small stream that leads to the Sangamon River. Significant ponding of water is not a concern due to consistent slopes and lack of low spots. The additional runoff created by roof area, sump pumps, etc. of the additional lot and the home that will occupy it is negligible when considering the large lot size for the water to naturally percolate into the soil.
  - C. Overall, the proposed RRO District is comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the drainage effects on properties located both upstream and downstream because of the following:
    - (1) The soils on the proposed lot are hydric soils, per the Natural Resource Information Report created by Champaign County Soil and Water Conservation District. It is possible that agricultural tile exists on the site to help with drainage, but that is not certain.
    - (2) The proposed lot generally drains toward the south.
    - (3) Surface drainage appears to be somewhat better than typical Champaign County conditions although the soils have wetness and may be subject to localized flooding and percolate slowly.

***RRO FACTOR C.2.F: THE SUITABILITY OF THE SITE FOR ONSITE WASTEWATER SYSTEMS***

23. Regarding the suitability of the site for onsite wastewater systems:
- A. The home on proposed Tract 2 has a multiflo onsite septic system.
  - B. The pamphlet *Soil Potential Ratings for Septic Tank Absorption Fields Champaign County, Illinois*, is a report that indicates the relative potential of the various soils in Champaign County for use with subsurface soil absorption wastewater systems (septic tank leach fields). The pamphlet contains worksheets for 60 different soils that have potential ratings (indices) that range from 103 (very highest suitability) to 3 (the lowest suitability). The worksheets for the relevant soil types on the subject property can be summarized as follows:

- (1) Blount silt loam, 0-2% slopes, map unit 23A, has a Low suitability for septic tank leach fields, with a soil potential index of 37. Blount has severe wetness problems due to a water table high enough to cause flooding (1 foot above to 3 feet deep) and slow percolation. The typical corrective measure is subsurface drainage to lower groundwater levels or fill and a curtain drain. Blount soil makes up about 51% (2.6 acres) of the proposed lot.
  - (2) Drummer Silty Clay Loam, map unit 152, has a Low suitability for septic tank leach fields, with a soil potential index of 53. Drummer has severe flooding and wetness problems. The typical corrective measure is to add two feet of soil fill, have a standard absorption field, and subsurface drainage. Drummer soil makes up about 49% (2.5 acres) of the proposed lot.
- C. The proposed lot is comparable to “much worse than typical” conditions for Champaign County because 100% of the soils on the buildable area of the subject property have Low suitability, compared to the approximately 51% of the entire County that has a Low Potential.

**RRO FACTOR C.2.G: THE AVAILABILITY OF GROUNDWATER AT THE SITE**

24. Regarding the availability of water supply to the site:
- A. The Champaign County Land Resource Management Plan includes Figure 10-9: Primary Sand and Gravel Aquifers in Champaign County, which shows that the subject property is not within an area of limited groundwater availability.
  - B. The proposed lot is comparable to “ideal or nearly ideal” conditions for Champaign County in terms of common conditions for the availability of water supply because it is located above the Mahomet Aquifer.

**RRO FACTOR C.2.H: THE AVAILABILITY OF EMERGENCY SERVICES TO THE SITE**

25. Regarding the availability of emergency services to the site:
- A. Regarding fire protection, the subject property is located approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet; the approximate travel time is 9 minutes. The Fire Chief has been notified of this request for an RRO, and no comments have been received.
  - B. Overall, the subject property and proposed RRO are comparable to “more or less typical” conditions for Champaign County in terms of common conditions for the availability of emergency services because the site is approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet with much of the traveled distance on a State highway (IL-47).

**RRO FACTOR C.2.I: FLOOD HAZARD STATUS**

26. Regarding the flood hazard status of the site, no part of the subject property is located within the Special Flood Hazard Area.
- A. Overall, the proposed RRO District is comparable to “more or less typical” conditions for Champaign County in terms of flood hazard status because no part of the proposed RRO is

in the Special Flood Hazard Area but some of the roads that provide emergency access are located in the Special Flood Hazard Area.

***RRO FACTOR C.2.J: EFFECTS ON WETLANDS, ARCHAEOLOGICAL SITES, AND NATURAL AREAS***

27. Regarding the effects on wetlands, endangered species, and natural areas:
- A. The EcoCAT Report received from the Illinois Department of Natural Resources dated January 27, 2026, indicated that the Sangamon River Illinois Natural Areas Inventory (INAI) site is in the vicinity of the subject property.
  - B. Regarding the effects on archaeological resources, no historic areas have been identified in or adjacent to the subject property.
  - D. Overall, the subject property and proposed RRO are comparable to “ideal or nearly ideal” conditions for Champaign County in terms of effects on wetlands and archaeological sites, because reports from the appropriate agencies showed there were no effects, and because there are no significant natural areas and habitats that include pre-settlement conditions.

***RRO FACTOR C.2.K: THE PRESENCE OF NEARBY NATURAL OR MANMADE HAZARDS***

28. Regarding the presence of nearby natural or manmade hazards:
- A. There appear to be no natural or manmade hazards near the subject property.
  - B. Overall, the subject property and proposed RRO are comparable to “ideal or nearly ideal” conditions for Champaign County in terms of common conditions for the presence of nearby natural or manmade hazards because there are no manmade or natural hazards near the subject property.

***RRO FACTOR C.2.L: THE AMOUNT OF LAND TO BE CONVERTED FROM AGRICULTURAL USES***

29. Regarding the maximum number of new zoning lots that could be created out of the subject property without the authorization for the RRO Zoning District:
- A. As amended on February 19, 2004, by Ordinance No. 710 (Case 431-AT-03 Part A), the *Zoning Ordinance* requires establishment of an RRO District for subdivisions with more than three lots (whether at one time or in separate divisions) less than 35 acres in area each (from a property larger than 50 acres) and/or subdivisions with new streets in the AG-1, AG-2, and CR districts (the rural districts) except that parcels between 25 and 50 acres may be divided into four parcels.
  - B. Overall, the subject property and proposed RRO are comparable to “more or less typical” conditions for Champaign County in terms of effects on the amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated, because the RRO is for one proposed lot converted from agricultural land.

***FOR THE RRO MAP AMENDMENT***

***GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES***

30. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
- A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:  
 “It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows...”
  - B. The LRMP defines Goals, Objectives, and Policies as follows:
    - (1) Goal: an ideal future condition to which the community aspires
    - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
    - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
  - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”

***FOR THE RRO MAP AMENDMENT  
 REGARDING RELEVANT LRMP GOALS & POLICIES***

*(Note: bold italics typeface indicates staff’s recommendation to the ZBA)*

31. LRMP Goal 1 is entitled “Planning and Public Involvement” and states:
- Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.**

Goal 1 is always relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions but the proposed RRO will ***NOT IMPEDE*** the achievement of Goal 1.

32. LRMP Goal 2 is entitled “Governmental Coordination” and states:
- Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.**

Goal 2 has two objectives and three policies. The proposed RRO will ***NOT IMPEDE*** the achievement of Goal 2.

33. LRMP Goal 3 is entitled “Prosperity” and states:
- Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.**

Goal 3 has three objectives and no policies. The proposed RRO will *NOT IMPEDE* the achievement of Goal 3.

34. LRMP Goal 4 is entitled “Agriculture” and states:

**Champaign County will protect the long-term viability of agriculture in Champaign County and its land resource base.**

Goal 4 has 9 objectives and 22 policies. Objectives 4.4, 4.5, 4.6, 4.8, and 4.9 and their policies do not appear to be relevant to the proposed RRO. The proposed RRO will *HELP ACHIEVE* Goal 4 for the following reasons:

A. Objective 4.1 is entitled “Agricultural Land Fragmentation and Conservation” and states: “Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.”

Objective 4.1 includes nine subsidiary policies. Policies 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.7, and 4.1.9 do not appear to be relevant to the proposed RRO. The proposed RRO will *NOT IMPEDE* Objective 4.1 because of the following:

(1) Policy 4.1.1 states: **“Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.”**

The proposed RRO will *NOT IMPEDE* Policy 4.1.1 for the following reason:

a. While the subject property is on best prime farmland the existing 10-acre tract was created in 2004 by a plat of survey along with 3 other lots of approximately 10 acres. The lots were sold and developed for single-family residential use. The existing 10-acre tract has an existing home and the rest of the property is leased for row crops but is not intended to be used for commercial farming due to its small size. The petitioner has testified on their Application for Variance that: **“The size of the parent tract is inconvenient to farm because of larger equipment sizes.”**

(2) Policy 4.1.6 states: **“Provided that the use, design, site and location are consistent with County policies regarding:**

**i. Suitability of the site for the proposed use;**  
**ii. Adequacy of infrastructure and public services for the proposed use;**  
**iii. Minimizing conflict with agriculture;**  
**iv. Minimizing the conversion of farmland; and**  
**v. Minimizing the disturbance of natural areas; then**

**a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the**

- January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or
- b) **On best prime farmland, the County may authorize non-residential discretionary development; or**
  - c) **The County may authorize discretionary review development on tracts consisting of other than best prime farmland.”**

The proposed RRO will **NOT IMPEDE** Policy 4.1.6 for the following reasons:

- a. The Zoning Ordinance does not limit the number of acres of farmland converted for discretionary development. Approval of the proposed variance in Case 200-V-26 would allow a 5.09-acre lot for discretionary residential development. The proposed RRO and Variance will **NOT IMPEDE** Subsection a) of Policy 4.1.6 by means of a variance.
  - b. Discussion on the LESA score and soils is provided under Item 21 above. The soils are Best Prime Farmland, and they received a “high rating for protection” in the LESA analysis.
  - d. Regarding compliance with policies having to do with the adequacy of infrastructure and public services for the proposed use, the ZBA has recommended that the proposed RRO will **HELP ACHIEVE** Policy 4.3.3 regarding public services and Policy 4.3.4 regarding infrastructure.
  - e. Regarding compliance with policies having to do with minimizing conflict with agriculture, the ZBA has recommended that the proposed RRO will **HELP ACHIEVE** Policy 4.2.2, Policy 4.2.3, and Policy 4.2.4 regarding minimizing conflict with agriculture.
  - f. Approximately 5 acres of farmland will be converted for the proposed RRO.
  - g. Regarding compliance with policies having to do with minimizing the disturbance of natural areas:
    - (a) Discussion regarding protection of natural resources can be found under Item 27 above and under Item 38 (Goal 8: Natural Resources).
  - h. The EcoCAT Report from the Illinois Department of Natural Resources dated January 27, 2026, indicated that there were no threatened or endangered species near the subject property. The report indicated that the Sangamon River Illinois Natural Areas Inventory (INAI) site is located in the vicinity of the subject property and that adverse effects are unlikely.
- (3) Policy 4.1.8 states, “**The County will consider the LESA rating for farmland protection when making land use decisions regarding a discretionary development.**”

The proposed RRO will **HELP ACHIEVE** Policy 4.1.8 for the following reason:

- a. Discussion on the LESA score and soils is provided under Item 21 above. The soils are Best Prime Farmland, and they received a “high rating for protection” in the LESA analysis.

- B. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.”

Objective 4.2 includes four subsidiary policies. Policy 4.2.1 does not appear to be relevant to the proposed RRO. The proposed RRO will **HELP ACHIEVE** Objective 4.2 because of the following:

- (1) **Policy 4.2.2 states, “The County may authorize *discretionary review* development in a rural area if the proposed development:**
  - a) **is a type that does not negatively affect agricultural activities; or**
  - b) **is located and designed to minimize exposure to any negative effect caused by agricultural activities; and**
  - c) **will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.”**

The proposed RRO will **HELP ACHIEVE** Policy 4.2.2 for the following reasons:

- a. The proposed RRO **IS** located and designed to minimize exposure to any negative effect caused by agricultural activities because the subject contains sufficient area for separation from agricultural uses.
- b. The proposed RRO will **NOT** interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure:
  - (a) The proposed RRO is for one proposed lot, which should cause only a minimal increase in road use.
  - (b) It is possible that there is agricultural drainage tile on the subject property, which would need to be maintained to support surrounding agricultural operations.
  - (c) The proposed RRO should not negatively affect agriculture-related infrastructure.
- (2) **Policy 4.2.3 states, “The County will require that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”**

The proposed RRO will **HELP ACHIEVE** Policy 4.2.3 because a special condition has been added regarding Right to Farm Resolution 3425.

- (3) **Policy 4.2.4 states, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”**

The proposed RRO will *HELP ACHIEVE* Policy 4.2.4 because existing residences in the area do not have a buffer adjacent to farmland, and the proposed RRO does not warrant a buffer.

- C. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states: “Champaign County will require that each discretionary review development is located on a suitable site.”

Objective 4.3 includes five subsidiary policies. Policies 4.3.1 and 4.3.5 are not relevant to the proposed RRO. The proposed RRO will *HELP ACHIEVE* Objective 4.3 because of the following:

- (1) **Policy 4.3.2 states, “On best prime farmland, the County may authorize a discretionary review development provided that the site with proposed improvements is well-suited overall for the proposed land use.”**

The proposed RRO will *HELP ACHIEVE* Policy 4.3.2 because the proposed site **IS WELL SUITED OVERALL** for the proposed RRO for the following reasons:

- a. Discussion on the LESA score and soils is provided under Item 21 above. The soils are Best Prime Farmland, and they received a “high rating for protection” in the LESA analysis.
  - b. Agricultural drainage should not be affected.
  - c. Regarding wastewater treatment and disposal on the subject property:
    - (1) The proposed lot will require a septic system approved by the Champaign County Health Department.
  - d. The Newcomb Township Highway Commissioner has been notified of this case, and no comments have been received.
  - e. The subject property is 1.68 miles from the Village of Mahomet.
  - f. The proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public and the site is reasonably well-suited in all respects and has no major defects.
- (2) **Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed RRO will *HELP ACHIEVE* Policy 4.3.3 for the following reasons:

- a. Emergency services were discussed under Item 25 above.
- b. Response time of the Cornbelt Fire Protection District would be approximately 9 minutes (5.6 road miles).

- (3) **Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed RRO will **HELP ACHIEVE** Policy 4.3.4 for the following reasons:

- a. There will be a minimal increase in traffic due to the proposed RRO.
- b. The Newcomb Township Highway Commissioner has been notified of this case, and no comments have been received.

- D. Objective 4.7 is entitled “Right to Farm Resolution” and states: “Champaign County affirms County Resolution 3425 pertaining to the right to farm in Champaign County.”

Objective 4.7 has no subsidiary policies. The proposed RRO will **HELP ACHIEVE** Objective 4.7 because a special condition has been added regarding Right to Farm Resolution 3425.

35. LRMP Goal 5 is entitled “Urban Land Use” and states as follows:

**Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.**

Goal 5 has 3 objectives and 15 policies. The proposed RRO will **NOT IMPEDE** Goal 5.

36. LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:

**Champaign County will ensure protection of the public health and public safety in land resource management decisions.**

Goal 6 has four objectives and seven policies. Objectives 6.2, 6.3, 6.4 and their subsidiary policies do not appear to be relevant to the proposed RRO. The proposed RRO will **HELP ACHIEVE** Goal 6 for the following reasons:

- A. Objective 6.1 is entitled “Protect Public Health and Safety” and states, “Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”

Objective 6.1 includes four subsidiary policies. Policies 6.1.3 and 6.1.4 do not appear to be relevant to the proposed RRO. The proposed RRO will **HELP ACHIEVE** Objective 6.1 because of the following:

- (1) **Policy 6.1.1 states, “The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems.”**

The proposed RRO will **HELP ACHIEVE** Policy 6.1.1 for the following reason:

- a. The proposed lot exceeds the minimum lot size established in the Zoning Ordinance.
- (2) Policy 6.1.2 states, **“The County will ensure that the proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.”**

The proposed RRO will ***NOT IMPEDE*** Policy 6.1.2 for the following reason:

- a. There is no wastewater treatment system on the subject property. The proposed residential lot will have to undergo permitting through the Champaign County Health Department.

37. LRMP Goal 7 is entitled “Transportation” and states as follows:

**Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.**

Goal 7 has 2 objectives and 7 policies. The proposed RRO will ***NOT IMPEDE*** Goal 7.

38. LRMP Goal 8 is entitled “Natural Resources” and states as follows:

**Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.**

Goal 8 has 9 objectives and 36 policies. Objectives 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, and 8.9 and the subsidiary policies either are not relevant to or will not impede the proposed RRO. The proposed RRO will ***HELP ACHIEVE*** Goal 8 for the following reasons:

- A. Objective 8.1 states, **“Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.”**

Objective 8.1 includes nine subsidiary policies. Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.7, 8.1.8, and 8.1.9 do not appear to be relevant to the proposed RRO. The proposed RRO will ***HELP ACHIEVE*** Objective 8.1 because of the following:

- (1) Policy 8.1.1 states, **“The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user.”**

The proposed RRO will ***HELP ACHIEVE*** Policy 8.1.1 for the following reason:

- a. The subject property and proposed RRO are comparable to “ideal or nearly ideal” conditions for Champaign County in terms of common conditions for the availability of water supply because it is located above the Mahomet Aquifer.
- B. Objective 8.2 states, “Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.”

Objective 8.2 includes one subsidiary policy. The proposed RRO will **NOT IMPEDE** Objective 8.2 for the following reasons:

- (1) Policy 8.2.1 states, “**The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. 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 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;**
  - 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.”**

The proposed RRO will **NOT IMPEDE** Policy 8.2.1 for the following reasons:

- a. The subject property is comprised of Best Prime Farmland. A Variance is required for the creation of the proposed 5.09-acre lot.
- b. Soils on the subject property are comprised of 51% Blount silt loam and 49% Drummer silty clay loam.

39. LRMP Goal 9 is entitled “Energy Conservation” and states as follows:

**Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.**

The proposed RRO will **NOT IMPEDE** the achievement of Goal 9.

40. LRMP Goal 10 is entitled “Cultural Amenities” and states as follows:

**Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.**

The proposed RRO will **NOT IMPEDE** the achievement of Goal 10.

**FOR THE RRO MAP AMENDMENT  
GENERALLY REGARDING THE LASALLE AND SINCLAIR FACTORS**

41. In the case of *LaSalle National Bank of Chicago v. County of Cook* the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed RRO. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors, but it is a reasonable consideration in

controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:

- A. **LaSalle factor: The existing uses and zoning of nearby property.** Table 1 below summarizes the land uses and zoning of the subject property and nearby properties.

**Table 1. Land Use and Zoning Summary**

Direction	Land Use	Zoning
Onsite	Residential/Agriculture	AG-1 Agriculture
North	Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Agriculture (Horse stable)	AG-1 Agriculture
South	Residential/Agriculture	AG-1 Agriculture

- B. **LaSalle factor: The extent to which property values are diminished by the particular zoning restrictions.** Regarding this factor:
- (1) It is impossible to establish values without a formal real estate appraisal, which has not been requested nor provided, so any discussion of values is necessarily general.
  - (2) Without the proposed RRO, the proposed lot could not be created and the land could continue in agricultural production or used in conjunction with the existing residence.
  - (3) Regarding the value of nearby residential properties, the requested RRO should not have any effect. Regarding the effect on nearby properties:
    - a. The nearest existing residence is approximately 158 feet south of the proposed lot, providing more than the minimum separation between residences in a non-RRO setting.
    - b. There will be a minimal increase in traffic for the proposed residential lot.
- C. **LaSalle factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**
- (1) There has been no evidence submitted regarding property values.
  - (2) If the petitioners are denied the RRO map amendment and special use permit, the property can still be used for agricultural production or in conjunction with the existing residence.
- D. **LaSalle factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.** Regarding this factor:
- (1) The relative gain to the public is insignificant, while the hardship for the owner by not permitting the RRO would not allow the subject property owner to realize a

greater economic value that establishing a residential lot would create and it would reduce maintenance costs for the current owner.

- E. **LaSalle factor: The suitability of the subject property for the zoned purposes.**
- (1) The proposed RRO adds one residential lot. The petitioner has stated that the existing farmed area is inconvenient to farm because of larger equipment sizes.
  - (2) Regarding compliance with policies having to do with the adequacy of infrastructure and public services for the proposed use, the ZBA has recommended that the proposed RRO will **HELP ACHIEVE** Policy 4.3.3 regarding public services and Policy 4.3.4 regarding infrastructure.
  - (3) Regarding compliance with policies having to do with minimizing conflict with agriculture, the ZBA has recommended that the proposed RRO will **HELP ACHIEVE** Policy 4.2.2, Policy 4.2.3, and Policy 4.2.4 regarding minimizing conflict with agriculture.
  - (4) The proposed RRO will **NOT** interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure:
    - a. Agricultural drainage should not be affected.
    - b. Rural roads should not be affected.
- F. **LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.** Regarding this factor:
- (1) The subject property has been in agricultural production in the AG-1 Agriculture Zoning District for decades.
- G. **Sinclair factor: The need and demand for the use.** Regarding this factor:
- (1) The petitioner perceives demand for residential lots in this area.
- H. **Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning.**
- (1) The ZBA has recommended that the proposed RRO will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.
- I. Overall, the proposed RRO **IS** consistent with the LaSalle and Sinclair factors.

**FOR BOTH THE RRO REZONING AND THE RRO SPECIAL USE PERMIT  
REGARDING THE PURPOSE OF THE ZONING ORDINANCE**

42. Regarding the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance:
- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.

B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

(1) It is not clear whether the proposed RRO will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.

(2) The proposed RRO could only have an effect on the value of real estate in the immediate vicinity. Regarding the effect on the value of real estate in the immediate vicinity other than the subject property:

An RRO is authorized by Special Use Permit in the AG-1 Agriculture Zoning District and therefore the Zoning Ordinance apparently has a presumption of no inherent incompatibilities between agricultural and residential uses. Provided that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent properties, there should be no significant effect on the value of nearby properties.

(3) Regarding the value of the subject property, it also is not clear if the requested Special Use Permit would have any effect. Regarding the effect on the value of the subject property:

If the petitioner is denied the RRO, the property can still be used for agricultural production or in conjunction with the existing residence.

C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed RRO would cause a minimal increase in traffic.

D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or floodwaters.

(1) Discussion regarding drainage can be found under RRO Factor C.2.E (Item 22).

(2) Overall, the proposed RRO District is comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the drainage effects on properties located both upstream and downstream.

E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

- (1) Regarding public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
- (2) Regarding public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
- (3) The property owner to the west has submitted an email expressing their objection to the proposed RRO.

F. Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance, and the proposed RRO appears to be in compliance with those limits.

G. Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate any problematic conditions.

H. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

This purpose is directly related to maintaining compliance with the Zoning Ordinance requirements for the District and the specific types of uses and the proposed Special Use will have to be conducted in compliance with those requirements.

- I. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.
- (1) The soil on the subject property is BEST PRIME FARMLAND.
  - (2) The petitioners do not seek urban services such as sewer and public water for the proposed RRO, and therefore the use is not considered to be urban.
- J. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.
- (1) The EcoCAT Report from the Illinois Department of Natural Resources dated January 27, 2026, indicated that there were no threatened or endangered species near the subject property. The report indicated that the Sangamon River Illinois Natural Areas Inventory (INAI) site is located in the vicinity of the subject property and that adverse effects are unlikely.
  - (2) Discussion regarding natural resources can be found under RRO Factor C.2.J (Item 27) and LRMP Goal 8 (Item 38).
    - a. Overall, the subject property and proposed RRO are comparable to “ideal or nearly ideal” conditions for Champaign County in terms of effects on wetlands and archaeological sites, because reports from the appropriate agencies showed there were no effects, and because there are no significant natural areas and habitats that include pre-settlement conditions on the subject property.
- K. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.
- (1) The proposed RRO does not meet the definition of either “urban development” or “urban land use” as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
  - (2) The proposed RRO will not require public investment in facilities or utilities.
- L. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The subject property is over 1.5 miles from the closest urban area. The proposed RRO lot would be large and have similar character to existing rural residential areas.

- M. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient

development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed RRO will not hinder the development of renewable energy sources.

*REGARDING SPECIAL CONDITIONS OF APPROVAL FOR THE PROPOSED RRO*

43. Proposed Special Conditions of Approval for Case 198-AM-26:

- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The special condition stated above is required to ensure the following:

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

44. Proposed Special Conditions of Approval for Case 199-S-26:

- A. **The Special Use is subject to the approval of Case 198-AM-26.**

The special condition stated above is required to ensure the following:

**That the Special Use is consistent with the intent of the Zoning Ordinance and ZBA recommendations.**

- B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

The special condition stated above is required to ensure the following:

**That any future exterior lighting installations meet the requirements established for Special Uses in the Zoning Ordinance.**

**DOCUMENTS OF RECORD**

1. Application for a Rural Residential Overlay (RRO) received February 12, 2026, with attachments:
  - A Application for Map Amendment
  - B Application for Special Use Permit
  - C Application for Variance
  - D Preliminary Plat of Survey
  - E Letter from IDNR with EcoCAT review dated January 27, 2026
  - F Drainage statement from Mark Miller, P.E. Precision Engineering Group, dated January 23, 2026
  - G ALTA commitment for title insurance
  
2. Land Evaluation and Site Assessment (LESA) Worksheet completed by staff on April 22, 2026
  
3. Natural Resource Report from the Champaign County Soil and Water Conservation District dated March 31, 2026
  
4. Preliminary Memorandum dated April 23, 2026, for Cases 198-AM-26, 199-S-26 and 200-V-26 with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Preliminary Plat of Survey received February 12, 2026
  - C Table of Common Conditions Influencing the Suitability of Locations for Rural Residential Development in Champaign County revised June 7, 2016
  - D 2023 Annotated Aerial Photo
  - E Soils Map
  - F Drainage statement from Mark Miller, P.E., Precision Engineering Group, dated January 23, 2026
  - G LRMP Land Use Goals, Objectives, and Policies (*provided online*)
  - H LRMP Appendix of Defined Terms (*provided online*)
  - I Right to Farm Resolution 3425
  - J Natural Resource Report from the Champaign County Soil and Water Conservation District dated March 31, 2026
  - K Land Evaluation and Site Assessment (LESA) Worksheet completed by staff on April 22, 2026
  - L Site Visit Photos taken April 22, 2026
  - M Email From Jill and Jim Rogers in opposition to the project received February 20, 2026
  - N Combined Summary of Evidence, Findings of Fact, and Final Determinations for RRO Cases 198-AM-26 and 199-S-26 dated April 30, 2026
  - O Summary of Evidence, Finding of Fact, and Final Determination for Variance Case 200-V-26, dated April 30, 2026

**SUMMARY FINDING OF FACT FOR REZONING CASE 198-AM-26**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed RRO map amendment **IS** suitable for the development of the specified number of residences because: Compared to “common conditions” found at rural sites in Champaign County, the subject property is similar to the following (see individual RRO factor evidence starting at Item 18):
  - A. “Ideal or Nearly Ideal” conditions for three factors:
    - (1) RRO Factor G: Availability of water supply
    - (2) RRO Factor J: Effects on sensitive natural areas
    - (3) RRO Factor K: Natural or manmade hazards
  - B. “Much Better Than Typical” conditions for three factors:
    - (1) RRO Factor D: LESA score
    - (2) RRO Factor E: Effects on drainage
  - C. “More or Less Typical” conditions for five factors:
    - (1) RRO Factor A: Adequacy and Safety of Roads
    - (2) RRO Factor B: Effects on farms
    - (3) RRO Factor C: Effects of nearby farms
    - (4) RRO Factor H: Emergency services
    - (5) RRO Factor I: Flood hazard status
    - (6) RRO Factor L: Land converted from agricultural uses
  - D. “Much Worse Than Typical conditions for one factor:
    - (1) RRO Factor F: Septic suitability
  - E. “Worst or Nearly Worst” conditions for no factors.
2. The proposed RRO map amendment **WILL** be compatible with surrounding agriculture because:
  - A. Overall, the subject property and proposed RRO are comparable to “more or less typical” conditions for Champaign County in terms of effects on nearby farmland and farm operations, because driveways for the proposed lot will provide adequate separation to other driveways, and there should be no significant changes to drainage.
  - B. A special condition has been added regarding the Right to Farm Resolution.
3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
  - A. Regarding Goal 4:
    - (1) It will **HELP ACHIEVE** Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on Best Prime Farmland because it will **HELP ACHIEVE** or **NOT IMPEDE** the following:
      - a. Policy 4.1.1 stating that commercial agriculture is the highest and best use of land that is suited it its pursuit and requiring that the County will not

accommodate other land uses except under very restricted conditions or in areas of less productive soils.

- b. Policy 4.1.8 requiring the County to consider the LESA rating for farmland protection when making land use decisions regarding discretionary development (see Item 34.A.(3)).
- (2) It will **HELP ACHIEVE** Objective 4.2 requiring discretionary development to not interfere with agriculture because it will **HELP ACHIEVE** the following:
- a. Policy 4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 34.B.(1)).
  - b. Policy 4.2.3 requiring that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land (see Item 34.B.(2)).
  - c. Policy 4.2.4 requiring that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary (see Item 34.B.(3)).
- (3) It will **HELP ACHIEVE** Objective 4.3 requiring any discretionary development to be on a suitable site because it will **HELP ACHIEVE** the following:
- a. Policy 4.3.2 requiring a discretionary development to be well suited overall (see Item 34.C.(1)).
  - b. Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 34.C.(2)).
  - c. Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 34.C.(3)).
- (4) It will **HELP ACHIEVE** Objective 4.7 requiring the right to farm because a special condition has been added regarding Right to Farm Resolution 3425 (see Item 34.D).
- (5) Based on achievement of the above Objectives and Policies, the proposed map amendment will **HELP ACHIEVE** Goal 4 Agriculture.

B. Regarding Goal 6:

- (1) The proposed RRO will **HELP ACHIEVE** Objective 6.1 because it will **HELP ACHIEVE** or will **NOT IMPEDE** the following:
- a. Policy 6.1.1 requiring the County to establish lot requirements that provide ample and appropriate areas for wastewater and septic systems (see Item 36.A.(1)).



- C. The proposed RRO *IS* consistent with the *LaSalle* factor regarding the extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public because:
  - (1) There has been no evidence submitted regarding property values.
  - (2) If the petitioners are denied the RRO map amendment and special use permit, the property can still be used for agricultural production or in conjunction with the existing residence.
  
- D. The proposed RRO *IS* consistent with the *LaSalle* factor regarding the relative gain to the public as compared to the hardship imposed on the individual property owner because:
  - (1) The relative gain to the public is insignificant, while not permitting the RRO would not allow the subject property owner to realize a greater economic value that establishing a residential lot would create and reduce maintenance costs for the current.
  
- E. The proposed RRO *IS* consistent with the *LaSalle* factor regarding the suitability of the subject property for the zoned purposes because:
  - (1) The proposed RRO adds one residential lot. Additional lots would require a future application for an RRO.
  - (2) The RRO does not require additional public infrastructure or services.
  - (3) The RRO does not conflict with surrounding agricultural activities or agricultural infrastructure.
  
- F. The proposed RRO *IS* consistent with the *LaSalle* factor regarding the length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property:
  - (1) The subject property has been in agricultural production in the AG-1 Agriculture Zoning District for decades.
  
- G. The proposed RRO *IS* consistent with the *Sinclair* factor regarding the need and demand for the use:
  - (1) The petitioner perceives demand for residential lots in this area.
  
- H. The proposed RRO *IS* consistent with the *Sinclair* factor regarding the extent to which the use conforms to the municipality's comprehensive planning.
  - (1) The ZBA has recommended that the proposed RRO will *HELP ACHIEVE* the Champaign County Land Resource Management Plan.
  
- 5. The proposed Zoning Ordinance map amendment will *HELP ACHIEVE* the purpose of the Zoning Ordinance because:
  - A. The proposed RRO should have no significant effect on the value of nearby properties (Purpose 2.0 (b) - see Item 42.B.)
  
  - B. The proposed RRO will not increase traffic volumes significantly (Purpose 2.0(c) - see Item 42.C.).

- C. The proposed RRO ***WILL*** reduce hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters (Purpose 2.0 (d) - see Item 42.D.).
  - D. Establishing the RRO will ***NOT IMPEDE*** the protection the most productive agricultural lands from haphazard and unplanned intrusions of urban uses ((Purpose 2.0 (n) – see Item 42.I).
  - E. The proposed RRO ***WILL NOT AFFECT*** natural features such as forested areas and watercourses (Purpose 2.0 (o) – see Item 42.J).
  - F. The proposed RRO ***WILL*** minimize the cost of development of public utilities and public transportation facilities (Purpose 2.0 (p) – see Item 42.K).
  - G. The proposed RRO ***WILL NOT IMPEDE*** the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities (Purpose 2.0 (q) – see Item 42.L).
  - H. The proposed RRO ***WILL NOT*** hinder the development of renewable energy sources (Purpose 2.0(r) – see Item 42.M).
6. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR MAP AMENDMENTS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***
- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The special condition stated above is required to ensure the following:

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

## FINDINGS OF FACT FOR RRO SPECIAL USE PERMIT CASE 199-S-26

From the documents of record and the testimony and exhibits received at the public hearing for zoning case 199-S-26 held on April 30, 2026, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit *{IS / IS NOT}* necessary for the public convenience at this location because: *the petitioner believes there is demand in this area for residential lots.*
2. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL NOT / WILL}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
  - a. The street has *{ADEQUATE / INADEQUATE}* traffic capacity and the entrance location has *{ADEQUATE / INADEQUATE}* visibility.
  - b. Emergency services availability is *{ADEQUATE / INADEQUATE}* because: *the subject property is located approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet; the Fire Chief has been notified of this request for an RRO, and no comments have been received.*
  - c. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses because: *there are other large-lot residential properties in the area.*
  - d. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE}* because: *surface drainage patterns should not be altered by development of the proposed lot.*
  - e. Public safety will be *{ADEQUATE / INADEQUATE}* because: *there is sufficient capacity on the adjacent roadway for one additional residential lot.*
  - f. The provisions for parking will be *{ADEQUATE / INADEQUATE}*.
  - g. The property *{IS/IS NOT}* WELL SUITED OVERALL for the proposed improvements *{because\*}*:
    - a. *The site can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public.*
  - h. Existing public services *{ARE/ARE NOT}* available to support the proposed SPECIAL USE without undue public expense *{because\*}*:
    - a. *No additional public services are required for the proposed use.*
  - i. Existing public infrastructure together with the proposed development *{IS/IS NOT}* adequate to support the proposed development effectively and safely without undue public expense *{because\*}*:
    - a. *No new infrastructure is required for the proposed use.*

*\*The Board may include other relevant considerations as necessary or desirable in each case. The Board may include additional justification if desired, but it is not required.*

- 3a. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** conform to the applicable regulations and standards of the DISTRICT in which it is located.
- 3b. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located because:
- a. The Special Use will be designed to ***{CONFORM / NOT CONFORM}*** to all relevant County ordinances and codes.
  - b. The Special Use ***{WILL / WILL NOT}*** be compatible with adjacent uses.
  - c. Public safety will be ***{ADEQUATE / INADEQUATE}***.
4. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}*** in harmony with the general purpose and intent of the Ordinance because:
- a. The Special Use is authorized in the District.
  - b. The requested Special Use Permit ***{IS/ IS NOT}*** necessary for the public convenience at this location.
  - c. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}*** is so designed, located, and proposed to be operated so that it ***{WILL / WILL NOT}*** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare.
  - d. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located.
5. The requested Special Use ***IS NOT*** an existing nonconforming use.
6. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***

A. **The Special Use is subject to the approval of Case 198-AM-26.**

The special condition stated above is required to ensure the following:

**That the Special Use is consistent with the intent of the Zoning Ordinance and ZBA recommendations.**

B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

The special condition stated above is required to ensure the following:

**That any future exterior lighting installations meet the requirements established for Special Uses in the Zoning Ordinance.**



**FINAL DETERMINATION FOR RRO REZONING CASE 198-AM-26**

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County recommends that:

The Map Amendment for a Rural Residential Overlay (RRO) requested in **Case 198-AM-26** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

**SUBJECT TO THE FOLLOWING SPECIAL CONDITION:**

- A. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

SIGNED:

ATTEST:

Cynthia Cunningham, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

**FINAL DETERMINATION FOR RRO SPECIAL USE PERMIT CASE 199-S-26**

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, the requirements of Section 9.1.11B. for approval *{HAVE/ HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, recommends that:

The Special Use requested in Case **199-S-26** be *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}* to the applicant, **Patrick Duda**, to authorize the following as a Special Use Permit:

**Authorize a Special Use Permit for a Rural Residential Overlay (RRO) Zoning District for three single family residential lots in conjunction with related map amendment Case 198-AM-26 that is also required for an RRO.**

***{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}***

- A. The Special Use is subject to the approval of Case 199-AM-26.**
- B. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

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

SIGNED:

ATTEST:

Cynthia Cunningham, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

**PRELIMINARY DRAFT**

**200-V-26**

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

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

Date: ***{April 30, 2026}***

Petitioner: **Patrick Duda**

Request: **Authorize a variance for a proposed 5.09-acre lot in lieu of the maximum allowed 2 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, with a proposed Rural Residential Overlay as requested in the related cases 198-AM-26 and 199-S-26 per Section 5.3 and 5.4 of the Champaign County Zoning Ordinance.**

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**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Patrick Duda is the owner of the 10.18-acre property. The property is a proposed 5.09-acre lot in the Northeast Quarter of the Northeast Quarter of Section 26, Township 21 North, Range 7 East of the Third Principal Meridian, in Newcomb Township, being the north 5.09-acres of an existing 10.18-acre lot at the southwest corner of CR 2600N and 500E with an address of 2595 CR 500E, Mahomet.
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 Newcomb Township, which does have 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 5.09-acre subject property is zoned AG-1 Agriculture and is in use as residential and agriculture.
  - B. Land to the north, south, east and west is zoned AG-1 Agriculture. Land to the north and east is in agricultural production, land to the west is in use as agriculture (horse stable) and land to the south is agriculture and residential.

**GENERALLY REGARDING THE PROPOSED SITE PLAN**

5. Regarding the site plan for the subject property:
  - A. The Site Plan (Plat of Survey) received on February 12, 2026, indicates the following:
    - (1) The existing 10.18 acre tract is proposed to be divided into two 5.09-acre tracts:
      - a. Tract 1 is vacant and is the subject of this variance request
      - b. Tract 2 contains a single-family residence
    - (2) The petitioner is not proposing any additional changes at this time.
  - B. Zoning Use Permit 25-08-01 for the construction of the home was approved on January 25, 2008.
  - C. There are no previous zoning cases for the subject property.
  - D. The petitioner is proposing to divide the existing 10.18-acre tract into two 5.09-acre tracts.

- E. The requested variance is for the proposed Tract 1 to be 5.09-acres lot in lieu of the maximum allowed 2 acres in area for a lot with soils that are best prime farmland in the in the Rural Residential Overlay (RRO) district.
- F. Zoning cases 198-AM-26 and 199-AM-26 seek to rezone the property and request a special use permit for an RRO overlay on the 5.09-acre Tract 1 subject property.

**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 form 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 Land Evaluation (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.

**PRELIMINARY DRAFT**

- (5) “LOT LINES” are the lines bounding a LOT.
  - (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 both of the following criteria may not exceed a maximum LOT AREA of two acres:
      - 1) The LOT is located within a Rural Residential Overlay District; and
      - 2) The LOT is made up of soils that are BEST PRIME FARMLAND.
- 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.

**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: **“The size of the parent tract is inconvenient to farm because of larger equipment sizes. An even split of the 10.18 acres is the cost convenient for most buyers in the area.”**
  - B. The proposed 5.09-acre lot is comprised of Blount silt loam and Drummer silty clay loam. Drummer is a soil that is considered BEST PRIME FARMLAND and the proposed lot has an average LE score of 85.
  - C. The proposed lot is the north half of a 10.18-acre lot that was divided for residential use and was created prior to the adoption of the maximum lot size restrictions for lots on best prime farmland.
  - D. A variance is not required for Tract 2 that contains the single-family residence because the lot is currently legally non-conforming and would become closer to conforming with the maximum lot size regulations.
  - E. Currently the subject property is in row crop production; it is possible that any or all of the lot would be taken out of agricultural 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 Petitioner testified the following on the application: **“It may be difficult to find a buyer for this area for a 2-acre tract. It may also be difficult to contract farming services for the remaining 6 acres. Maintenance costs would be reduced for the owner.”**
  - B. Without the proposed variance the petitioner could only divide off a 2-acre lot leaving two small areas on either side of the existing home that could be farmed. The end result would still be two lots on the existing 10.18-acre tract.

***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 testified the following on the application: **“No.”**
  - B. The existing 10.18-acre lot was created before the maximum lot sizes were established in the Zoning Ordinance for lots on best prime farmland. The petitioner has testified on the application that the areas of the property that are currently farmed are inconvenient due to the size of modern farming equipment.

**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 testified the following on the application: **“The ordinance is intended to protect our most productive farm lands. However, this area has already been divided into multiple smaller lot sizes that have created non-tillable lands.”**
  - 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, and also included the rule that 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 would be considered Best Prime Farmland.
    - (1) The proposed 5.09-acre lot meets the current definition of Best Prime Farmland, and therefore a variance is necessary.
  - D. The proposed 5.09-acre lot area is 255% of the required two acre maximum, for a variance of 155%.
  - E. Up to 5.09-acres could be taken out of 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 Petitioner testified the following on the application: **“Due to the typical nature of the surrounding home properties being larger acreage homes on non-tillable land, the variance would be in order with existing properties and not injurious”.**
  - B. The Newcomb Township Highway Commissioner has been notified of this variance, and no comments have been received.
  - C. The Newcomb Township Supervisor has been notified of this variance, and no comments have been received.
  - D. The Cornbelt 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 petitioner did not provide a response.

***GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL***

13. **No special conditions are proposed at this time.**

**DOCUMENTS OF RECORD**

1. Application for Variance received February 12, 2025, with attachments:
  - A Preliminary Plat of Survey received February 12, 2026
  
2. Preliminary Memorandum dated February 5, 2026, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Preliminary Plat of Survey received February 12, 2026
  - C 2023 Annotated Aerial Photo
  - D Soils Map
  - E Site Images
  - F Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 200-V-26 dated April 30, 2026

SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **200-V-26** held on **April 30, 2026**, 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 10.18-acre lot that encompasses the subject property was divided for residential use prior to the adoption of the maximum lot size restrictions for lots on best prime farmland.*
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 petitioner could only divide off a 2-acre lot leaving two small areas on either side of the existing home that could be farmed.*
3. The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
  - a. *The 10.18-acre lot that encompasses the subject property was divided for residential use prior to the adoption of the maximum lot size restrictions for lots on best prime farmland.*
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 10.18-acre lot that encompasses the subject property has already been divided for residential use.*
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 create two equal lots.*
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 200-V-26 is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioner **Patrick Duda**, to authorize the following:

**Authorize a variance for a proposed 5.09-acre lot in lieu of the maximum allowed 2 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, with a proposed Rural Residential Overlay as requested in the related cases 198-AM-26 and 199-S-26 per Section 5.3 and 5.4 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:

ATTEST:

Cynthia Cunningham, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date