

## **CASE 201-V-26**

*PRELIMINARY MEMORANDUM*

May 7, 2026

Petitioner: **Michelle Aders and Bonnie Stanton**

Request: **Authorize a variance for a proposed 10-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

Location: **An existing 3.61-acre lot plus a 6.39-acre tract, totaling 10-acres in the Southwest ¼ of the Southwest ¼ of Section 3, Township 18 North, Range 9 East of the Third Principal Meridian in Philo Township, with an address of 1524 CR 1100 N, Urbana.**

Site Area: **10 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 petitioners Michelle Aders and Bonnie Stanton are the owners of the subject properties. The petitioners seek to divide off 6.39 acres from an existing 36.39-acre horse farm and combine it with the existing 3.61-acre residential lot to create a 10-acre lot. The additional 6.39 acres is currently used for hay production and has a small stand of trees; no land is proposed to be taken out of production.

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

### **ZONING ORDINANCE REGULATIONS**

The 3.61-acre residential lot was created prior to the adoption of the 3-acre maximum lot size regulations for properties on best prime farmland.

Without the proposed variance, the petitioner (Stanton) would have to convey the additional 6.39 acres to her daughter (Aders) as a separate property that could only be used for agriculture, and only agricultural structures could be permitted on the property and would result in two separate tax bills.

### **EXTRATERRITORIAL JURISDICTION**

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

The subject property is located within Philo Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and receive notification of such cases.

## 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	Single Family Residence/Agriculture	CR Conservation-Recreation
North	Single Family Residence	CR Conservation-Recreation
East	Agriculture	CR Conservation-Recreation
West	Forest Preserve	CR Conservation-Recreation
South	Agriculture	CR Conservation-Recreation

## DRAFT FINDINGS OF FACT

The Board needs to make an affirmative finding for Finding 3 in the Summary Draft Findings of Fact on page 9 of 10 of Attachment F, regarding the finding that special conditions, circumstances, hardships, or practical difficulties do or do not result from actions of the applicant.

## SPECIAL CONDITIONS

No special conditions are proposed.

## ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site plan showing the proposed 10-acre lot received February 25, 2026
- C 2023 Annotated Aerial Photo
- D Soils Map
- E Site Images taken May 6, 2026
- F Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 201-V-26 dated May 14, 2026

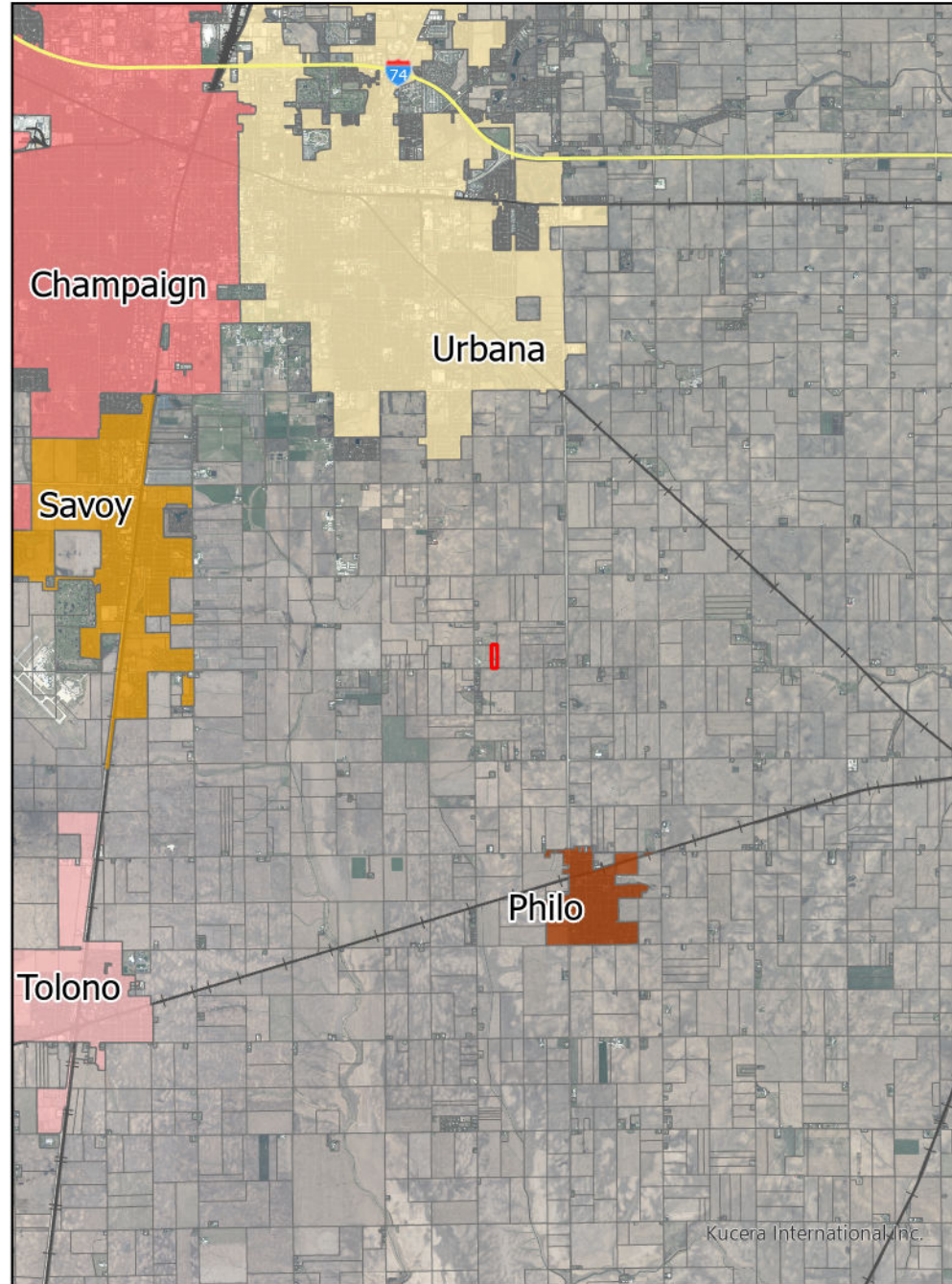
# Location Map

Case 201-V-26

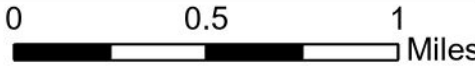
May 14, 2026

Subject Property

Property location in Champaign County



 Subject Property



# Land Use Map

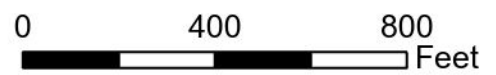
Case 201-V-26

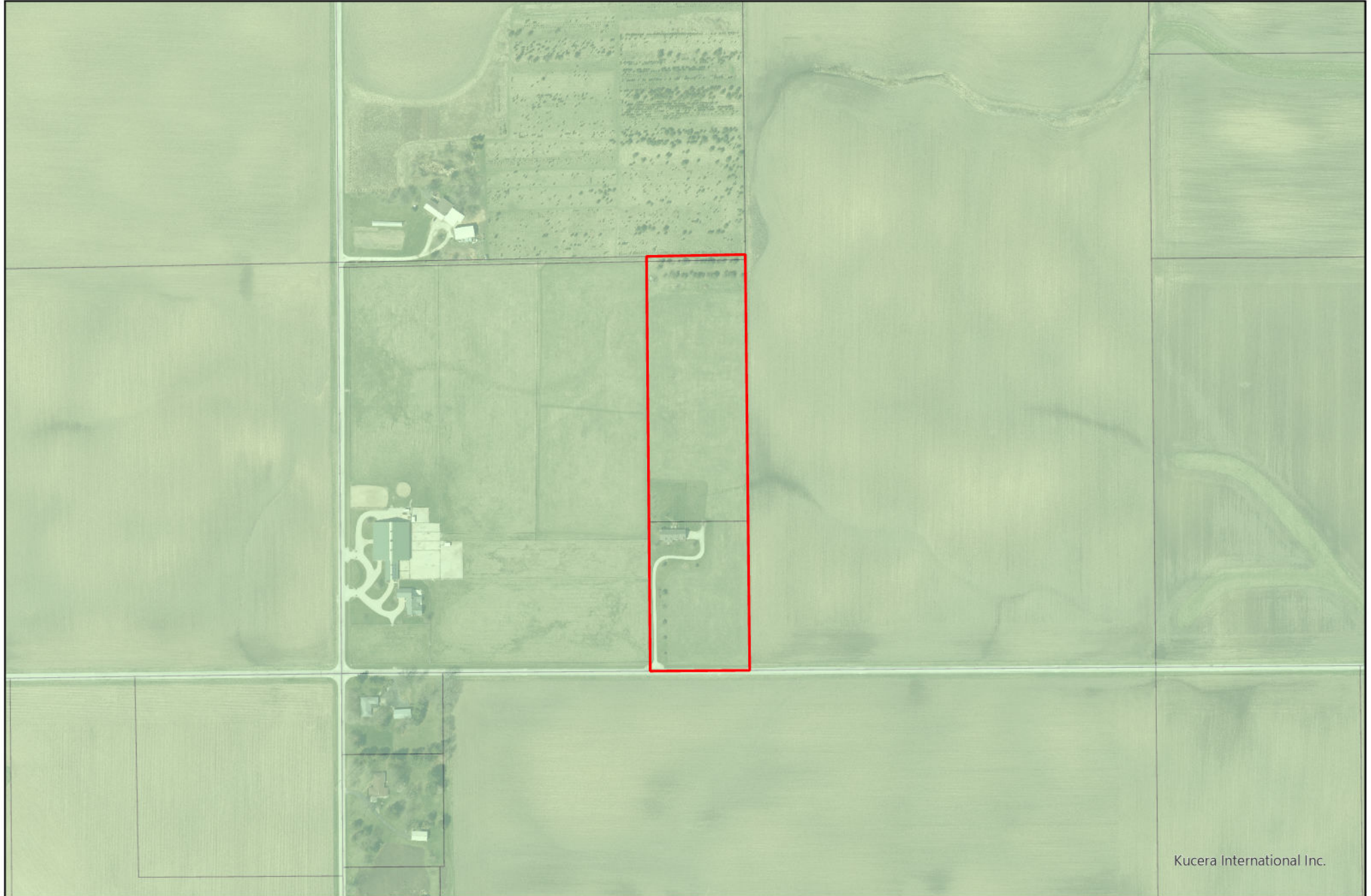
May 14, 2026





Kucera International Inc.

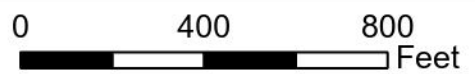
 Proposed 10-acre parcel  Agriculture  Residential





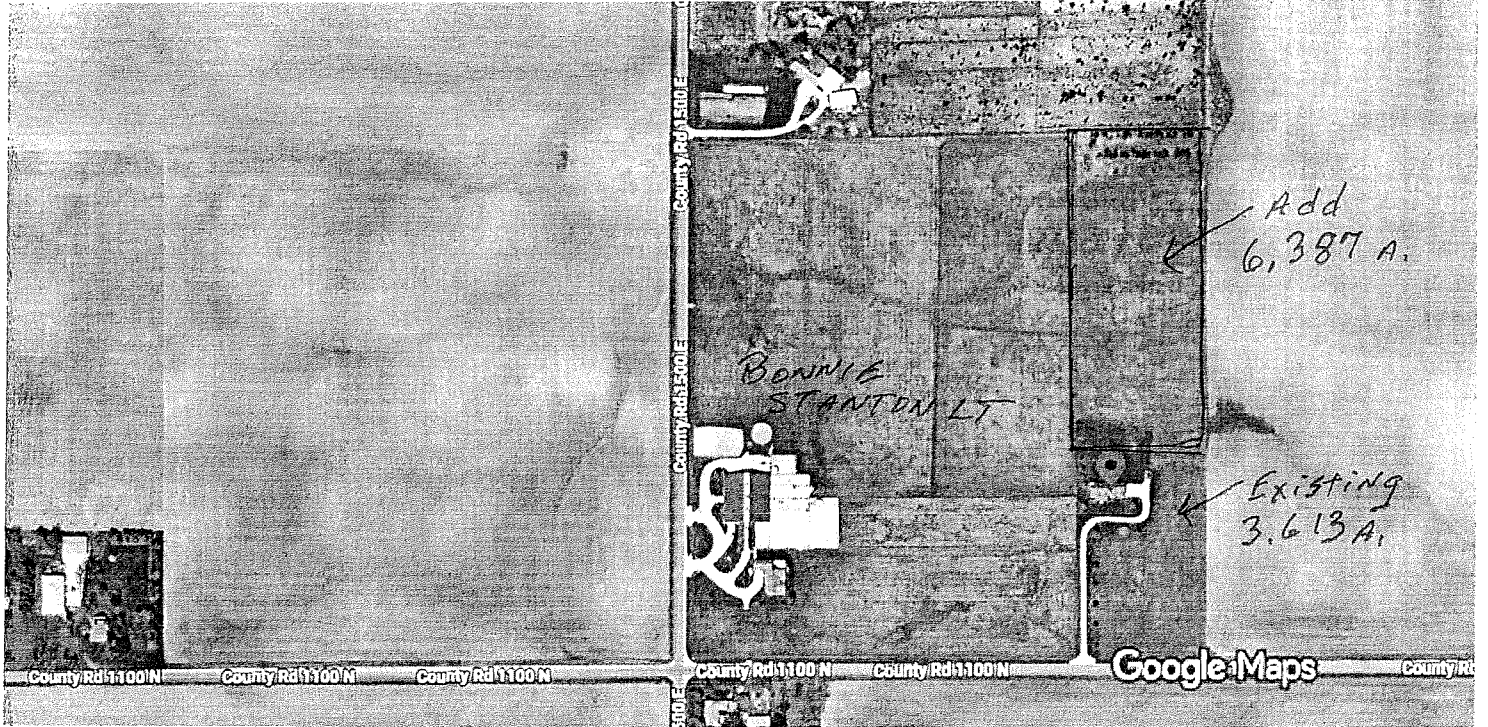
Kucera International Inc.

 Proposed 10-acre parcel     AG-1 Agriculture

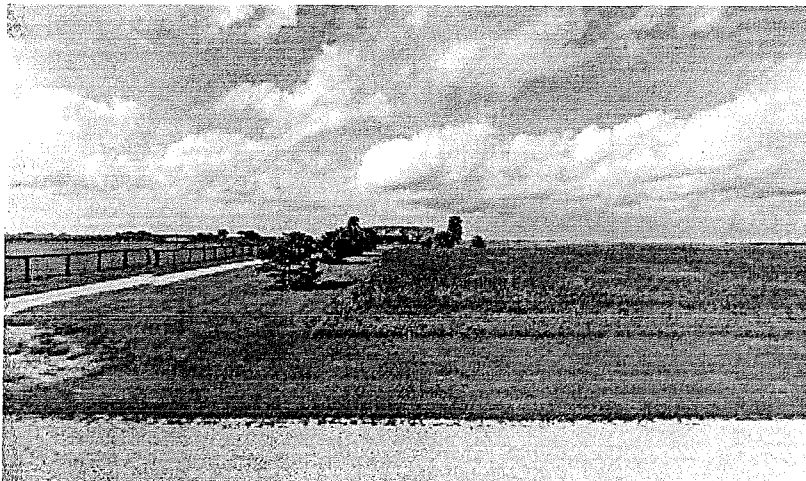


Google Maps

1524 County Rd 1100 N



Imagery ©2026 Airbus, Maxar Technologies, Map data ©2026 200 ft



### 1524 County Rd 1100 N

Building



Directions



Save



Nearby



Send to phone



Share



1524 County Rd 1100 N, Urbana, IL 61802

Photos

Original 40 A., of which  
10 A. that was  
divided into 3.613 in  
Sept 2000

**EXHIBIT #A**

**TRACT 1 (THE EAST 10 ACRES OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE GORE PARCEL IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, T. 18N., R. 9E. OF THE 3<sup>RD</sup> P.M.)**

BEGINNING AT A P.K. NAIL AND BRASS TAG STAMPED #2537 SITUATED AT THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 3, T. 18N., R. 9E., OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS; THENCE N. 00° 21' 46" W., ALONG THE EAST LINE OF SAID WEST ONE-HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1347.03 FEET TO AN IRON ROD FOUND BEARING A CAP STAMPED REX #2537; THENCE S. 88° 56' 49" W., A DISTANCE OF 323.89 FEET TO AN IRON ROD; THENCE S. 00° 21' 46" E., A DISTANCE OF 1342.93 FEET TO A P.K. NAIL AND BRASS TAG STAMPED #2537 FOUND SITUATED ON THE SOUTH LINE OF THE AFORESAID SOUTHWEST QUARTER OF SECTION 3; THENCE N. 89° 40' 23" E., ALONG SAID SOUTH LINE A DISTANCE OF 323.87 FEET TO THE POINT OF BEGINNING, CONTAINING 10.000 ACRES, MORE OR LESS, AND ALL SITUATED WITHIN THE LIMITS OF CHAMPAIGN COUNTY, ILLINOIS

# Annotated 2023 Aerial

Case 201-V-26

May 14, 2026

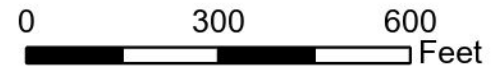


1500E

1100N

Kucera International Inc.

 Proposed 10-acre parcel



# Annotated 2023 Aerial with Soils

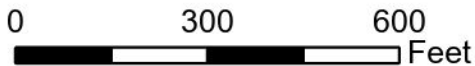
Case 201-V-26

May 14, 2026



Kucera International Inc.

 Proposed 10-acre parcel



## 201-V-26 Site Images



**From 1100 N. looking north toward subject property**



**From 1100 N. near driveway entrance looking east along 1100 N**

**201-V-26 Site Images**



**From 1100 N looking east along 1100 N toward subject property**



**From 1500 E looking east toward subject property**

**PRELIMINARY DRAFT**

**201-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: ***May 14, 2026***

Petitioners: **Michelle Aders and Bonnie Stanton**

Request: **Authorize a variance for a proposed 10-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

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**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **May 14, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Michelle Aders, 1524 CR 1100N, Urbana owns the 3.61 acre parcel and family member Bonnie Stanton, 1102 CR 1500E, Urbana, owns the 36.39-acre property that partially surrounds it. Southwest ¼ of the Southwest ¼ of Section 3, Township 18 North, Range 9 East of the Third Principal Meridian in Philo Township, with an address of 1524 CR 1100 N, Urbana.
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 Philo Township, which does not 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 10-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 is in agricultural production, land to the east is in use as a horse stable and pasture, land to the south and east is in agricultural production.

**GENERALLY REGARDING THE PROPOSED SITE PLAN**

5. Regarding the site plan for the subject property:
  - A. The Site Plan received on February 25, 2026, indicates the following:
    - (1) Existing structures on the property include:
      - a. One single family dwelling
    - (2) The petitioner is not proposing any additional changes at this time.
  - B. Previous Zoning Use Permits for the subject property are:
    - (1) ZUPA #128-01-02 was approved on May 14, 2001, to construct a single-family home with attached garage.
  - C. There are no previous zoning cases for the subject property.
  - D. The existing 3.61-acre lot was created prior to the adoption of the 3-acre maximum lot size for properties on best prime farmland.
  - E. The petitioner is proposing to create a 10-acre lot that contains the existing house and hay field.

- F. The requested variance is for the proposed 10-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the CR Conservation Recreation Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

**GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES**

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

**PRELIMINARY DRAFT**

- (6) "VARIANCE" is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning Board of Appeals are permitted to grant.
- B. Section 5.3 of the Zoning Ordinance Footnote 13 states:
13. The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:
    - A) LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:
      - 1) The LOT is RRO-exempt;
      - 2) The LOT is made up of soils that are BEST PRIME FARMLAND; and
      - 3) The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.
- C. Paragraph 9.1.9 D. of the *Zoning Ordinance* requires the ZBA to make the following findings for a variance:
- (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9C. of the *Zoning Ordinance* states that a variance from the terms of the *Champaign County Zoning Ordinance* shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
    - a. That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district.
    - b. That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.
    - c. That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
    - d. That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
    - e. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
  - (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9 D.2.
- D. Paragraph 9.1.9 E. of the *Zoning Ordinance* authorizes the ZBA to prescribe appropriate conditions and safeguards in granting a variance.

**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 Petitioners did not provide a response on the application.
  - B. The existing 3.61-acre lot that contains the single-family residence is adjacent to the family horse stable operation.
  - C. The house on the 3.61-acre lot is located toward the back of the property leaving minimal room behind the home for any accessory uses or structures.
  - D. The proposed 10-acre lot is comprised of Flanagan silt loam, 152A Drummer Silty Clay, 154A Flanagan silt loam, 663B Clare silt loam and 56B Dana silt loam 2. All four soil types are considered BEST PRIME FARMLAND and the proposed lot has an average LE score of 96.
  - E. Approximately 7 acres of the proposed lot are currently in agricultural production as a hay field.
  - F. The petitioner proposes to continue growing hay on the property for the use of the family horse stable. No land is proposed to be taken out of production.

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

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
  - A. The Petitioners did not provide a response on the application.
  - B. Without the proposed variance, the petitioner (Stanton) would have to convey the additional 6.39 acres to her daughter (Aders) as a separate property that could only be used for agriculture, and only agricultural structures could be permitted on the property and would result in two separate tax bills.

***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: **“Bonnie Stanton wishes to convey 6.39 acres to square off the original 3.61 acres gifted to Michelle Aders, for a total of 10 acres east of the original 40 acres.”**
  - B.

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

**PRELIMINARY DRAFT**

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
  - A. The Petitioners testified the following on the application: **“No farmground will be taken out of production, currently 7 acres are in hay production out of the 10-acres, Michelle will continue allowing hay production.”**
  - 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 10-acre lot meets the current definition of Best Prime Farmland, and therefore a variance is necessary.
  - D. The proposed 10-acre lot area is 333% of the required three acre maximum, for a variance of 233%.
  - E. No land is proposed to 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 Petitioners testified the following on the application: **“The hay field supports ground nesting and three clover varieties support pollinators. One acre of pine trees will remain for wildlife habitat.”**
  - B. The Philo Township Highway Commissioner has been notified of this variance, and no comments have been received.
  - C. The Philo Township Supervisor has been notified of this variance, and no comments have been received.
  - D. The Philo Fire Protection District has been notified of this variance, and no comments have been received.

**GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE**

12. Generally regarding and other circumstances which justify the Variance:

- A. The Petitioners testified the following on the application: **“Ground water from adjacent crop fields is filtered by hay ground. Seven bird species thrive on pasture.”**

*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 25, 2026, with attachments:
  - A Site plan showing the proposed 10-acre lot
  - B Legal description of proposed 10-acre lot
  
2. Preliminary Memorandum dated May 7, 2026, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Site plan showing the proposed 10-acre lot received February 25, 2026
  - C 2023 Annotated Aerial Photo
  - D Soils Map
  - E Site Images taken May 6, 2026
  - F Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 201-V-26 dated May 14, 2026

SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **201-V-26** held on **May 14, 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 petitioner wants to add 6.39-acres to the existing 3.61-acre lot in order to square off the property relative to the original 40-acre tract.*
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 would not be able to convey the additional land to their daughter that could be combined with their current lot.*
3. The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
  - a. *The...*
4. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{IS / IS NOT}* in harmony with the general purpose and intent of the Ordinance because:
  - a. *No land is proposed to be taken out of production.*
5. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{WILL / WILL NOT}* be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
  - a. *Relevant jurisdictions have been notified of this case, and no comments have been received.*
6. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{IS / IS NOT}* the minimum variation that will make possible the reasonable use of the land/structure because: *It is the minimum lot size that will allow the petitioners to square off the property relative to the original 40-acre tract.*
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 201-V-26 is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioners, **Michelle Aders and Bonnie Stanton**, to authorize the following:

**Authorize a variance for a proposed 10-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

*{SUBJECT TO THE FOLLOWING CONDITION(S):}*

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

SIGNED:

ATTEST:

Cynthia Cunningham, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date