

CASE 209-S-26 & 215-V-26

PRELIMINARY MEMORANDUM

June 4, 2026

Petitioners: **Edward Laroe, Melinda Laroe, Kenneth Laroe**

Request: **Case 209-S-26**

Authorize a Special Use Permit for Minor Automobile Repair as a Neighborhood Home Occupation that exceeds the maximum allowed number of vehicles, with up to fifteen vehicles to be parked outside at all times including between the hours of 10:00 pm and 6:30 am in the R-3 Two Family Residence Zoning District per Section 7.1.1. of the Zoning Ordinance.

Case 215-V-26

Authorize the following variance in the R-3 Two Family Residence Zoning District:

Part A: Authorize a variance for the use of an existing fence located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.

Part B: Authorize a variance for the use of an existing fence that is located in the front yard and is not at least 50% transparent for the portion of the fence that is over four feet in height per Section 4.3.3 G of the Zoning Ordinance.

Location: **A 0.42 acre lot that is the west half of Lot 32 of Fred C. Carroll's Subdivision, of the East Half of the Northwest Quarter of the East Half of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, commonly known as the residence with an address of 1207 E. Perkins Ave., Urbana.**

Site Area: **0.42 acre**

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

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

BACKGROUND

Petitioners Melinda Laroe and Kenneth Laroe own the subject property. Petitioners Edward Laroe and Kenneth Laroe operate the automobile repair business as a home occupation with Kenneth Laroe residing on the property. Complaints have been received about an auto repair business being operated on the property as well as complaints regarding fencing and signage on the property dating back to 2017, with the most recent complaint being in 2021. A first notice of violation was sent to the operators of the business in June of 2021 and a final notice of violation was sent in November of 2025. The petitioners submitted a Neighborhood Home Occupation Registration Application in

November of 2025, and a Special Use Permit Application in April of 2026. Upon review by staff, it was determined that a variance would be required for the fencing near the front of the property.

Neighborhood Home Occupations are allowed by-right as an accessory use to the residence in any zoning district, however minor automobile repair is only allowed with a Special Use Permit.

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, 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 Urbana Township, which does not have a Plan Commission.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Residential with auto repair business	R-3 Two Family Residence
North	Residential Willow Springs Condos	R-3 Two Family Residence
East	Residential	R-3 Two Family Residence
West	Residential	R-3 Two Family Residence
South	Warehouse/Office J&S Wastewater Systems Inc.	R-3 Two Family Residence w/ SUP for re-use of gov't building

MINOR AUTOMOBILE REPAIR AS AN NHO

Minor Automobile Repair may be authorized in certain locations by means of a Special Use Permit and subject to several special conditions. The special conditions can be waived as part of the Special Use Permit or subject to a Variance.

Paragraph 7.1.1 M.3.d. states that “No more than two resident vehicles and one customer vehicle may be parked outdoors on the property at any one time, and no customer vehicles may be parked outside between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.” The petitioner is requesting to allow up to 15 customer vehicles on the property awaiting repair including between the hours of 10:00 pm and 6:30 am.

VARIANCE FOR FENCING

There is an existing fence on the north side of the property along E. Perkins Rd. that is within the 15 ft. driveway visibility triangle on both sides of the driveway which is prohibited by the Zoning Ordinance and subject to a Variance. The petitioner has requested a variance to leave the fence as constructed within the 15 ft. driveway visibility triangle.

Fencing within the front yard is required to be 50% transparent for any portion of the fence over 4 ft. in height. A portion of the fence in the front yard is 6 ft. in height with no transparency over 4 ft. in height. The Petitioner has requested a variance to leave the fence as constructed.

PROPOSED SPECIAL CONDITIONS FOR CASE 209-S-26

- A. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the Neighborhood Home Occupation until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

That the proposed Special Use meets applicable State requirements for accessibility.

- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- C. **Regulations regarding the operation of the Neighborhood Home Occupation are as follows:**

1. **All automobile repair shall be conducted inside a building.**
2. **No automobile repair shall be conducted, and no customers shall be on the property between the hours of 10:00pm and 9:00am except that vehicles may be dropped off for repair as early as 6:30am.**
3. **No parking for the auto repair business shall occur within a public right-of-way or on other properties.**
4. **No more than fifteen vehicles may be parked outdoors on the property at any one time, including between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.**
5. **Any vehicle parked outdoors on the property must be intact and have a valid license.**
6. **No more than one inoperable vehicle may be parked outdoors on the property at any time.**
7. **No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices.**

8. **All vehicles parked outdoors on the property must be at least 10 feet from a front lot line and at least 5 feet from a side or rear lot line and shall be parked on a surface other than bare ground.**
9. **Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the Special Use Permit.**
10. **Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices.**
11. **Evidence of vehicle ownership shall be provided at the request of the Zoning Administrator.**
12. **No vehicle awaiting repair shall be stored outside for more than 30 days.**
13. **Junk yard or automobile salvage storage or operations.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- D. **Waste materials should be stored and disposed of properly, on a regular basis, and not allowed to accumulate on the property.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- E. **Inoperable vehicles currently on the property and stored outside (with the exception of one inoperable vehicle that meets Section 3.3 B of the Nuisance Ordinance) will be removed within six months of the approval date of the Special Use Permit. The Zoning Administrator shall be allowed to inspect the property to confirm the removal.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- F. **The Neighborhood Home Occupation shall be screened with a Type C screen (6 ft. in height) consistent with the approval of Variance Case 215-V-26.**

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

That the use is screened in conformance with the Champaign County Zoning Ordinance.

ATTACHMENTS

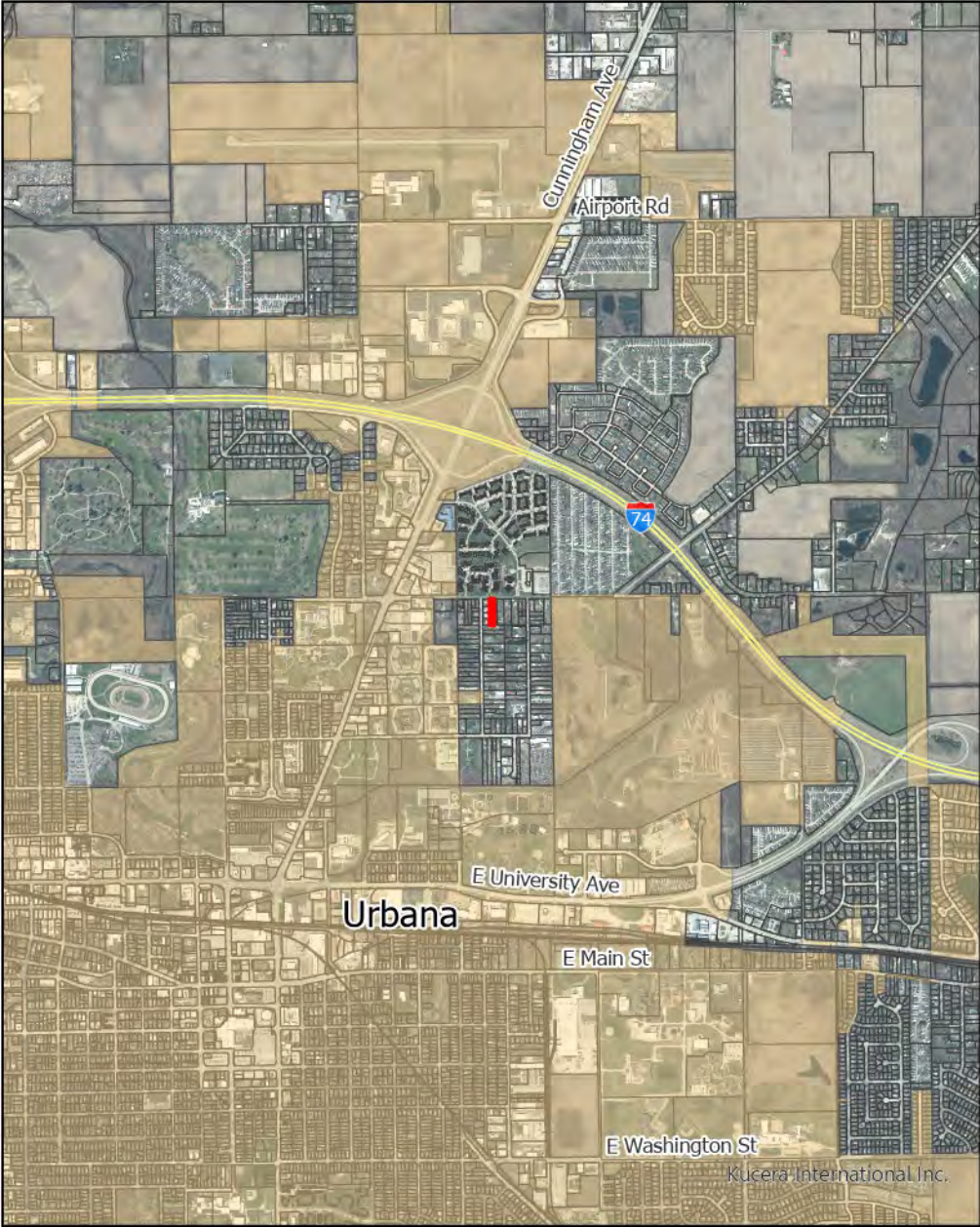
- A Case Maps (Location, Land Use, Zoning)
- B Annotated Aerial Photo with Site Plan created by P&Z Staff
- C Site photos taken June 4, 2026
- D Summary of Evidence, Finding of Fact, and Final Determination dated June 11, 2026

Location Map

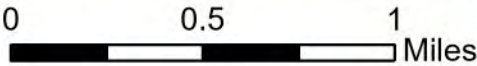
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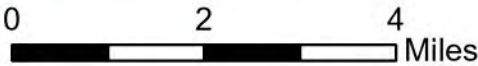
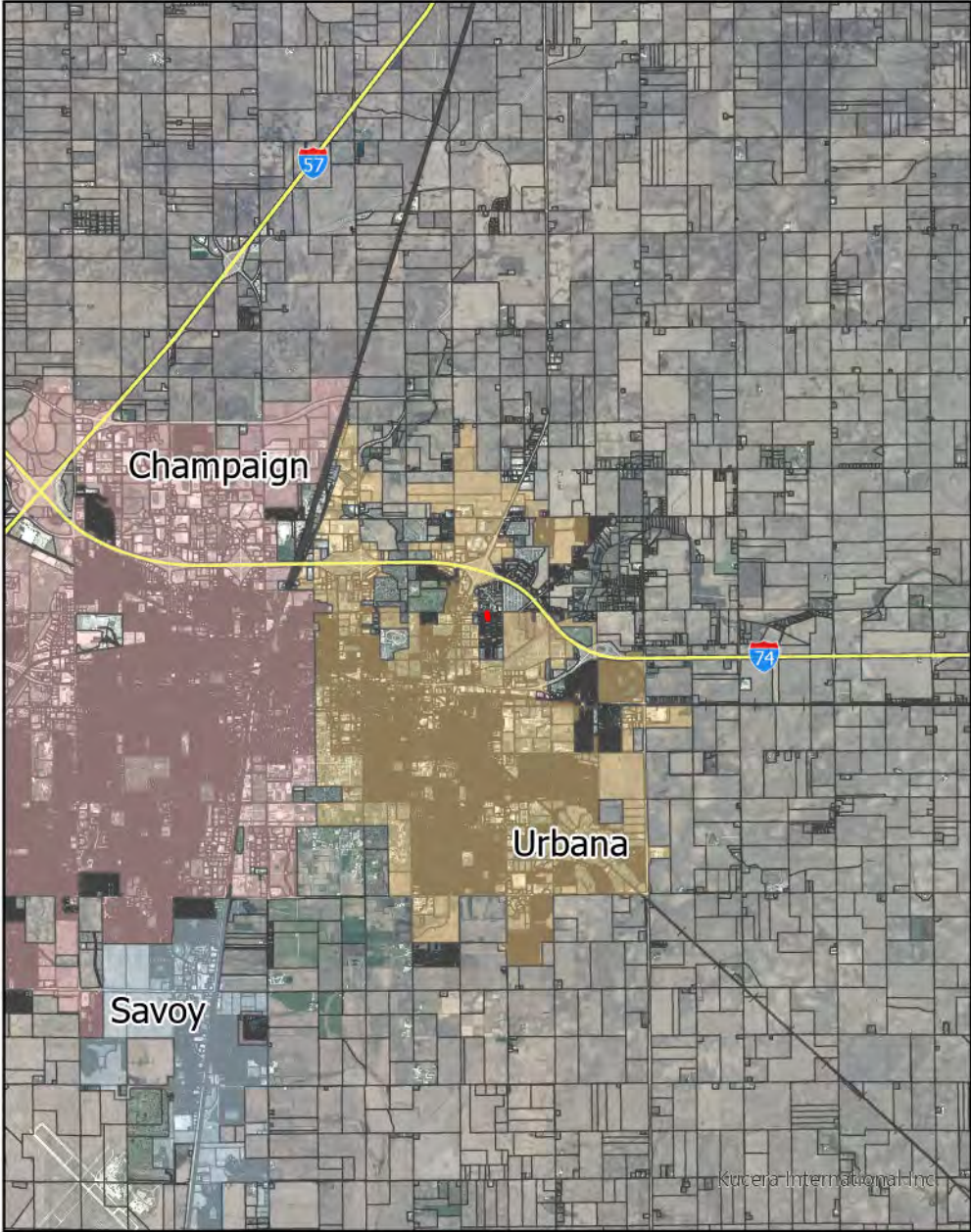
Subject Property



 Subject Parcel



Property location in Champaign County



PLANNING & ZONING

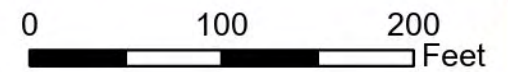
Land Use Map

Case 209-S-26 & 215-V-26

June 11, 2026



- Subject Parcel
- Commercial
- Residential
- City of Urbana






Zoning Map

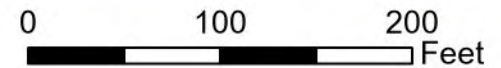
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-  Subject Parcel
-  R-3 Two Family Residence

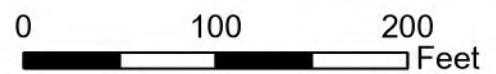
 City of Urbana



Annotated 2023 Aerial
Case 209-S-26 & 215-V-26
June 11, 2026



 Subject Parcel  Proposed Customer Parking



Kucera International Inc.

209-S-26 & 215-V-26 Site Images



From Perkins Rd. looking south toward subject property



From entrance looking southeast toward subject property parking area

209-S-26 & 215-V-26 Site Images



From subject property looking north toward neighboring properties.



From adjacent property looking south toward subject property.

209-S-26 & 215-V-26 Site Images



From Perkins Rd. looking west across the subject property.



From Perkins Rd. looking east across the subject property

PRELIMINARY DRAFT

209-S-26 & 215-V-26

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

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

Date: ***{June 11, 2026}***

Petitioner: **Edward Laroe, Melinda Laroe, Kenneth Laroe**

Request: **Case 209-S-25**

Authorize a Special Use Permit for Minor Automobile Repair as a Neighborhood Home Occupation that exceeds the maximum allowed number of vehicles, with up to fifteen vehicles to be parked outside at all times including between the hours of 10:00 pm and 6:30 am in the R-3 Two Family Residence Zoning District per Section 7.1.1. of the Zoning Ordinance.

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Authorize the following variance in the R-3 Two Family Residence Zoning District:

Part A: Authorize a variance for the use of an existing fence located within the driveway visibility triangle per Section 4.3.3 F.2 of the 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 **June 11, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioners Edward Laroe, Melinda Laroe and Kenneth Laroe are the owners of the subject property.
2. The subject property is a 0.42 acre lot that is the west half of Lot 32 of Fred C. Carroll’s Subdivision, of the East Half of the Northwest Quarter of the East Half of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, commonly known as the residence with an address of 1207 E. Perkins Ave., Urbana.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is located within the one and one-half mile extraterritorial of the City of Urbana, a municipality with zoning. Municipalities with zoning do not have protest rights on a Special Use but are notified of such cases.
 - B. The subject property is located in Urbana Township, which does not have a Plan Commission. Townships with Planning Commissions do not have protest rights on a Special Use Permit. Notification was sent to the Township.

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 .42-acre subject property is zoned R-3 Two Family Residence and contains a single-family residence, a detached garage and two detached storage buildings
 - B. Land to the north is zoned R-3 Two Family Residence and is in use as residential as the Willow Springs Condominiums.
 - C. Land to the west is zoned R-3 Two Family Residence and is in use as single and two-family residential.
 - D. Land to the south is zoned R-3 Two Family Residence and is in use as a warehouse and office for J&S Wastewater Systems Inc.
 - E. R-3 Two Family Residence and is in use as single and two-family residential.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the site plan and operations of the proposed Special Use:
 - A. The Site Plan received June 1, 2026, indicates the following existing features:
 - (1) One 1,200 square feet residence constructed in 1979.
 - a. Expanded with a porch addition sometime after 1988.
 - (2) An existing 28 feet by 32 feet detached garage constructed in 1980.
 - (3) Two small yard sheds, 8 feet by 8 feet and 10 feet by 10 feet.

- B. Information regarding the operations of the home-based business, Backwoods Automotive, was provided by the petitioner and is summarized as follows:
 - (1) The services performed are the general repair of vehicles.
 - (2) The two operators/employees of the business are family members. There is one resident employee and one non-resident employee.

- C. Previously approved Zoning Use Permits for the subject property include:
 - (1) ZUPA #225-79-02 was applied for in 1979, for the construction of the single family residence.
 - (2) ZUPA #091-80-02 was approved on April 1, 1980, for the construction of the 28x32ft. detached garage.

- D. Previously approved Zoning Cases for the subject property and vicinity include:
 - (1) There are no previous zoning cases on the subject property.
 - (2) Case 765-AM-91 was approved on October 10, 1991, for a Special Use Permit for an office/warehouse for J&S Wastewater Systems Inc. to be located in the former Carroll Fire Protection District station immediately south of the subject property.
 - (3) Case 160-AV-98 was approved September 28, 1998, for an accessory building over 15 ft. in height and Case 612-AV-08 was approved April 6, 2008, for a dwelling with a setback of 50 ft. on the property immediately west of the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

- 6. Regarding authorization for a Neighborhood Home Occupation in the R-3 Two-Family Residence Zoning DISTRICT in the *Zoning Ordinance*:
 - 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) “ACCESS” is the way MOTOR VEHICLES move between a STREET or ALLEY and the principal USE or STRUCTURE on a LOT abutting such STREET or ALLEY.
 - (2) “ACCESSORY STRUCTURE” is a STRUCTURE on the same LOT with the MAIN OR PRINCIPAL STRUCTURE, or the main or principal USE, either DETACHED from or ATTACHED to the MAIN OR PRINCIPAL STRUCTURE, subordinate to and USED for purposes customarily incidental to the MAIN OR PRINCIPAL STRUCTURE or the main or principal USE.
 - (3) “ACCESSORY USE” is a USE on the same LOT customarily incidental and subordinate to the main or principal USE or MAIN or PRINCIPAL STRUCTURE.
 - (4) “AUTOMOBILE” is a self-propelled, free-moving MOTOR VEHICLE for the conveyance of persons on a STREET and having a seating capacity for not more than ten persons.

- (5) “AUTOMOBILE REPAIR, MAJOR” is general repair, rebuilding or reconditioning of engines, MOTOR VEHICLES or trailers; collision services, including: body, frame, or fender straightening or repair; overall painting or paint shop, or vehicle steam cleaning.
- (6) “AUTOMOBILE REPAIR, MINOR” is replacement of parts and motor services to passenger cars and trucks not exceeding one and one-half tons capacity, excluding body repairs.
- (7) “DISCRETIONARY DEVELOPMENT” is a non-agricultural land USE that may occur provided that a SPECIAL USE permit and/or a rezoning request is granted by the BOARD and/or by the GOVERNING BODY following a DISCRETIONARY review process and additionally provided that the USE complies with provisions of the Zoning Ordinance and other applicable ordinances and regulations.
- (8) “DWELLING” is a BUILDING or MANUFACTURED HOME designated for non-transient residential living purposes and containing one or more DWELLING UNITS and/or LODGING UNITS.
- (9) “HOME OCCUPATION, NEIGHBORHOOD” is any activity conducted for gain or support by a member or members of the immediate FAMILY, residing on the premises, as an ACCESSORY USE entirely within the resident’s DWELLING UNIT or ACCESSORY BUILDING not exclusively devoted to such activity.
- (10) “JUNK YARD or AUTOMOBILE SALVAGE YARD” is A LOT, land BUILDING, or STRUCTURE, or part thereof used primarily for the collecting, storage, and/or sale of scrap metal, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts therefrom.
- (11) “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.
- (12) “MOTOR VEHICLE” is a self-propelled free-moving vehicle for the conveyance of goods or persons on a street.
- (13) “OPERATIONS” are processing, assembly, fabrication, or handling of materials or products or movement of bulk materials or products not in containers or pipelines.
- (14) “PARKING SPACE” is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
- (15) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (16) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.

- (17) “STORAGE” is the presence of equipment, or raw materials or finished goods (packaged or bulk) including goods to be salvaged and items awaiting maintenance or repair and excluding the parking of operable vehicles.
 - (18) “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.
 - (19) “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.
 - (20) “USE” is the specific purpose for which land, a STRUCTURE or PREMISES, is designed, arranged, intended, or for which it is or may be occupied or maintained. The term “permitted USE” or its equivalent shall not be deemed to include any NONCONFORMING USE.
 - (21) “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. 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. Subsection 7.1.1 establishes the parameters of Neighborhood Home Occupations. The following paragraphs are relevant to this case:
- (1) 7.1.1 A. states, “No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m.”
 - (2) 7.1.1 B. states, “All business activities shall be conducted entirely indoors, and limited to the DWELLING and no more than one ACCESSORY BUILDING located on the LOT. The DWELLING or ACCESSORY BUILDING shall not be modified and no DISPLAY or activity shall be conducted that would indicate from the exterior that it is being used for any purpose other than that of a residential DWELLING or residential ACCESSORY BUILDING.”
 - (3) 7.1.1 C. states, ”No SIGN other than a name plate not more than two square feet in area shall be permitted.”
 - (4) 7.1.1 D. states, “No storage of volatile liquids, flammable gasses, hazardous materials, or explosives shall be permitted except as might be kept for normal household use in typical household quantities.”
 - (5) 7.1.1 F. states, “No patrons, clients or other congregants shall be present on the premises earlier than 9:00 a.m. nor later than 10:00 p.m. except that day care recipients may be present as early as 6:30 a.m.
 - (6) 7.1.1 G. states, processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration or time of occurrence customarily associated with the exclusive residential use of a similar DWELLING.
 - (7) 7.1.1 K. states, “No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on LOTS located in a residential zoning district as part of the NEIGHBORHOOD HOME OCCUPATION.”

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- (8) 7.1.1 L. states, “All NEIGHBORHOOD HOME OCCUPATIONS that exceed any of the standards in paragraphs 7.1.1A. through K. may be authorized by SPECIAL USE Permit provided as follows: 1. The USE is not a prohibited activity in paragraph 7.1.1I. 2. The DWELLING on the subject property shall remain the principal USE and the PRINCIPAL BUILDING on the property and the HOME OCCUPATION shall always be an ACCESSORY USE and any building devoted to the HOME OCCUPATION shall be an ACCESSORY BUILDING.”
- (9) 7.1.1 M. states, “MINOR AUTOMOBILE REPAIR may be authorized as a NEIGHBORHOOD HOME OCCUPATION by means of a SPECIAL USE Permit as follows:
1. When located less than 1 ½ miles from a municipality or village whose Zoning Ordinance does not explicitly authorize “minor home auto repair” as a home occupation but at a location that meets one of the following conditions:
 - a. a location in an area indicated as a future land use other than residential on the relevant comprehensive plan; or
 - b. a location subject to an intergovernmental agreement regarding municipal extraterritorial jurisdiction and which is therefore within the extraterritorial jurisdiction of a municipality or village that does explicitly authorize “minor auto repair” as a home occupation; and
 2. Subject to the following standard conditions which may be waived as authorized in Section 6.1 and Section 9.1.11 except that paragraph 7.1.1M.3.h shall be subject to a variance as authorized by Section 9.1.9:
 - a. All MINOR AUTOMOBILE REPAIR shall be conducted inside a building.
 - b. No MINOR AUTOMOBILE REPAIR shall be conducted and no customers shall be on the property between the hours of 10:00 pm and 9:00 am except that vehicles may be dropped off for repair as early as 6:30 am.
 - c. No parking shall occur within a public right-of-way.
 - d. No more than two resident vehicles and one customer vehicle may be parked outdoors on the property at any one time, and no customer vehicles may be parked outside between 10:00 pm and 6:30 am.
 - e. Any vehicle parked outdoors on the property must be intact and have a valid license.
 - f. No more than one inoperable vehicle may be parked outdoors on the property at any time.
 - g. No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface, and any leak, spill or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices must be as approved in the SPECIAL USE Permit.

- h. All vehicles parked outdoors on the property must be at least 10 feet from a FRONT LOT LINE and at least 5 feet from a SIDE OR REAR LOT LINE and shall be parked on a surface other than bare ground. This requirement is subject to a VARIANCE as authorized by Section 9.1.9.
 - i. Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the SPECIAL USE Permit.
 - j. Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices must be as approved in the SPECIAL USE Permit.
 - k. Floor drains are prohibited in the new buildings proposed to be used for MINOR AUTOMOBILE REPAIR unless installed with an oil separator inspected and approved by the State Plumbing Inspector. Floor drains in existing buildings proposed to be used for MINOR AUTOMOBILE REPAIR shall be blocked off or outfitted with an oil separator that is inspected and approved by the State Plumbing Inspector.
 - l. The ACCESSORY BUILDING AREA occupied by the MINOR AUTOMOBILE REPAIR (including , if applicable, any area for a service counter and waiting area, repair area, material storage, vehicle storage, etc.) shall not exceed 1,500 square feet or more than 150% of the PRINCIAL BUILDING AREA, whichever is greater, and shall be indicated on a floor plan drawing which shall be part of the approved site plan.
 - m. Evidence of vehicle owner shall be provided at the request of the Zoning Administrator.”
- (10) 7.1.1 N. states, “All NEIGHBORHOOD HOME OCCUPATIONS shall be registered with the Department of Planning and Zoning on forms prepared by the Zoning Administrator and any NEIGHBORHOOD HOME OCCUPATION authorized by SPECIAL USE Permit shall be required to obtain a Zoning Use Permit in accordance with Section 9.1.2 prior to operation. The fee for the Zoning Use Permit shall be the same as the fee for a RURAL HOME OCCUPATION.”

- D. Paragraph 9.1.9 D. of the Zoning Ordinance requires the ZBA to make the following findings for a variance:
- (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9 C. of the Zoning Ordinance states that a variance from the terms of the Champaign County Zoning Ordinance shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
 - a. That special conditions and circumstances exist which are peculiar to the land or structure involved that are not applicable to other similarly situated land or structures elsewhere in the same district.

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- 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.
- E. 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 in 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) Approval of a 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.

- F. 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

- 7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
 - A. The Petitioner testified on the application, **“It is where all my tools/lift are at, and it’s a good location for business.”**

 - B. The subject property is located along E. Perkins Rd. approximately 0.25 miles east of Cunningham Ave.

 - C. NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

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

- 8. 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, **“We keep the location clean to the public so we like to keep the people happy.”**

 - B. Regarding surface drainage:
 - (1) The site generally drains to the west and Carroll Ave. and Perkins Rd. have storm sewers and curb and gutter inlets.

 - (2) No new construction has been proposed that will increase stormwater runoff.

 - C. Regarding impacts on traffic:
 - (1) The subject property is located along E. Perkins Rd. 0.25 mile east of Cunningham Ave.
 - a. E. Perkins Rd. is an Urbana Township road that is approximately 24 feet wide.

 - b. The subject property has one driveway entrance on the south side of E. Perkins Rd.

PRELIMINARY DRAFT

- c. The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2021 near the subject property. E. Perkins Rd. had an ADT of 5,450 at the subject property.
 - d. The proposed Neighborhood Home Occupation should not create significant additional traffic due to its occasional use.
 - e. Notice was sent to the Urbana Township Supervisor and Urbana Township Road Commissioner, and no comments have been received.
- D. Regarding fire protection on the subject property, the subject property is located approximately 0.9 road miles southwest of the Carroll Fire Protection District station on Brownfield Road in Urbana. The Fire Chief was notified of this case, and no comments have been received.
- E. No part of the subject property is located within a mapped floodplain.
- F. Soil on the subject property is Best Prime Farmland and consists of 152A Drummer silty clay and 236A Sabina silt loam.
- (1) The site has been developed since prior to 1973 which is prior to the County regulations for Best Prime Farmland.
- G. Regarding outdoor lighting on the subject property:
- (1) No outdoor lighting was indicated on the Site Plan. A special condition has been added regarding any future outdoor lighting for the Special Use Permit area.
- H. Regarding wastewater treatment and disposal on the subject property:
- (1) The property is on public water and sewer.
 - (2) No new construction is being proposed that will require wastewater treatment.
- I. 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

9. 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) NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.
 - (2) Paragraph 7.1.1 A. states, “No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m.”
 - a. The only employees are the resident of the property and one brother who lives off-site.
 - (3) 7.1.1 B. states, “All business activities shall be conducted entirely indoors, and limited to the DWELLING and no more than one ACCESSORY BUILDING located on the LOT. The DWELLING or ACCESSORY BUILDING shall not be modified, and no DISPLAY or activity shall be conducted that would indicate from the exterior that it is being used for any purpose other than that of a residential DWELLING or residential ACCESSORY BUILDING.”
 - a. Repair activities take place in the detached garage on the property.
 - (4) 7.1.1 D. states, “No storage of volatile liquids, flammable gasses, hazardous materials, or explosives shall be permitted except as might be kept for normal household use in typical household quantities.”
 - a. The petitioner stated on the Rural Home Occupation Permit Application that they use propane and oxygen torch for cutting and the petitioner stated to staff that they have one bottle of each at a time.
 - (5) 7.1.1 M. states, “MINOR AUTOMOBILE REPAIR may be authorized as a NEIGHBORHOOD HOME OCCUPATION by means of a SPECIAL USE Permit as follows: when located less than 1 ½ miles from a municipality or village whose Zoning Ordinance does not explicitly authorize “minor home auto repair” as a home occupation...
 - a. The City of Urbana does allow minor automobile repair as a home occupation.
 - (6) 7.1.2 H. states, “No storage of volatile liquid, flammable gasses, hazardous material or explosives shall be permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.”
 - a. The business on the subject property stores materials in quantities that exceed those customarily found on farms and therefore requires a SPECIAL USE Permit.
 - (7) 7.1.1M.3.c. states, “No parking shall occur within a public right-of-way”
 - a. A Special Condition has been added prohibiting parking in the right-of-way.
 - (8) 7.1.1M.3.d states, “No more than two resident vehicles and one customer vehicle may be parked outdoors on the property at any one time, and no customer vehicles may be parked outside between 10:00 pm and 6:30 am”

PRELIMINARY DRAFT

- a. The site plan received June 3, 2026, shows 15 customer parking spaces and two resident vehicle parking spaces.
 - b. The business on the subject property exceeds the permitted number of vehicles for a neighborhood home occupation and therefore requires a special use permit.
- (9) 7.1.1M.3.e states, “Any vehicle parked outdoors on the property must be intact and have a valid license.”
- a. A Special Condition has been added requiring vehicles parked outdoors to be intact and have a valid license.
- (10) 7.1.1M.3.f states, “No more than one inoperable vehicle may be parked outdoors on the property at any time.”
- a. A Special Condition has been added requiring vehicles parked outdoors to be intact and have a valid license.
- (11) 7.1.1M.3.g states, “No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface, and any leak, spill or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices must be as approved in the SPECIAL USE Permit”
- a. A Special Condition has been added stating that no vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices.
- (12) 7.1.1M.3.i states, “Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the SPECIAL USE Permit.”
- C. Regarding the *Special Flood Hazard Areas Ordinance*, no portion of the subject property is located within the mapped floodplain.
- D. Regarding the *Subdivision Regulations*, the subject property is located in the City of Urbana’s subdivision jurisdiction, and the subject property is in compliance.
- (1) The lot was created prior to the City of Urbana adopting its Subdivision Ordinance.
- E. Regarding the requirement that the Special Use preserve the essential character of the R-3 Two-Family Residence Zoning District:
- (1) NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

- (2) MINOR AUTOMOBILE REPAIR may be authorized as a NEIGHBORHOOD HOME OCCUPATION by means of a SPECIAL USE Permit per the requirements established in Section 7.1.1 M. of the Zoning Ordinance.

- F. The proposed Special Use must comply with the Illinois Accessibility Code, which is not a County ordinance or policy and the County cannot provide any flexibility regarding that Code. A Zoning Use Permit cannot be issued for any part of the proposed Special Use until full compliance with the Illinois Accessibility Code has been indicated in drawings.
 - (1) A special condition has been added to ensure compliance with the Illinois Accessibility Code.

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

- 10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use be in harmony with the general intent and purpose of the Ordinance:
 - A. NEIGHBORHOOD HOME OCCUPATIONS are authorized by right in all Zoning DISTRICTS as ACCESSORY USES per the requirements established in Section 7.1.1 of the Zoning Ordinance.

 - B. MINOR AUTOMOBILE REPAIR may be authorized as a NEIGHBORHOOD HOME OCCUPATION by means of a SPECIAL USE Permit per the requirements established in Section 7.1.1 M. of the Zoning Ordinance

 - c. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
 - (1) Subsection 5.1.1 of the Ordinance states the general intent of the R-3 District as follows (capitalized words are defined in the Ordinance):

The R-3, Two Family Residence DISTRICT is intended to provide areas for SINGLE and TWO FAMILY DWELLINGS, set on medium sized building LOTS and is intended for application within or adjoining developed areas where community facilities exist.

 - (2) The types of uses authorized in the R-3 District are in fact the types of uses that have been determined to be acceptable in the R-3 District. Uses authorized by Special Use Permit are acceptable uses in the district provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.

 - C. Regarding whether the proposed Special Use Permit is in harmony with the general purpose of the Zoning Ordinance:
 - (1) 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.

- (2) 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.
 - a. It is not clear whether the proposed special use 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.
 - b. The proposed Special Use 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, no new construction is anticipated for the proposed Special Use, so adjacent property values should not be impacted.
- (3) 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 Special Use is unlikely to significantly increase traffic.
- (4) 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 flood waters.
 - a. The subject property is not in a Special Flood Hazard Area.
 - b. The subject property is exempt from requiring a Storm Water Drainage Plan as there are no changes proposed.
- (5) 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.
 - a. Regarding public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
 - b. 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.
 - c. Complaints were received in 2020 and 2021 regarding an auto repair business being operated on the property. Violation notices were sent to the occupant in 2021 and 2025.

c. Notice of the case was sent to neighbors, and no comments have been received.

- (6) 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 site plan appears to be in compliance with those limits.

- (7) 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.

- (8) 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.

- (9) 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.

PRELIMINARY DRAFT

- a. The proposed Special Use meets the definition of an “urban land use” as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
 - b. The proposed Special Use will not take any land out of agricultural production.
- (10) 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.

There are no natural features on the subject property and the property has been developed for many years.

- (11) 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.

The proposed Special Use meets the definition of an “urban land use” as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.

- (12) 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.
- a. The property has been developed for residential use since prior to 1973.
 - b. The proposed Special Use will not take any land out of agricultural production.
- (13) 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 Special Use will not hinder the development of renewable energy sources.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

11. 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 testified on the application: “Yes”
 - B. The proposed use is not an existing non-conforming use.

RELATED TO THE VARIANCE, GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

12. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved that are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. The Petitioner has testified on the application, **“Narrow lot with a home occupation, the fence provides screening and security.”**
 - B. The subject property is 50 feet wide with a single driveway approximately 14 feet wide.
 - C. The fence is approximately 16 feet from the curb along E. Perkins Rd.
 - D. The fencing along the front property line provides screening of the property from adjacent properties and cars traveling along E. Perkins Rd.
 - E. The fencing along the east and west property lines for a distance of approximately 10 feet is a 6 feet tall picket style fence.

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

13. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
 - A. The Petitioner has testified on the application, **“Wouldn’t provide screening and would have to be moved back and would lose fenced lot area.”**
 - B. Regarding Part A of the proposed variance: without the proposed variance, the fencing within the 15 ft. driveway visibility triangle would have to be removed or shortened to a height of 2.5 ft. or modified to not materially impede vision similar to a chain link, wire mesh or split rail fence.
 - C. Regarding Part B of the proposed variance: without the proposed variance, the fencing within the front yard would have to be removed or shortened to a height of 4 ft. or modified to be at least 50% transparent for the portion of the fence that is over four feet in height.

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

14. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
 - A. The Petitioner has testified on the application, **“Yes, but the fence is needed for screening and security.”**
 - B. The petitioners were unaware of the fencing regulations.

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

15. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **“It will provide screening and there is adequate visibility for entering and leaving the property”**
 - B. Regarding Part A of the proposed variance for the use of an existing fence located within the driveway visibility triangle per Section 4.3.3 F.1 of the Zoning Ordinance: the requested variance is 0% of the minimum required, for a variance of 100%.
 - C. Regarding the proposed variance for not obstructing the driveway visibility triangle, the Zoning Ordinance seeks to not impede vision for vehicles entering and exiting the property to the roadway.
 - D. Regarding Part B of the proposed variance for the use of an existing fence that is located in the front yard and is not at least 50% transparent for the portion of the fence that is over four feet in height: the requested variance is 0% of the minimum required, for a variance of 100%.
 - E. Regarding the proposed variance for a fence that is located in the front yard and is not at least 50% transparent for the portion of the fence that is over four feet in height, the Zoning Ordinance seeks to provide adequate vision for people approaching the dwelling including visitors, deliveries and emergency personnel.
 - 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

16. 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: **“Open sides of the fence provide visibility for entering and leaving the property.”**
 - B. The Urbana Township Highway Commissioner has been notified of this variance, and no comments have been received.
 - C. The Urbana Township Supervisor has been notified of this variance, and no comments have been received.
 - E. The Carroll Protection District has been notified of this variance, and no comments have been received.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

17. Generally regarding any other circumstances that justify the Variance:
- A. The Petitioner did not provide a response on the application.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

18. Regarding proposed special conditions of approval:

- A. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the Neighborhood Home Occupation until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

That the proposed Special Use meets applicable State requirements for accessibility.

- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- C. **Regulations regarding the operation of the Neighborhood Home Occupation are as follows:**

1. **All automobile repair shall be conducted inside a building.**
2. **No automobile repair shall be conducted, and no customers shall be on the property between the hours of 10:00pm and 9:00am except that vehicles may be dropped off for repair as early as 6:30am.**
3. **No parking for the auto repair business shall occur within a public right-of-way or on other properties.**
4. **No more than fifteen vehicles may be parked outdoors on the property at any one time, including between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.**
5. **Any vehicle parked outdoors on the property must be intact and have a valid license.**
6. **No more than one inoperable vehicle may be parked outdoors on the property at any time.**
7. **No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices.**
8. **All vehicles parked outdoors on the property must be at least 10 feet from a front lot line and at least 5 feet from a side or rear lot line and shall be parked on a surface other than bare ground.**

9. **Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the Special Use Permit.**
10. **Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices.**
11. **Evidence of vehicle ownership shall be provided at the request of the Zoning Administrator.**
12. **No vehicle awaiting repair shall be stored outside for more than 30 days.**
13. **Junk yard or automobile salvage storage or operations.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- D. **Waste materials should be stored and disposed of properly, on a regular basis, and not allowed to accumulate on the property.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- E. **Inoperable vehicles currently on the property and stored outside (with the exception of one inoperable vehicle that meets Section 3.3 B of the Nuisance Ordinance) will be removed within six months of the approval date of the Special Use Permit. The Zoning Administrator shall be allowed to inspect the property to confirm the removal.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- F. **The Neighborhood Home Occupation shall be screened with a Type C screen (6 ft. in height) consistent with the approval of Variance Case 215-V-26.**

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

That the use is screened in conformance with the Champaign County Zoning Ordinance.

DOCUMENTS OF RECORD

1. Application for Registration of a Neighborhood Home Occupation received November 24, 2025
2. Application for Special Use Permit received April 23, 2026
3. Application for Variance with site plan received June 3, 2026
4. Preliminary Memorandum dated June 4, 2026, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Annotated Aerial Photo with Site Plan created by P&Z Staff
 - C Site photos taken June 4, 2026
 - D Summary of Evidence, Finding of Fact, and Final Determination dated June 11, 2026

FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **209-S-25 and 215-V-26** held on **June 11, 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:
 - a. *The petitioner has testified on the application that the Neighborhood Home Occupation is a good location for the business.*
 - b. *Neighborhood Home Occupations are authorized by right in all Zoning Districts as accessory uses per the requirements established in Section 7.1.1 of the Zoning Ordinance.*

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 *{because*}*:
 - a. *The proposed neighborhood home occupation should not create significant additional traffic.*
 - b. *Notice was sent to the Urbana Township Supervisor and Urbana Township Road Commissioner, and no comments have been received.*
 - b. Emergency services availability is *{ADEQUATE / INADEQUATE}* *{because*}*:
 - a. *The subject property is located approximately 0.9 road miles southwest of the Carroll Fire Protection District station. The Fire Chief was notified of this case, and no comments have been received.*
 - c. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses *{because*}*:
 - a. *Notices regarding this case were sent to neighbors and no comments have been received.*
 - b. *Minor Automobile Repair is allowed as a neighborhood Home Occupation with a Special Use Permit.*
 - d. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE}* *{because*}*:
 - a. *There is no additional impervious area being created that would affect drainage.*
 - e. Public safety will be *{ADEQUATE / INADEQUATE}* *{because*}*:
 - a. *The subject property is located approximately 0.9 road miles southwest of the Carroll Fire Protection District station. The Fire Chief was notified of this case, and no comments have been received.*

- b. Notice was also sent to the Township Supervisor and Township Road Commissioner, and no comments have been received.**
- f. The provisions for parking will be **{ADEQUATE / INADEQUATE} {because*}**:

 - a. Sufficient off-street parking for business, employee and customers exists on the site subject to the limits imposed by the special conditions**
- g. The property is BEST PRIME FARMLAND and the property with the proposed improvements **{IS/ IS NOT} WELL SUITED OVERALL {because*}**:

 - a. No new construction is proposed.**

*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 non-conforming use.
- 6. Regarding the variance:

 - a. 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:

PRELIMINARY DRAFT

- a. *The fence is approximately 16 feet from the curb along E. Perkins Rd and the picket style fence on the east and west sides of the property aid in visibility for vehicles entering and leaving the property.*
- b. 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. *Regarding variance Part A: without the proposed variance, the fencing in the 15 ft. driveway visibility triangles would have to be removed or modified so that it did not impede visibility.*
 - b. *Regarding variance Part B: without the proposed variance, the fencing in the front yard would have to be modified so that it is at least 50% transparent for the portion of the fence that is over four feet in height which would reduce screening.*
- c. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. *The fencing helps with screening and security and the petitioners were unaware of the fencing regulations.*
- d. The requested variance ~~**{SUBJECT TO THE PROPOSED CONDITION}**~~ **{IS / IS NOT}** in harmony with the general purpose and intent of the Ordinance because:
 - a. *There {IS/IS NOT} adequate visibility at the driveway along E. Perkins Rd.*
 - b. *There {IS/IS NOT} adequate visibility at the front of the residence for people approaching the dwelling.*
- e. The requested variance ~~**{SUBJECT TO THE PROPOSED CONDITION}**~~ **{WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - a. *The Urbana Township Highway Commissioner was notified of the case and had no objection.*
 - b. *Other relevant jurisdictions have been notified of this case, and no comments have been received.*
 - c. *Regarding variance Part A: There {IS/IS NOT} adequate visibility at the driveway along E. Perkins Rd.*
 - d. *Regarding variance Part B: There is adequate visibility at the front of the residence for people approaching the dwelling.*
- f. The requested variance ~~**{SUBJECT TO THE PROPOSED CONDITIONS}**~~ **{IS / IS NOT}** the minimum variation that will make possible the reasonable use of the land/structure because:
 - a. *Regarding variance Parts A and B: the requested variance is the minimum variance required for the fence to remain in its current configuration and location.*

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:***

For Case 209-S-26

- A. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the Neighborhood Home Occupation until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

That the proposed Special Use meets applicable State requirements for accessibility.

- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

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

That the proposed use is in compliance with the Zoning Ordinance.

- C. **Regulations regarding the operation of the Neighborhood Home Occupation are as follows:**

1. **All automobile repair shall be conducted inside a building.**
2. **No automobile repair shall be conducted, and no customers shall be on the property between the hours of 10:00pm and 9:00am except that vehicles may be dropped off for repair as early as 6:30am.**
3. **No parking for the auto repair business shall occur within a public right-of-way or on other properties.**
4. **No more than fifteen vehicles may be parked outdoors on the property at any one time, including between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.**
5. **Any vehicle parked outdoors on the property must be intact and have a valid license.**
6. **No more than one inoperable vehicle may be parked outdoors on the property at any time.**
7. **No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices.**

8. **All vehicles parked outdoors on the property must be at least 10 feet from a front lot line and at least 5 feet from a side or rear lot line and shall be parked on a surface other than bare ground.**
9. **Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the Special Use Permit.**
10. **Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices.**
11. **Evidence of vehicle ownership shall be provided at the request of the Zoning Administrator.**
12. **No vehicle awaiting repair shall be stored outside for more than 30 days.**
13. **Junk yard or automobile salvage storage or operations.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- D. **Waste materials should be stored and disposed of properly, on a regular basis, and not allowed to accumulate on the property.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- E. **Inoperable vehicles currently on the property and stored outside (with the exception of one inoperable vehicle that meets Section 3.3 B of the Nuisance Ordinance) will be removed within six months of the approval date of the Special Use Permit. The Zoning Administrator shall be allowed to inspect the property to confirm the removal.**

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

Conformance with the Champaign County Zoning Ordinance and the Champaign County Nuisance Ordinance.

- F. **The Neighborhood Home Occupation shall be screened with a Type C screen (6 ft. in height) consistent with the approval of Variance Case 215-V-26.**

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

That the use is screened in conformance with the Champaign County Zoning Ordinance.

There are no proposed special conditions for Case 215-V-26

FINAL DETERMINATION FOR CASE 209-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, determines that:

The Special Use requested in Case **209-S-26** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}* to the applicants, **Edward Laroe, Melinda Laroe, Kenneth Laroe**, to authorize the following:

Authorize a Special Use Permit for Minor Automobile Repair as a Neighborhood Home Occupation that exceeds the maximum allowed number of vehicles, with up to fifteen vehicles to be parked outside at all times including between the hours of 10:00 pm and 6:30 am in the R-3 Two Family Residence Zoning District.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}

- A. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the Neighborhood Home Occupation until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**
- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**
- C. **Regulations regarding the operation of the Neighborhood Home Occupation are as follows:**
 1. **All automobile repair shall be conducted inside a building.**
 2. **No automobile repair shall be conducted, and no customers shall be on the property between the hours of 10:00pm and 9:00am except that vehicles may be dropped off for repair as early as 6:30am.**
 3. **No parking for the auto repair business shall occur within a public right-of-way or on other properties.**
 4. **No more than fifteen vehicles may be parked outdoors on the property at any one time, including between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.**
 5. **Any vehicle parked outdoors on the property must be intact and have a valid license.**
 6. **No more than one inoperable vehicle may be parked outdoors on the property at any time.**
 7. **No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of**

hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices.

- 8. All vehicles parked outdoors on the property must be at least 10 feet from a front lot line and at least 5 feet from a side or rear lot line and shall be parked on a surface other than bare ground.**
 - 9. Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the Special Use Permit.**
 - 10. Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices.**
 - 11. Evidence of vehicle ownership shall be provided at the request of the Zoning Administrator.**
 - 12. No vehicle awaiting repair shall be stored outside for more than 30 days.**
 - 13. Junk yard or automobile salvage storage or operations.**
- D. Waste materials should be stored and disposed of properly, on a regular basis, and not allowed to accumulate on the property.**
- E. Inoperable vehicles currently on the property and stored outside (with the exception of one inoperable vehicle that meets Section 3.3 B of the Nuisance Ordinance) will be removed within six months of the approval date of the Special Use Permit. The Zoning Administrator shall be allowed to inspect the property to confirm the removal.**
- F. The Neighborhood Home Occupation shall be screened with a Type C screen (6 ft. in height) consistent with the approval of Variance Case 215-V-26.**

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 CASE 215-V-26

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 **215-V-26** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioners, **Edward Laroe, Melinda Laroe, Kenneth Laroe**, to authorize the following variance:

Authorize the following variance in the R-3 Two Family Residence Zoning District:

Part A: Authorize a variance for the use of an existing fence located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.

Part B: Authorize a variance for the use of an existing fence that is located in the front yard and is not at least 50% transparent for the portion of the fence that is over four feet in height per Section 4.3.3 G of the 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