

CASE 214-V-26

PRELIMINARY MEMORANDUM
July 23, 2026

Petitioner: Angie Clayton

Request: Authorize a variance for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr. and a front yard of 11 feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 of the Zoning Ordinance.

Location: Lot 282, of the Fourth Plat of Lake View Subdivision, in the Northeast Quarter of the Northeast Quarter of Section 14, Township 20 North, Range 7 East of the Third Principal Meridian, in Mahomet Township with PIN 15-13-14-231-004, commonly known as the property with an address of 502 Valley Dr., Mahomet.

Site Area: .26 acre

Time Schedule for Development: Currently in use

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

BACKGROUND

The petitioner Angie Clayton owns the subject property that contains an existing single-family dwelling and two detached storage sheds. The smaller shed in the eastern corner of the property is being removed by the petitioner. The petitioner is requesting a variance for the remaining shed with a setback from Spruce Dr. of 41 ft. and a front yard of 11 ft.

The shed was constructed in 2018. A Zoning Use Permit was approved for an addition to the existing house in 2017. Upon inspection of the property to close out the permit prior to issuance of a Zoning Compliance Certificate, it was noted that the shed had been constructed too close to Spruce Dr.

The Zoning Ordinance requires that the minimum side yard on the street side of a corner lot shall be equal to the minimum front yard otherwise required in the district.

EXTRATERRITORIAL JURISDICTION

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

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

EXISTING LAND USE AND ZONING**Table 1. Land Use and Zoning in the Vicinity**

Direction	Land Use	Zoning
Onsite	Single Family Residence	R-1 Single Family Res.
North	Single Family Residence	R-1 Single Family Res.
East	Single Family Residence	R-1 Single Family Res.
West	Single Family Residence	R-1 Single Family Res.
South	Single Family Residence	R-1 Single Family Res.

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan showing location of the existing shed submitted May 15, 2026
- C 2026 Annotated Aerial Photo showing existing storage shed
- D Email from Matthew Hesson-McInnis & Grant Haab in support of the variance received July 20, 2026
- E Site Images
- F Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 214-V-26 dated July 30, 2026

Location Map

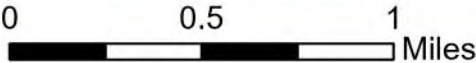
Case 214-V-26

July 30, 2026

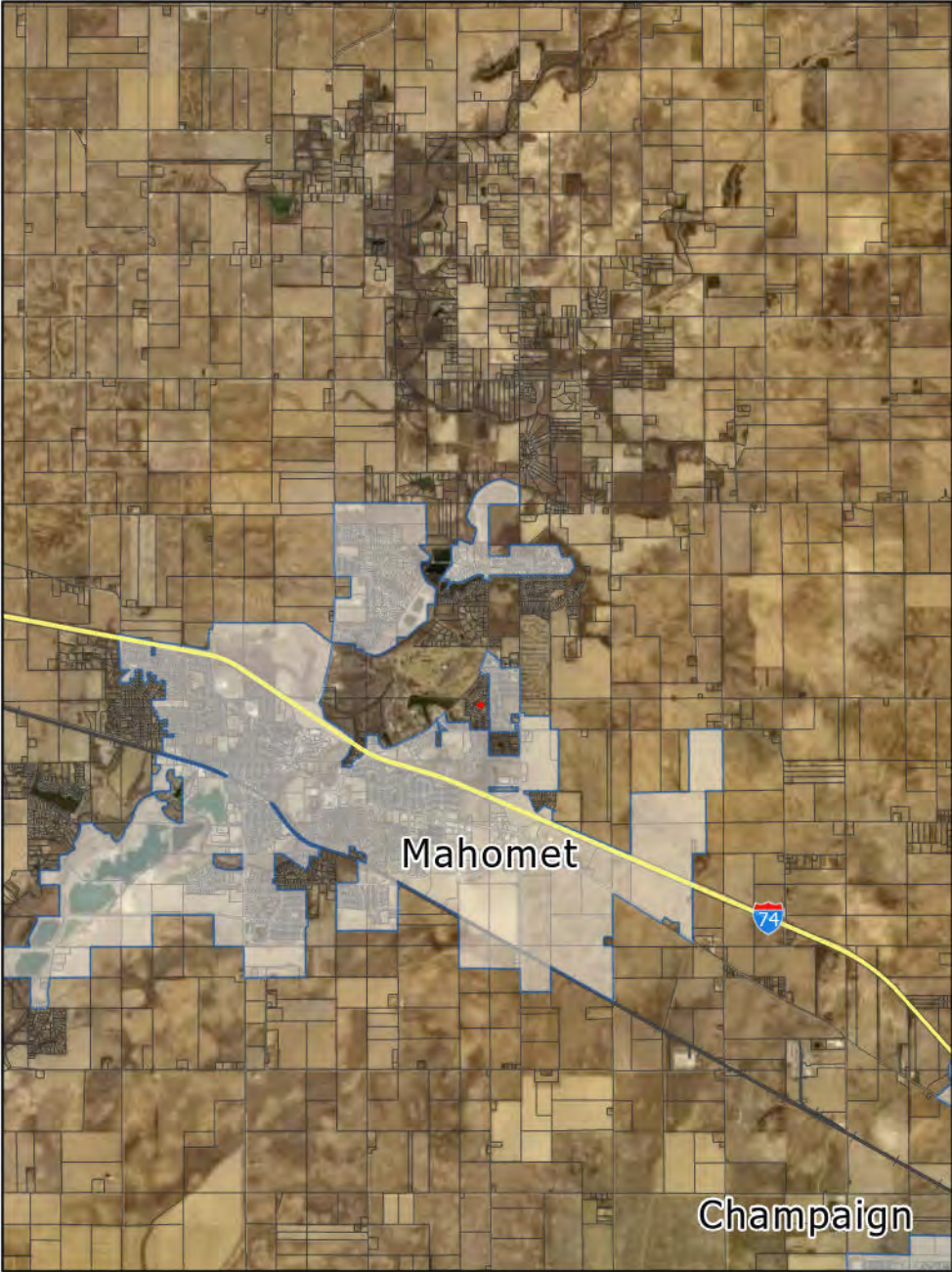
Subject Property



Subject Parcel



Property location in Champaign County



PLANNING & ZONING

Land Use Map

Case 214-V-26

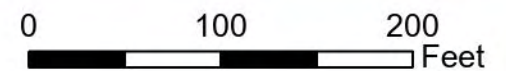
July 30, 2026



Subject Parcel



Residential



PLANNING &
ZONING

Zoning Map

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July 30, 2026



568-AM-86*
R-1/AG-2 to R-1
Approved 10/21/86

305-V-01
Var. for SY for SFH in R-1
Approved 11/29/01



Subject Parcel



R-1 Single-Family Residence

*Case 568-AM-86 re-zoned
Lake View 2nd, 3rd, 4th & 5th Sub
to the R-1 Zoning District

0 100 200
Feet

PLANNING &
ZONING



RECEIVED

MAY 15 2025

CHAMPAIGN CO. P & Z DEPARTMENT

Annotated 2026 Aerial

Case 214-V-26

July 30, 2026



 Subject Parcel

0 50 100 Feet

PLANNING &
ZONING

Charles W. Campo

From: Matthew Hesson-McInnis <doctor.matthew@gmail.com>
Sent: Saturday, July 18, 2026 9:31 AM
To: zoningdept
Subject: Comment on CASE 214-V-26

CAUTION: External email, be careful when opening.

Greetings Champaign County Zoning Department,

We are writing in **support** of the petition for a zoning Variance in Case 214-V-26. The petition requests a variance for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr and a front yard of 11 feet in lieu of the 55' / 25' requirement. We reside in this neighborhood and walk past the property in question a minimum of twice a day, and thus we are in an excellent position to comment on this variance petition.

First, this storage shed structure appears to have been professionally constructed to match the main structure/house in terms of architecture/design, siding, trim, and roofing.

Second, the structure has been meticulously maintained.

Finally, the shed in question sits behind a privacy fence.

Thus, the structure in question does not detract from the visual appeal of the street, nor does it present any encumbrance or impediment to pedestrian or vehicle traffic on Spruce or Valley drives. Further, if the variance is not granted, moving or removing the shed will disrupt our neighborhood far more significantly than leaving the structure in place.

We strongly encourage approving the zoning variance request, and we thank the Zoning Department for their time and efforts in consideration of this petition.

Sincerely,

Matthew Hesson-McInnis, PhD & Grant Haab

~~~~~  
306 N Spruce Dr  
Mahomet, IL 61853-9276  
~~~~~

214-V-26 Site Images



From Spruce Dr. looking northeast toward subject property.



From Spruce Dr. looking northeast toward subject property

214-V-26 Site Images



From Spruce Dr. looking east toward subject property.



From intersection of Valley Dr. and Spruce Dr. looking east toward subject property.

PRELIMINARY DRAFT

214-V-26

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

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

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

Petitioner: **Angie Clayton**

Request: **Authorize a variance for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr. and a front yard of 11 feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 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 **July 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Angie Clayton is the owner of the subject property at 502 Valley Dr. Mahomet. The property is Lot 282, of the Fourth Plat of Lake View Subdivision, in the Northeast Quarter of the Northeast Quarter of Section 14, Township 20 North, Range 7 East of the Third Principal Meridian, in Mahomet Township with PIN 15-13-14-231-004, commonly known as the property with an address of 502 Valley Dr., Mahomet.
2. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the Village of Mahomet, a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.
 - B. The subject property is located within Mahomet Township, which has a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

3. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The .26-acre subject property is currently zoned R-1 Single Family Residence and is in use as a single-family residence.
 - B. Land to the north, south, west and east is zoned R-1 Single Family Residence and is in use as residential.
4. There are no prior Zoning Cases for the subject property.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Regarding the site plan for the subject property:
 - A. The Petitioner's Site Plan indicates the following:
 - (1) Existing structures on the property include:
 - a. One single family dwelling
 - b. One 12 ft. x 12 ft. storage shed
 - c. One 8 ft. x 8 ft. storage shed that is proposed to be removed.
 - B. Previous Zoning Use Permits for the subject property are:
 - (1) ZUPA 333-93-02 was approved on November 30, 1993, to construct a single-family home.
 - (2) ZUPA 307-17-01 was approved on November 13, 2017, to construct an addition to the single-family home.
 - C. The requested variance includes the following:

- (1) Authorize a variance for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr. and a front yard of 11 feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 of the 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) “ACCESSORY STRUCTURE” is a STRUCTURE on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, subordinate to and USED for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.
 - (2) “BUILDING” is an enclosed STRUCTURE having a roof supported by columns, walls, arches, or other devices and used for the housing, shelter, or enclosure of persons, animals, and chattels.
 - (3) “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.
 - (4) “LOT, CORNER” is a LOT located:
 - (a) at the junction of and abutting two or more intersecting STREETS; or
 - (b) at the junction of and abutting a STREET and the nearest shoreline or high water line of a storm or floodwater runoff channel or basin; or
 - (c) at and abutting the point of abrupt change of a single STREET where the interior angle is less than 135 degrees and the radius of the STREET is less than 100 feet
 - (5) “LOT LINE, FRONT” is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
 - (6) “RIGHT-OF-WAY” is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
 - (7) “SETBACK LINE” is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.
 - (8) “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

PRELIMINARY DRAFT

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.
- (9) “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.
- (10) “YARD, FRONT” is a YARD extending the full width of a LOT and situated between the FRONT LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT. Where a LOT is located such that its REAR and FRONT LOT LINES each but a STREET RIGHT-OF-WAY both such YARDS shall be classified as front YARDS.
- (11) “YARD, SIDE” is a YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.
- B. The R-1 Single Family Residence Zoning DISTRICT is intended to provide areas for single FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.
- 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.

- (3) Paragraph 9.1.9 E. of the *Zoning Ordinance* authorizes the ZBA to prescribe appropriate conditions and safeguards in granting a variance
- D. Regarding the proposed variance:
 - (1) Minimum setback from the centerline of a MINOR STREET for a STRUCTURE in the R-1 Single Family Residence Zoning DISTRICT is established in Section 5.3 of the Zoning Ordinance as 55 feet.
 - (2) Minimum FRONT YARD for a structure in the R-1 Single Family Residence Zoning District is established in Section 5.3 of the Zoning Ordinance as 25 feet.
 - (3) The minimum SIDE YARD on the STREET SIDE of a CORNER LOT shall be equal to the minimum FRONT YARD otherwise required in the DISTRICT

GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

- 7. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. The Petitioner testified the following on the application: **“The subject property is a corner lot, which creates two street frontages and results in more restrictive setback requirements than those applied to interior lots within the same zoning district. This condition significantly limits the usable yard area for accessory structures. In addition, the existing shed was installed in 2018 based on the ordinance provisions understood to apply at that time. The shed is located entirely behind an existing fence, further distinguishing it from other properties and limiting its visibility from the public right-of-way.”**
 - B. The existing house faces Valley Dr. with a driveway off of Spruce Dr.
 - C. A Zoning Use Permit was approved for an addition to the existing house in 2017. Upon inspection of the property prior to issuance of a Zoning Compliance Certificate to close out the Zoning Use Permit it was noted that the shed had been constructed too close to Spruce Dr.
 - D. The shed does not meet the 150 sq. ft. minimum area to require a Zoning Use Permit, but all buildings are required to meet the required setback and yard requirements.

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

- 8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
 - A. The Petitioners testified the following on the application: **“Strict application of the setback requirements would create a practical difficulty by requiring the removal or relocation of an existing auxiliary structure that has been in place for several years without complaint. Due to the corner lot configuration, required setbacks from two street frontages, and existing site constraints, relocation options are extremely**

limited. Relocation would also impose a significant financial hardship, including demolition, site restoration, potential replacement costs, and fencing modifications, thereby preventing reasonable and otherwise permitted use of the property.”

- B. Without the approval of the proposed variance, the petitioner would have to remove the shed or relocate it to a less desirable location on the property at considerable expense.

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

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioners testified the following on the application: **“No. The special conditions and practical difficulties described above were not self-created. The shed was installed in good faith reliance on the ordinance provisions referenced at the time of installation, and any nonconformity results from subsequent interpretation or enforcement clarification rather than from any action taken by the property owner.”**
- B. The shed is smaller than the 150 sq. ft. minimum requirement for a Zoning Use Permit.
- C. The yard and setback requirements in the Zoning Ordinance have not changed since the shed was installed.

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

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioners testified the following on the application: **“Granting the requested variance would be in harmony with the general intent and purpose of the zoning ordinance by allowing reasonable residential use of the property while preserving neighborhood character. The shed is subordinate to the principal structure, consistent with permitted accessory uses, and the variance represents the minimum relief necessary to address the hardship created by the property’s unique conditions.”**
- B. Regarding the request for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr. and a front yard of 11 feet in lieu of the required 55 feet and 25 feet respectively: the requested setback variance is 75% of the minimum required, for a variance of 25% and the requested front yard variance is 44% of the minimum required, for a variance of 56%.
- C. Regarding the proposed variance, the Zoning Ordinance does not clearly state the considerations that underlie the minimum setback requirements and front yard requirements. Presumably the setback from street centerline and front yard minimum is intended to ensure the following:
- (1) Adequate separation from roads.
- (2) Allow adequate area for road expansion and right-of-way acquisition.
- a. There are no known plans to expand Spruce Dr. in this location.

- (3) Parking, where applicable.
 - a. The right-of-way for Spruce Dr. is 60 feet, which can accommodate parking in the right-of-way that does not impede traffic.

D. 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: **“Granting the variance will not be injurious to the neighborhood nor detrimental to the public health, safety or welfare. The shed is fully screened behind an existing fence, limits visibility from adjacent streets, and does not obstruct sightlines, traffic or access. The structure has existed since 2018 without complaint and is consistent with accessory structures in the surrounding area.”**
 - B. An email in support of the variance request was received on July 20, 2026, from Matthew Hesson-McInnis and Grant Haab.
 - C. The Mahomet Township Road Commissioner has been notified of this variance, and no comments have been received.
 - D. The Cornbelt Fire Protection District has been notified of this variance, and no comments have been received.
 - E. The Mahomet Township Planning Commission 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: **“The shed is a 12-foot by 12-foot auxiliary structure totaling 144 square feet, which is below the 150-square-foot threshold that typically requires a zoning permit. The structure was installed in good faith and has remained compatible with the neighborhood. While no nonconforming use of structures on neighboring properties or uses permitted in other zoning districts is offered as a basis for granting this variance, it is noted that accessory structures similar in size and function are common with the neighborhood. The requested variance is based solely in the unique conditions of the subject property and the practical difficulties described above.”**

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

- 13. Regarding proposed special conditions of approval:
No special conditions are proposed at this time.

DOCUMENTS OF RECORD

1. Application for Variance received May 15, 2026, with attachments:
 - A Site Plan showing location of the existing shed
2. Email from Matthew Hesson-McInnis & Grant Haab in support of the variance received July 20, 2026
2. Preliminary Memorandum dated June 18, 2026, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan showing location of the existing shed submitted May 15, 2026
 - C 2026 Annotated Aerial Photo showing existing storage shed
 - D Email from Matthew Hesson-McInnis & Grant Haab in support of the variance received July 20, 2026
 - E Site Images
 - F Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 214-V-26 dated July 30, 2026

SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **214-V-26** held on **July 30, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **{DO / DO NOT}** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - a. ***The subject property is a corner lot with setback and front yard requirements on two sides, limiting the placement locations for a storage shed.***
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 approval of the proposed variance, the petitioner would have to remove the shed or relocate it to a less desirable location on the property at considerable expense.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. ***The subject property is a corner lot with setback and front yard requirements on two sides.***
 - b. ***A Zoning Use Permit is not required for a shed of this size.***
4. The requested variance **{SUBJECT TO THE PROPOSED CONDITIONS} {IS / IS NOT}** in harmony with the general purpose and intent of the Ordinance because:
 - a. ***There are no known plans to expand Spruce Dr. in this location.***
 - b. ***The shed has adequate separation to adjacent buildings, and the view of the shed is screened by fencing.***
5. The requested variance **{SUBJECT TO THE PROPOSED CONDITIONS} {WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - a. ***The Mahomet Township Highway Commissioner was notified of the case, and no comments have been received.***
 - b. ***Other relevant jurisdictions and neighboring landowners have been notified of this case, and no comments have been received.***
6. 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. ***The requested variance is the minimum variance required to allow the shed to remain in the current location.***
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 214-V-26 is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioner, **Angie Clayton**, to authorize the following:

Authorize a variance for the use of an existing storage shed with a setback of 41 feet from the centerline of Spruce Dr. and a front yard of 11 feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 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