

**Brookens Administrative
Center**
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Urbana, Illinois 61802

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www.co.champaign.il.us/zoning

CASE NO. 048-V-22

PRELIMINARY MEMORANDUM

April 6, 2022

Petitioners: **Robert & Virginia Schlorff**

Request: **Authorize the following variance in the R-1 Single Family Residence Zoning District:**

Part A: Authorize a variance for an existing non-conforming principal structure with a front yard of 16 feet and a setback from the centerline of South Oak Street of 34 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.

Part B: Authorize a variance for a proposed addition with a front yard of 9 feet and a setback from the centerline of South Oak Street of 26 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.

Subject Property: **Lot 5 of Spring Lake Subdivision in the Southeast Quarter of Section 17, Township 20 North, Range 7 East of the Third Principal Meridian in Mahomet Township, commonly known as the residence with an address of 610 South Oak St, Mahomet.**

Site Area: **0.12 acre (5,227 square feet)**

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

Prepared by: **Susan Burgstrom**, Senior Planner
John Hall, Zoning Administrator

BACKGROUND

The petitioner requests a variance for an existing residence and a proposed addition that do not meet the minimum setback and front yard requirement along South Oak Drive, Mahomet. They would like to construct a 378 square foot addition for their 82-year-old mother to move in with them.

Spring Lake Subdivision was approved in 1956 and included the 5,227 square feet Lot 5 as it currently exists, limited to the west by Spring Lake and to the east and south by a commons area. To give some perspective on how small the lot is, Lot 5 has an average lot width of 66 feet; the minimum required average lot width in the R-1 Single Family Residence district is 80 feet and in R-2 it is 65 feet.

The petitioners attempted to purchase the lot with a vacant house to the north, but that was turned down.

The house was constructed prior to adoption of the Zoning Ordinance on October 10, 1973, and therefore needs a variance in order to be able to rebuild it should it be destroyed.

The Homeowner's Association has indicated no concerns in an email received March 14, 2022.

No other comments have been received from relevant jurisdictions or the public.

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction 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 in 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	Residential	R-1 Single Family Residence
North	Residential	R-1 Single Family Residence
South	Commons	CR Conservation Recreation
East	Commons	CR Conservation Recreation
West	Spring Lake	R-1 Single Family Residence

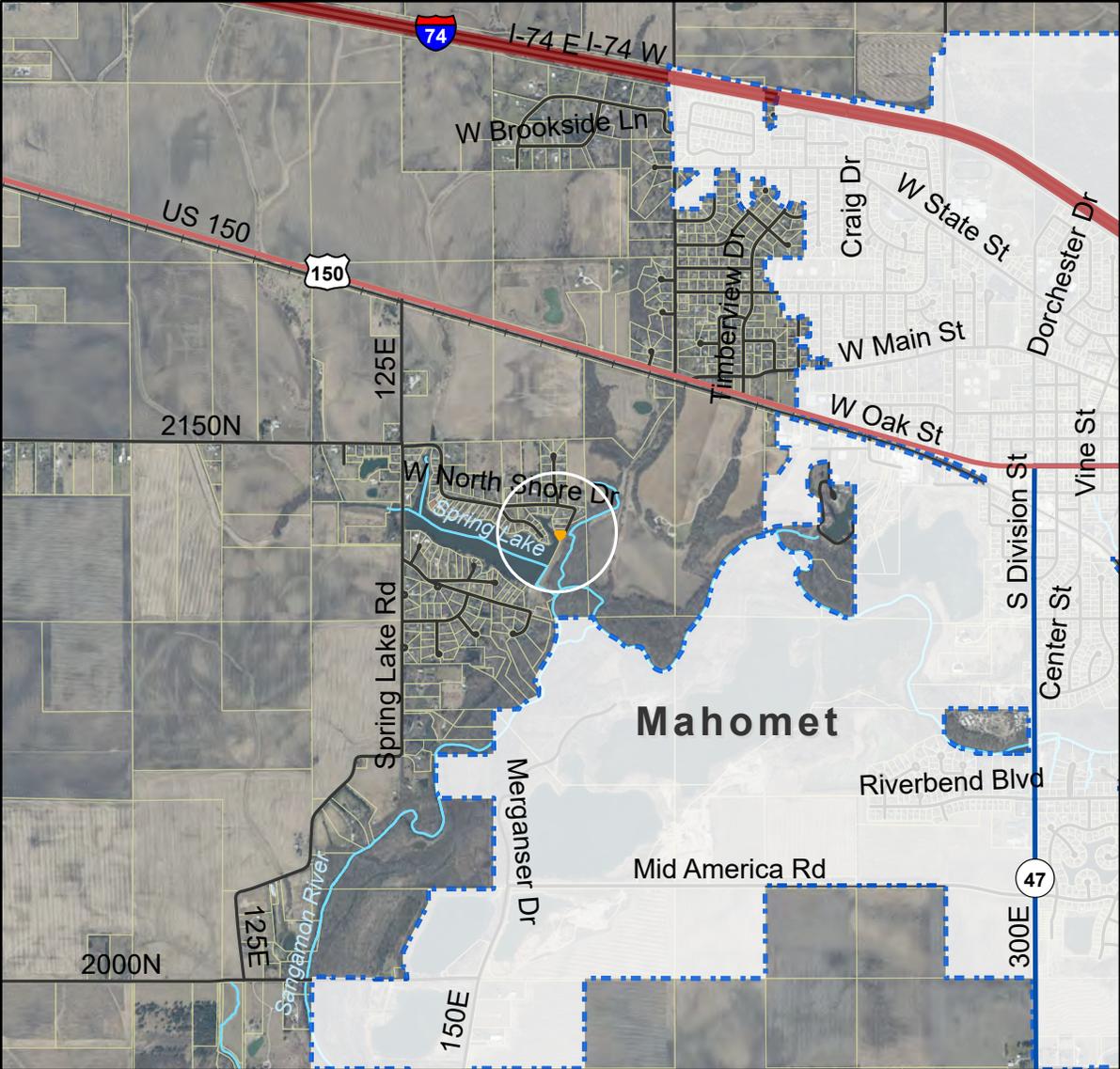
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received March 14, 2022
- C 2020 aerial photo
- D Photos from petitioners received March 14, 2022
- E Email from HOA President dated February 27, 2022 and received March 14, 2022
- F Images of subject property taken March 25, 2022
- G Draft Summary of Evidence, Finding of Fact, and Final Determination dated April 14, 2022

Location Map

Case 048-V-22
April 14, 2022

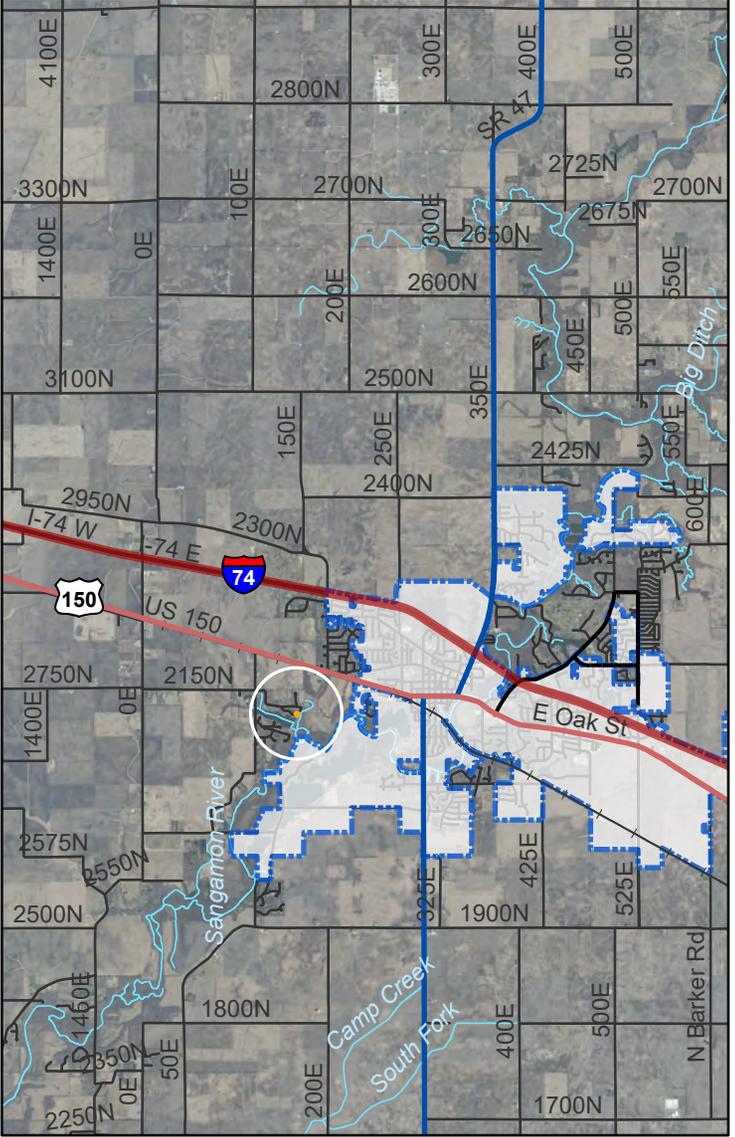
Subject Property



- Subject Property
- Parcels
- Municipal Boundary

0 0.130.25 0.5 Miles

Property location in Champaign County



0 0.5 1 2 Miles



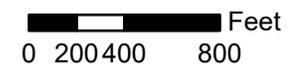
Land Use Map

Case 048-V-22

April 14, 2022



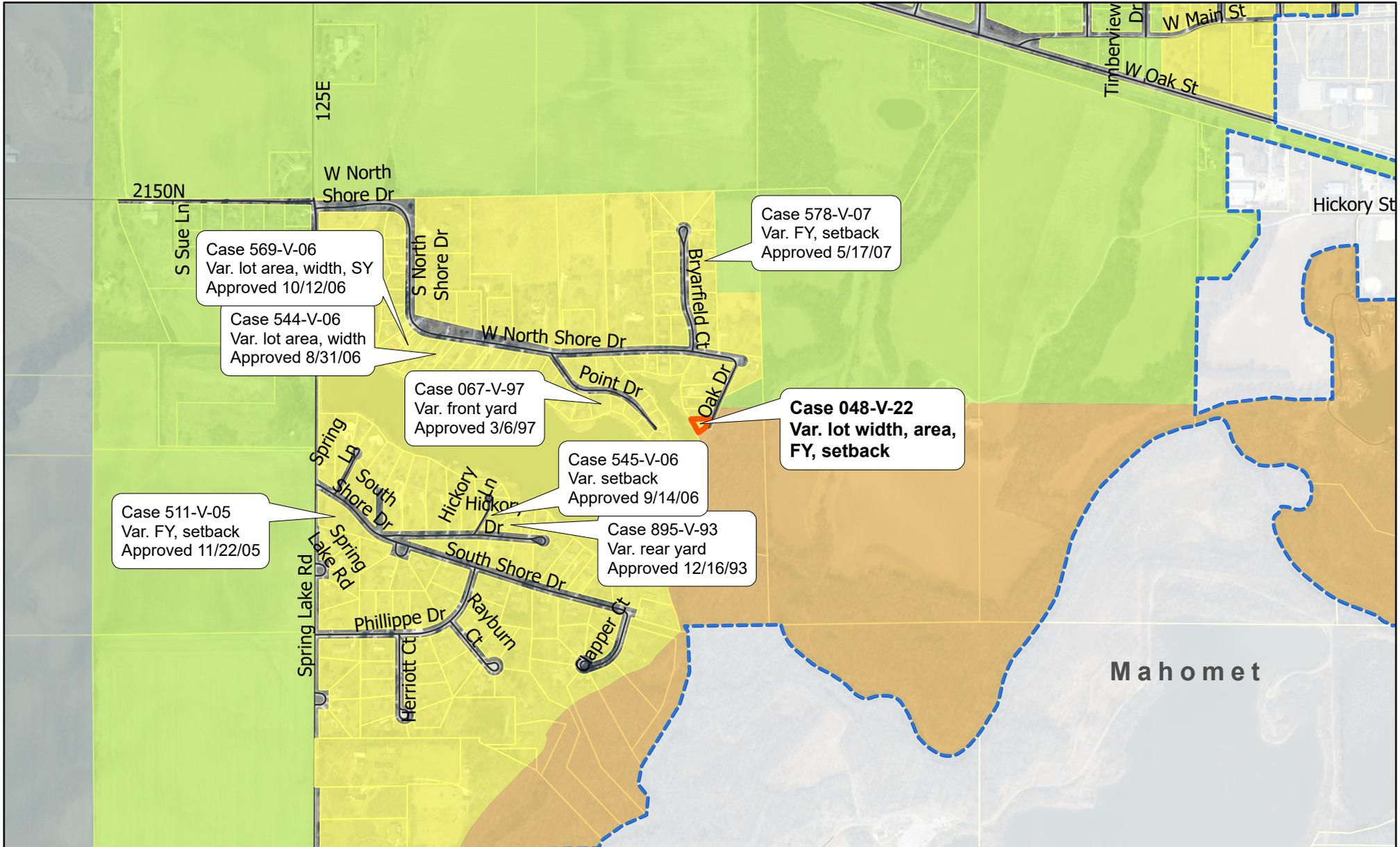
- Residential
- Agriculture
- Tax Exempt
- Ag/Residential
- Commons/Open Space
- Municipal Boundary



Zoning Map

Case 048-V-22

April 14, 2022



- AG-1 Agriculture
- AG-2 Agriculture
- CR Conservation Recreation
- R-1 Single Family Residence



2020 aerial photo

Case 048-V-22
April 14, 2022



-  Subject Property
-  Parcels

0 10 20 40 Feet



Champaign County
Department of
PLANNING &
ZONING



Deadend
Road in
front of
610 S. Oak
Dr.

RECEIVED

MAR 14 2022

CHAMPAIGN CO. P & Z DEPARTMENT

RECEIVED

MAR 14 2022

PLANNING & ZONING DEPARTMENT



Re: Spring Lake Lot 5 - HOA request for addition approval

From: Junior Rogers (rrogers826@gmail.com)

President of Spring Lake HOA

To: ginnyschlorff@yahoo.com

Date: Sunday, February 27, 2022, 09:04 PM CST

RECEIVED

MAR 14 2022

Good luck!

CHAMPAIGN CO. P & Z DEPARTMENT

On Sun, Feb 27, 2022 at 7:32 PM Ginny Schlorff <ginnyschlorff@yahoo.com> wrote:

That's great - thanks Junior.

Next step is zoning approval, wish us luck!

Bob & Ginny

On Sunday, February 27, 2022, 04:37:43 PM CST, Junior Rogers <rrogers826@gmail.com> wrote:

Good afternoon!

We did not meet on Thursday due to conflicting schedules with multiple board members. With that said, I did consult with a couple of my peers and **we do not have anything in our bylaws or regulations around home additions.**

Long story short, you did not need our blessing to begin with but I am thankful you reached out. Enjoy your new addition and I look forward to the progress!

Junior

On Mon, Feb 21, 2022 at 8:44 PM Ginny Schlorff <ginnyschlorff@yahoo.com> wrote:

Hi Junior,

Could you please present the attached proposed addition to the Spring Lake Board for approval.

We are proposing a 18 x 21 addition to the South side of our house at Lot 5. We would be removing the older shed on the south side before building so the attached site plan does not show that shed.

If the board approves this addition, our next step will be to go in front of the Champaign County Zoning Board to request a variance. The variance is two directions -

1. The addition will be 11.22' from our property line and current zoning regulations call for 20 ft.
2. The addition will line up with the front of our current house which is not 55 ft. from the center of the road as current zoning calls for.

We've been in contact with the zoning department to discuss these details. Our hope is that if the board approves this addition, we can show the zoning board that the HOA is in support

One thing that may benefit the HOA is the removal of the old shed will allow more clearance for pedestrians walking by. Maybe a larger a path for people to walk around the closed fence would be welcome.

We are also in contact with Amerien to move the power pole leaning up against our old shed. We have requested that they move it between Lot 5 & Lot 6. They have told us the power pole is rotted below ground level and will need to be replaced regardless of where it ends up. Again for foot traffic it would be nice if it were moved.

Thank you and all of the board for your consideration and the time you spend volunteering for our HOA. Please let me know if we can provide any additional information.

If the board approves, could you please send me an email that states that so we can present that with our case to the zoning board.

Thank you so much,
Bob & Ginny Schlorff

048-V-22 Site Images



From South Oak Dr facing NW to main residence (shed at left will be removed)



From South Oak Dr adjacent to subject property, facing SW to commons area and Spring Lake

048-V-22 Site Images



From SW corner of subject property facing north to existing residence



From SW corner of subject property facing NW along rear yard

PRELIMINARY DRAFT

048-V-22

**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: ***{April 14, 2022}***

Petitioner: **Robert & Virginia Schlorff**

Request: **Authorize the following variance in the R-1 Single Family Residence
Zoning District:**

Part A: Authorize a variance for an existing non-conforming principal structure with a front yard of 16 feet and a setback from the centerline of South Oak Street of 34 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.

Part B: Authorize a variance for a proposed addition with a front yard of 9 feet and a setback from the centerline of South Oak Street of 26 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 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 **April 14, 2022**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioners Robert and Virginia Schlorff, 610 South Oak Drive, Mahomet, own the subject property.
2. The subject property is Lot 5 of Spring Lake Subdivision in the Southeast Quarter of Section 17, Township 20 North, Range 7 East of the Third Principal Meridian in Mahomet Township, commonly known as the residence with an address of 610 South Oak St, Mahomet.
3. 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 does have 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

4. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is a 5,227 square foot lot and is zoned R-1 Single Family Residence. Land use is a single-family residence.
 - B. Land to the north is zoned R-1 Single Family Residence and is residential in use.
 - C. Land to the south and east is zoned CR Conservation Recreation and is a commons area.
 - D. Land to the west is zoned R-1 Single Family Residence and is a commons area and lake.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. Regarding the site plan for the subject property:
 - A. The Petitioner's Site Plan received March 14, 2022, indicates the following:
 - (1) The following are existing structures on the subject property:
 - a. One 30 feet by 24 feet (720 square feet) residence, constructed prior to the adoption of the Zoning Ordinance on October 10, 1973;
 - b. One 10 feet by 12 feet (120 square feet) detached shed located on the south property line, which will be removed; and
 - c. One 8 feet by 10 feet (80 square feet) garden shed that did not require a permit due to its size.
 - d. No septic system information was provided with the application.

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- (2) Proposed construction includes:
 - a. One 18 feet by 21 feet (378 square feet) addition to the existing residence.

- B. There are no previous Zoning Use Permits for the subject property.

- C. There are no prior Zoning Cases for the subject property, but the following are previous variances in the vicinity:
 - (1) Case 895-V-93 was approved on December 16, 1993, for 1618 W Hickory St to allow a variance for rear yard.
 - (2) Case 067-V-97 was approved on March 6, 1997, for 1603 Point Dr to allow a variance for front yard.
 - (3) Case 511-V-05 was approved on November 22, 2005, for 1711 W South Shore Dr to allow a detached garage with a front yard and setback variance.
 - (4) Case 544-V-06 was approved on August 31, 2006, for 1705 W North Shore Dr to allow a variance for lot area and lot width.
 - (5) Case 545-V-06 was approved on September 14, 2006, for 1620 W Hickory Dr to allow a detached structure with a setback variance.
 - (6) Case 569-V-06 was approved on October 12, 2006, for 1707 W North Shore Dr to allow a variance for lot area, lot width, and side yard.
 - (7) Case 578-V-07 was approved on May 17, 2007, for 408 S Bryarfield Ct to allow a variance for front yard and setback.

- D. The required variance is as follows:
 - (1) Part A: Authorize a variance for an existing non-conforming principal structure with a front yard of 16 feet and a setback from the centerline of South Oak Street of 34 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.
 - (2) Part B: Authorize a variance for a proposed addition with a front yard of 9 feet and a setback from the centerline of South Oak Street of 26 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES

- 6. Regarding authorization for the proposed variance:
 - A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Variance (capitalized words are defined in the Ordinance):
 - (1) "BUILDING RESTRICTION LINE" is a line usually parallel to the FRONT, side, or REAR LOT LINE set so as to provide the required YARDS for a BUILDING or STRUCTURE.

PRELIMINARY DRAFT

- (2) “FRONTAGE” is that portion of a LOT abutting a STREET or ALLEY.
- (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 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.
- (5) “NONCONFORMING LOT, STRUCTURE or USE” is a LOT, SIGN, STRUCTURE, or USE that existed on the effective date of the adoption or amendment of this ordinance which does not conform to the regulations and standards of the DISTRICT in which it is located.
- (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 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” is an OPEN SPACE, other than a COURT, of uniform width or depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.
- (11) “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 about a STREET RIGHT-OF-WAY both such YARDS shall be classified as FRONT YARDS.

- B. The R-1 Single Family Residence 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 9.1.9 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 which are not applicable to other similarly situated land or structures elsewhere in the same district.
 - b. That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.
 - c. That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
 - d. That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
 - e. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
 - (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9 D.2.
- D. 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 from the street right of way of a minor street to a structure in the R-1 Single Family Residence Zoning District is established in Section 5.3 of the *Zoning Ordinance* as 25 feet.

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:

PRELIMINARY DRAFT

- A. The Petitioner has testified on the application, **“Subpar lot size; awkward shape; slope, lake easement, existing house predates County zoning. Current house size 720 square feet; house is at the dead end of a road; adjacent to HOA shared grounds. Current shed is over the property line. We were unaware of this until we had a survey done in 2021. This shed will be removed.”**
- B. Spring Lake Subdivision was approved in 1956 and included Lot 5 as it currently exists, limited to the west by Spring Lake and to the east and south by a commons area. To give some perspective on how small the lot is, Lot 5 has an average lot width of 66 feet; the minimum required average lot width in the R-1 Single Family Residence district is 80 feet and in R-2 it is 65 feet.

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

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
- A. The Petitioner has testified on the application, **“Location of well and size of lot limit placement of the addition. Placed anywhere on the property we would need to request a variance. No adjacent land is available to purchase (we have tried to purchase the vacant house next door 608 S Oak Dr).”**
- B. Regarding proposed variance Part A for an existing principal structure with a minimum setback from the centerline of a minor street of 34 feet in lieu of 55 feet and a front yard of 16 feet in lieu of 25 feet: without the proposed variance, the existing house could not be replaced should it be destroyed.
- C. Regarding proposed variance Part B for a proposed addition with a minimum setback from the centerline of a minor street of 26 feet in lieu of 55 feet and a front yard of 9 feet in lieu of 25 feet: without the proposed variance, the Petitioner could not build the addition they desire.

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

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioner has testified on the application, **“We installed a well in 2021, but the well driller indicated it was the only location on the property it could go. The driller received a variance permit for the well location from Champaign County Health because of the small lot size and proximity to the lake. We installed an 8 x 10 shed on the NW side that is 5 foot from the property line in anticipation of removing the existing shed on the south side. We were not aware that the south shed was over the property line when we purchased the property.”**
- B. The lot was created and the house was constructed prior to adoption of the Zoning Ordinance on October 10, 1973.

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

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **“Granting this variance will allow a reasonable sized small residential house.”**
 - B. Regarding proposed variance Part A for an existing principal structure with a minimum setback from the centerline of a minor street of 34 feet in lieu of 55 feet: the requested variance is 62% of the minimum required, for a variance of 38%.
 - C. Regarding proposed variance Part A for an existing principal structure with a front yard of 16 feet in lieu of the minimum required 25 feet: the requested variance is 64% of the minimum required, for a variance of 36%.
 - D. Regarding proposed variance Part B for a proposed addition with a minimum setback from the centerline of a minor street of 26 feet in lieu of 55 feet: the requested variance is 47% of the minimum required, for a variance of 53%.
 - E. Regarding proposed variance Part B for a proposed addition with a front yard of 9 feet in lieu of the minimum required 25 feet: the requested variance is 36% of the minimum required, for a variance of 64%.
 - F. 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 South Oak Drive.
 - (3) Parking, where applicable.

GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED VARIANCE ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE

11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
- A. The Petitioner has testified on the application: **“Our HOA has indicated there are no problems with our bylaws and are supportive of the addition (attached letter from HOA President Junior Rogers). Our property is on a dead end with the only house adjacent being to the north (vacant for 20 years).”**
 - B. The Mahomet Township Road Commissioner has been notified of this variance, and no comments have been received.

- C. The Cornbelt Fire Protection District has been notified of this variance, and no comments have been received.
- D. The nearest structure on adjacent property to the existing residence is the residence located to the north, which is about 20 feet away.
- E. The Spring Lake Homeowner's Association had no concerns in an email dated February 27, 2022.

GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

- 12. Generally regarding and other circumstances which justify the Variance:
 - A. The Petitioner has testified on the application: **“This addition will allow our elderly mother (82) to move in with us. The addition of 378 sq ft (bedroom, bath, sitting area) would result in a house size of 1,098 sq ft. The existing shed is over the property line and will be removed for the new addition. Moving the shed does allow more room for foot traffic to shared HOA property. We have made significant improvements to this tiny little cabin and this addition would enhance the property.”**

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. Variance Application received on March 14, 2022, with attachments:
 - A Site Plan
 - B Photos from petitioners (2)
 - C Email from HOA President dated February 27, 2022

2. Preliminary Memorandum dated April 6, 2022, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received March 14, 2022
 - C 2020 aerial photo
 - D Photos from petitioners received March 14, 2022
 - E Email from HOA President dated February 27, 2022 and received March 14, 2022
 - F Images of subject property taken March 25, 2022
 - G Draft Summary of Evidence, Finding of Fact, and Final Determination dated April 14, 2022

PRELIMINARY DRAFT**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **048-V-22** held on **April 14, 2022**, 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. *Spring Lake Subdivision was approved in 1956 and included Lot 5 as it currently exists, limited to the west by Spring Lake and to the east and south by a commons area.*
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 proposed variance Part A, the existing house could not be replaced should it be destroyed.*
 - b. *Without proposed variance Part B, the Petitioner could not build the addition they desire.*
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. *The lot was created and the house was constructed prior to adoption of the Zoning Ordinance on October 10, 1973.*
4. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** in harmony with the general purpose and intent of the Ordinance because:
 - a. *There are no known plans to expand South Oak Drive.*
5. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - a. *Relevant jurisdictions were notified of this variance, and no comments have been received.*
 - b. *The Spring Lake Homeowner's Association had no concerns in an email dated February 27, 2022.*
6. The requested variance **{SUBJECT TO THE PROPOSED CONDITION} {IS / IS NOT}** the minimum variation that will make possible the reasonable use of the land/structure because:
 - a. *The existing house cannot be moved to another place on the property without needing a variance.*
 - b. *The well location limits the location of the proposed addition.*
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 **048-V-22** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioners, **Robert and Virginia Schlorff**, to authorize the following variance:

Authorize the following variance in the R-1 Single Family Residence Zoning District:

Part A: Authorize a variance for an existing non-conforming principal structure with a front yard of 16 feet and a setback from the centerline of South Oak Street of 34 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 of the Zoning Ordinance.

Part B: Authorize a variance for a proposed addition with a front yard of 9 feet and a setback from the centerline of South Oak Street of 26 feet in lieu of the minimum required 25 feet front yard and 55 feet setback, per Section 4.3.4 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:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals
Date