

## **CASE NO. 149-V-24**

*PRELIMINARY MEMORANDUM*

*September 18, 2024*

Petitioner: **Rodney Osterbur**

Request: **Authorize a variance for a proposed 5.026-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

Subject Property: **The Northeast 20 acres of the Northeast quarter of Section 7, Township 22 North, Range 14 West of the Second Principal Meridian, in Ogden Township, with an address of 2293 CR 2600E, Ogden.**

Site Area: **5.026 acres**

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

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

---

### **BACKGROUND**

The petitioner owns a 20-acre tract that contains a single-family residence, a quonset building, a barn a yard shed and chicken coop and two grain bins. The petitioner would like to divide off 5.026 acres on the east side of the property that contain the grass area, trees, and existing structures. The proposed lot is on Best Prime Farmland, which has a 3-acre maximum per the Zoning Ordinance.

The proposed 5.026-acre lot has been in use as a farmstead since before the adoption of the Champaign County Zoning Ordinance in 1973.

The plat of survey submitted by the petitioner shows approximately .55 acres of tilled farm ground included on the proposed lot. A soils map can be found in Attachment F.

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

### **EXTRATERRITORIAL JURISDICTION**

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of Royal, a municipality with zoning. Municipalities do not have protest rights on a variance and do not receive notification of such cases.

The subject property is located within Ogden 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, Agriculture	AG-1 Agriculture
North	Residential, Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Residential, Agriculture	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

## SPECIAL CONDITIONS

No special conditions are proposed.

## ATTACHMENTS

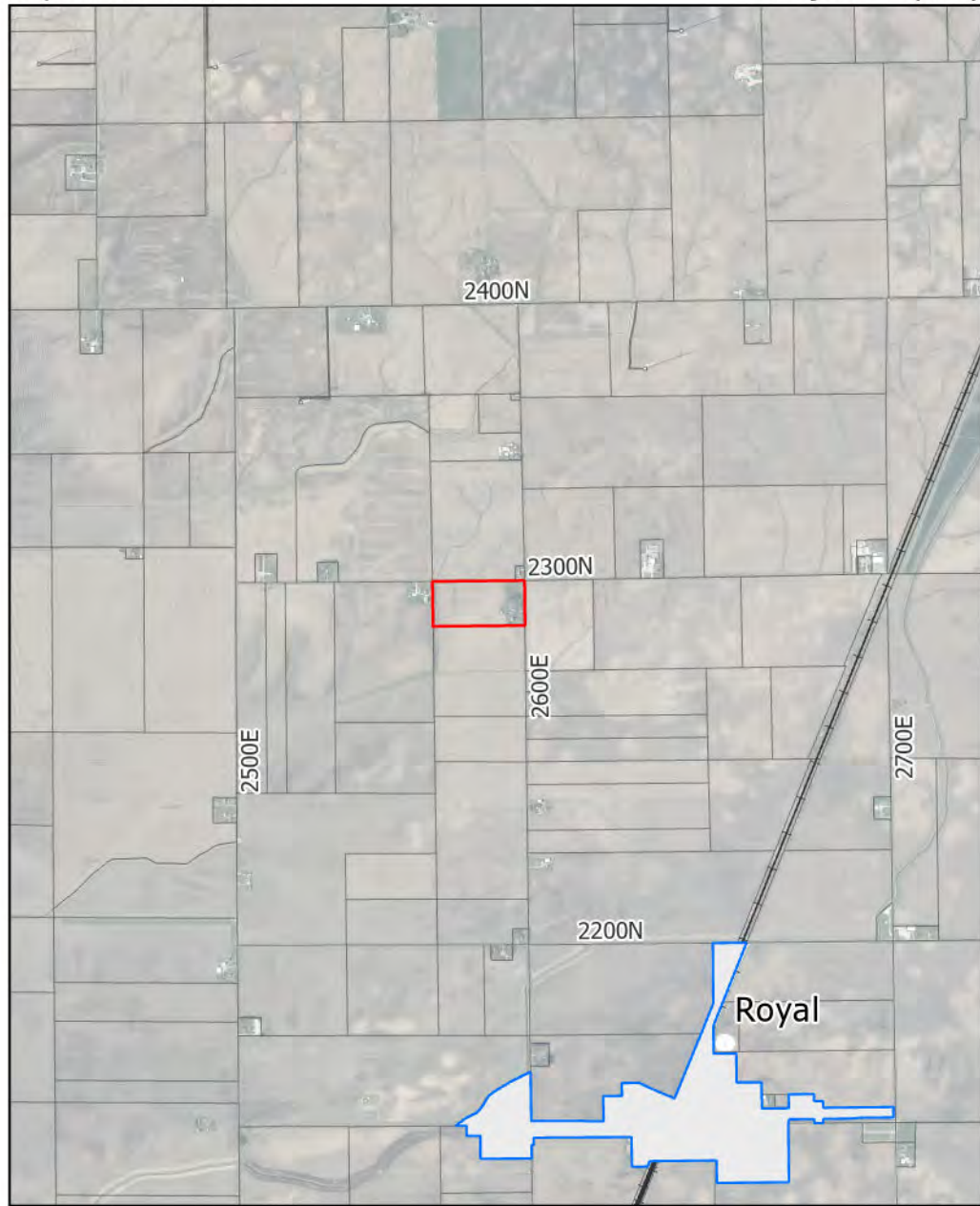
- A Case Maps (Location, Land Use, Zoning)
- B Plat of Survey received August 19, 2024
- C 2023 Aerial Photo
- D 1973 and 1988 Aerial Photos
- E Soils Map
- F Site Images taken September 18, 2024
- G Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 149-V-24 dated September 26, 2024

# Location Map

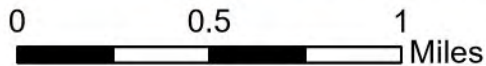
Case 149-V-24

September 26, 2024

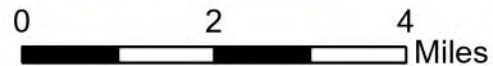
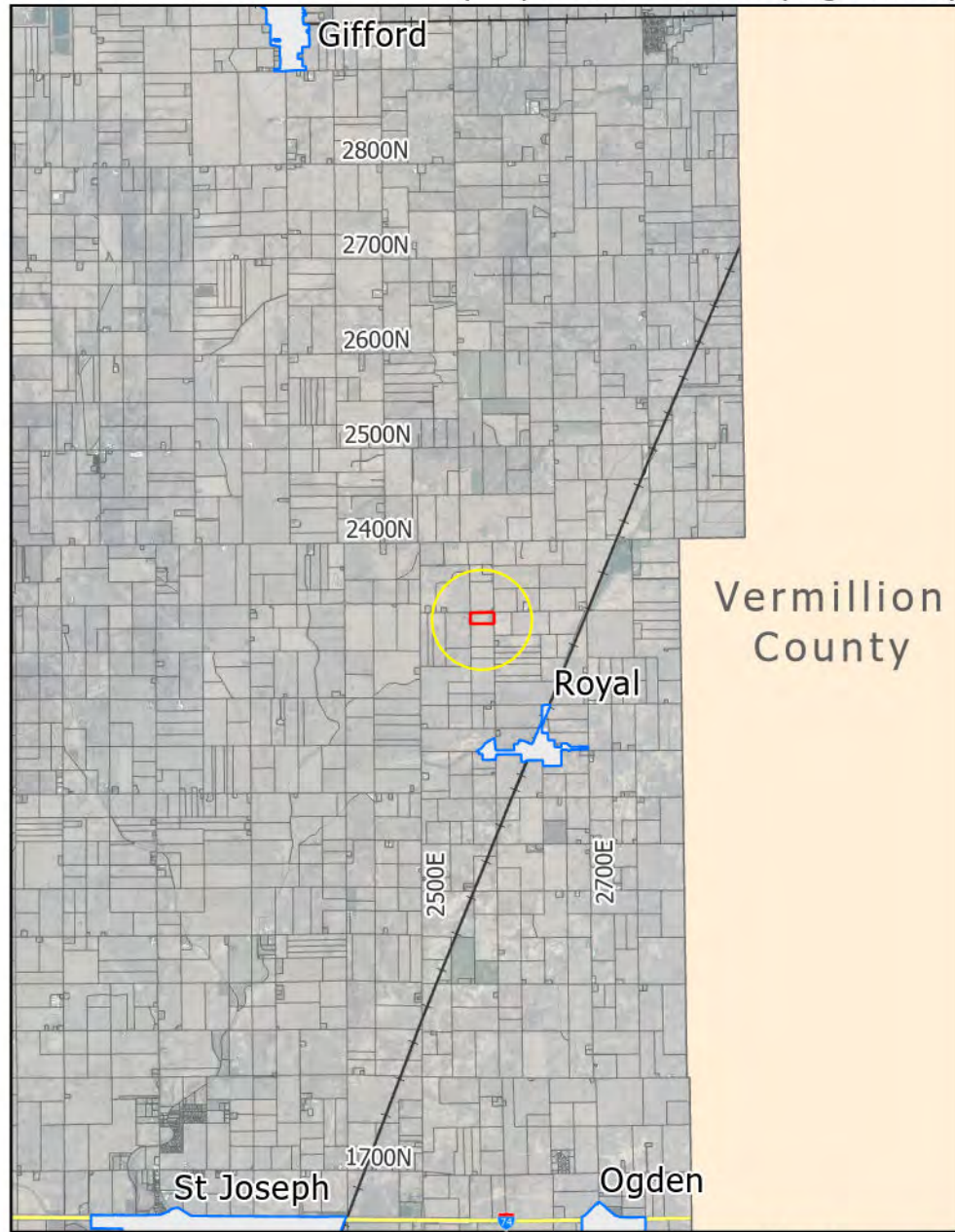
### Subject Property



-  Subject Property
-  Municipal Boundary



### Property Location in Champaign County



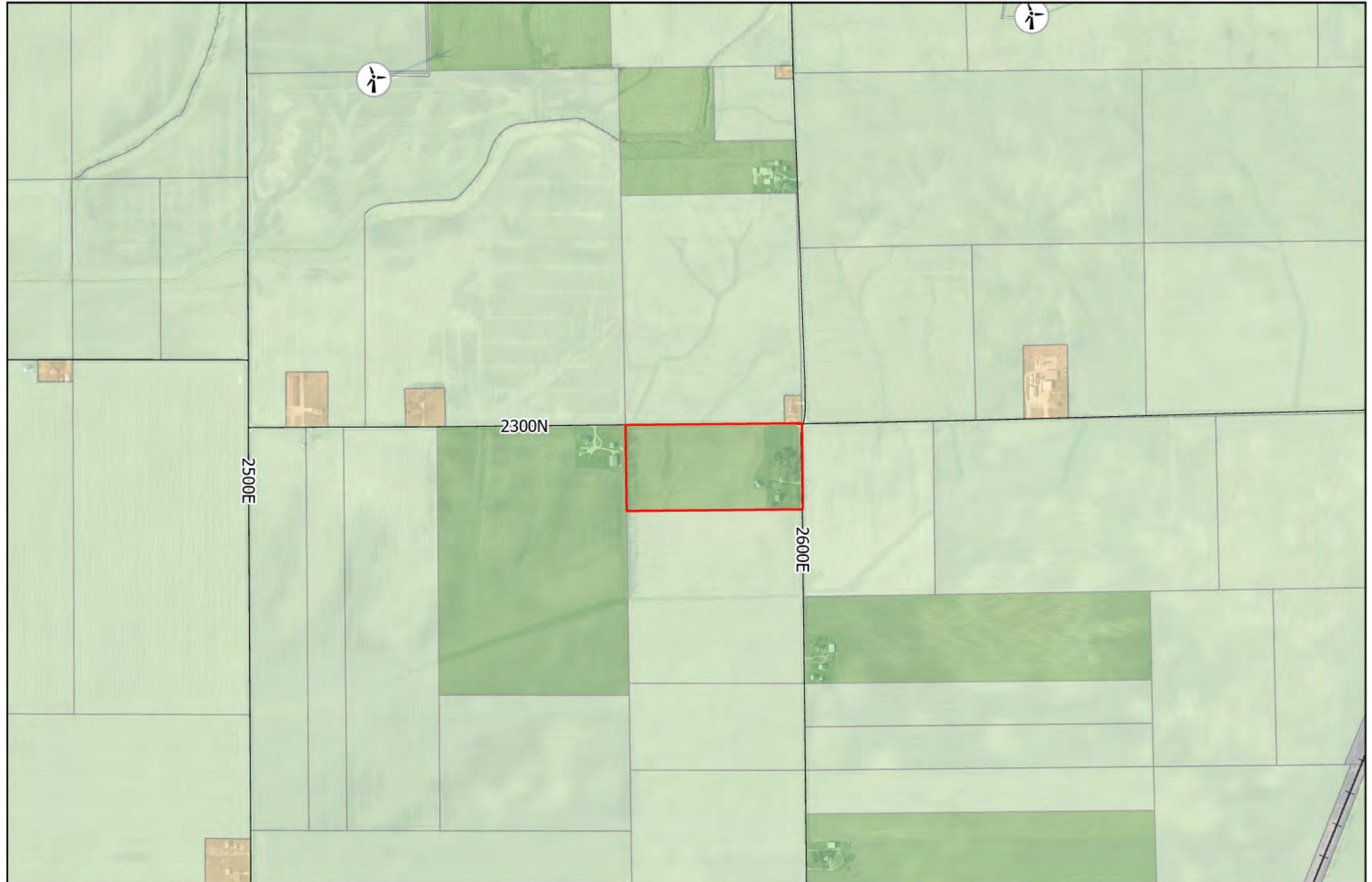
Vermillion  
County



# Land Use Map

Case 149-V-24

September 26, 2024



 Subject Property


 Agriculture

 Wind Turbines

 Residential

 Agriculture/Residential

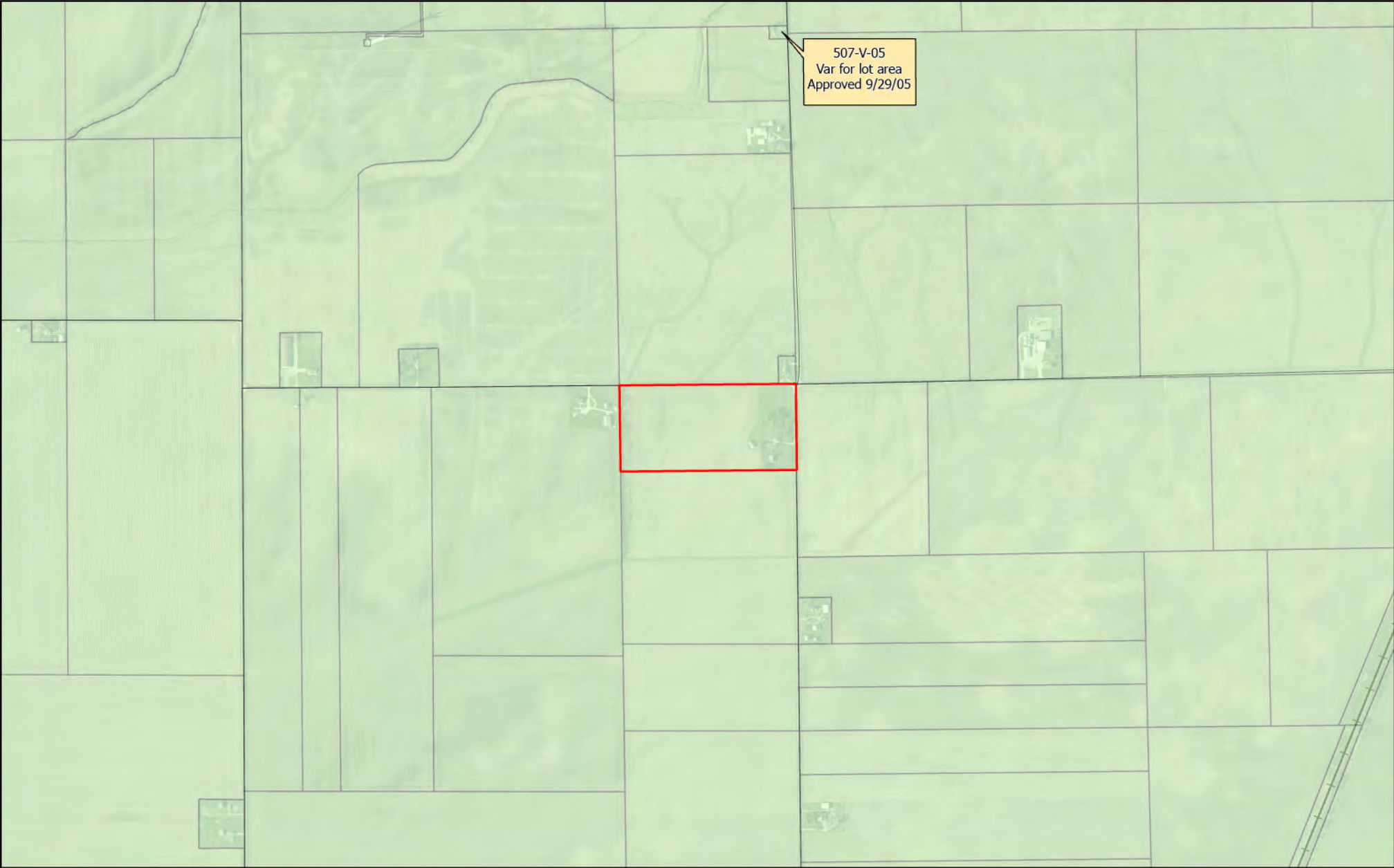
0 1,000 2,000 Feet





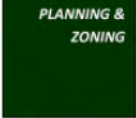
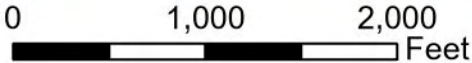
# Zoning Map

Case 149-V-24

September 26, 2024



-  Subject Property
-  AG-1 Agriculture



N. 89°24'01" E.  
2274.50' CO. RD. 2300 NORTH (OIL & CHIP SURFACE) 353.00'

NW COR. NE1/4, SEC.7  
REBAR FOUND W/ALUM. CAP STAMPED "IL LAND SURVEYOR 2616"  
PER MON. REC. #2008R08857

### PLAT OF SURVEY

PART OF THE  
NORTHEAST QUARTER OF SECTION 7  
TOWNSHIP 20 NORTH, RANGE 14 WEST  
OF THE SECOND PRINCIPAL MERIDIAN  
CHAMPAIGN COUNTY, ILLINOIS

#### DESCRIPTION

Part of the Northeast Quarter of Section 7, Township 20 North, Range 14 West of the Second Principal Meridian, more particularly described as:

Beginning at a Rebar at the Northeast Corner of the Northeast Quarter of Section 7, Township 20 North, Range 14 West of the Second Principal Meridian; thence S.00°54'33"E., coincident with the East Line of said Northeast Quarter, a distance of 662.92 feet to a Mag Spike situated at the Southeast Corner of the North 20 acres of the East Half of said Northeast Quarter; thence S.89°24'01"W., coincident with the South Line thereof and being parallel with the North Line of said Northeast Quarter, a distance of 257.00 feet to an Iron Pipe; thence N.00°54'33"W., parallel with said East Line, a distance of 157.00 feet to an Iron Pipe; thence S.89°24'01"W., parallel with said North Line, a distance of 96.00 feet to an Iron Pipe; thence N.00°54'33"W., parallel with said East Line, a distance of 505.92 feet to an Iron Pipe situated on said North Line; thence N.89°24'01"E., coincident with said North Line, a distance of 353.00 feet to the Point of Beginning; encompassing 5.026 acres, more or less, all said real estate being situated in Champaign County, Illinois and said real estate being subject to the rights of the public in the roadways commonly known as "Co. Rd. 2300 North" and "Co. Rd. 2600 East" and existing public utilities.

0 80 160 240 FEET

This professional service conforms to the current Illinois minimum standards for a boundary survey. Dimensions are shown in feet, tenths, and hundredths. Signed and dated in Paxton, Illinois, this 26th day of July, 2024.

*A.M.B.*

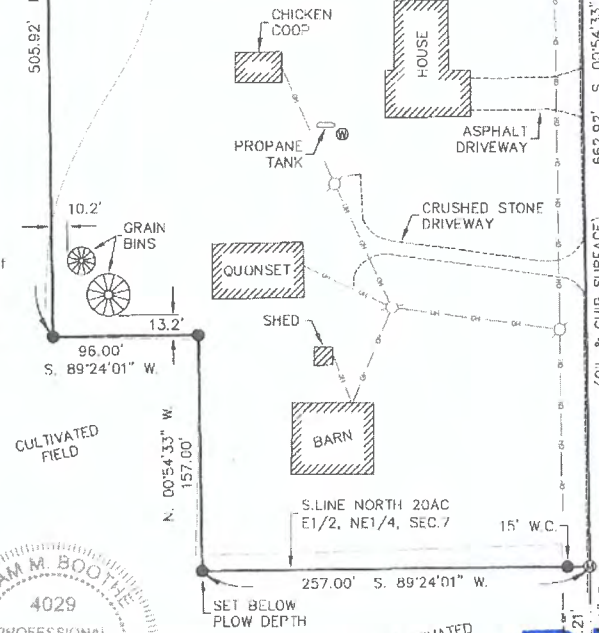
Adam M. Boothe  
Illinois Professional Land Surveyor No. 4029



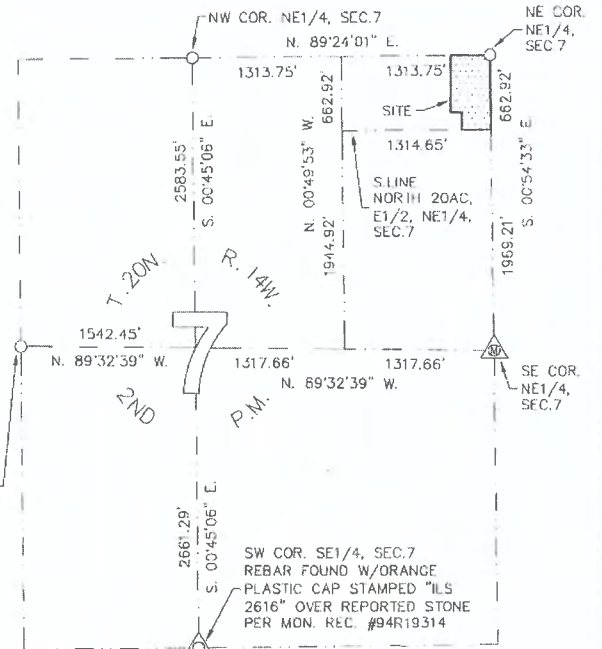
Expires 11/30/24

POINT OF BEGINNING  
NE COR. NE1/4, SEC.7  
REBAR FOUND W/YELLOW PLASTIC CAP  
STAMPED "MEYER CONSULTING,  
SURVEYING & ENGINEERING ILS 3396"  
PER MON. REC. #2006R04361

5.026 AC



SE COR. NE1/4, SEC.7  
MAG NAIL FOUND OVER STONE  
PER MON. REC. #2022R10436



#### LEGEND

- 1/2" X 30" Iron Pipe Set with I.P.L.S. 4029 Identification Cap
- Existing Survey Monument
- 123.45' Measured Distance
- (123.45') Distance of Record
- Boundary of Surveyed Tract
- - - Section/Sub-Section Line
- · - · - Cultivation Line
- · - · - Edge of Road Surface
- · - · - Overhead Utility Line
- Utility Pole
- Mag Spike Set (Unless Noted)
- △ Stone Found or Reported
- Well

#### NOTES

1. Client Name: Rodney Osterbur
2. Field Work Completion Date: July 19, 2024
3. Basis of Bearings: NAD 1983, Illinois State Plane Coordinate System (East Zone 1201)
4. Utilities and other improvements exist, but are not shown on this survey.
5. REFERENCE:  
Plat of Survey by Theodore P. Hartke, IPLS 3594 recorded as Doc. #2011R05387  
Plat of Survey by Roger D. Meyer, ILS 3396 Dated Dec. 9, 2005  
Deed recorded as Doc. #2003R04038

**RECEIVED**  
W.C. Witness Corner  
**AUG 19 2024**



DATE OF PREPARATION: 07/26/24	FIELD FILE NO: 2451406
<b>HARTKE</b> PROFESSIONAL SURVEYING, INC. 215 W. 11th St. P.O. BOX 1000 PAXTON, ILLINOIS 62450	SHEET NO <b>1</b> OF 1 SHEETS
ILLINOIS PROFESSIONAL DESIGNER NO. 16460002	

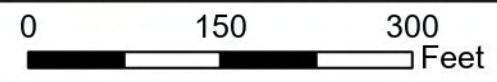
# Annotated 2023 Aerial

Case 149-V-24

September 26, 2024



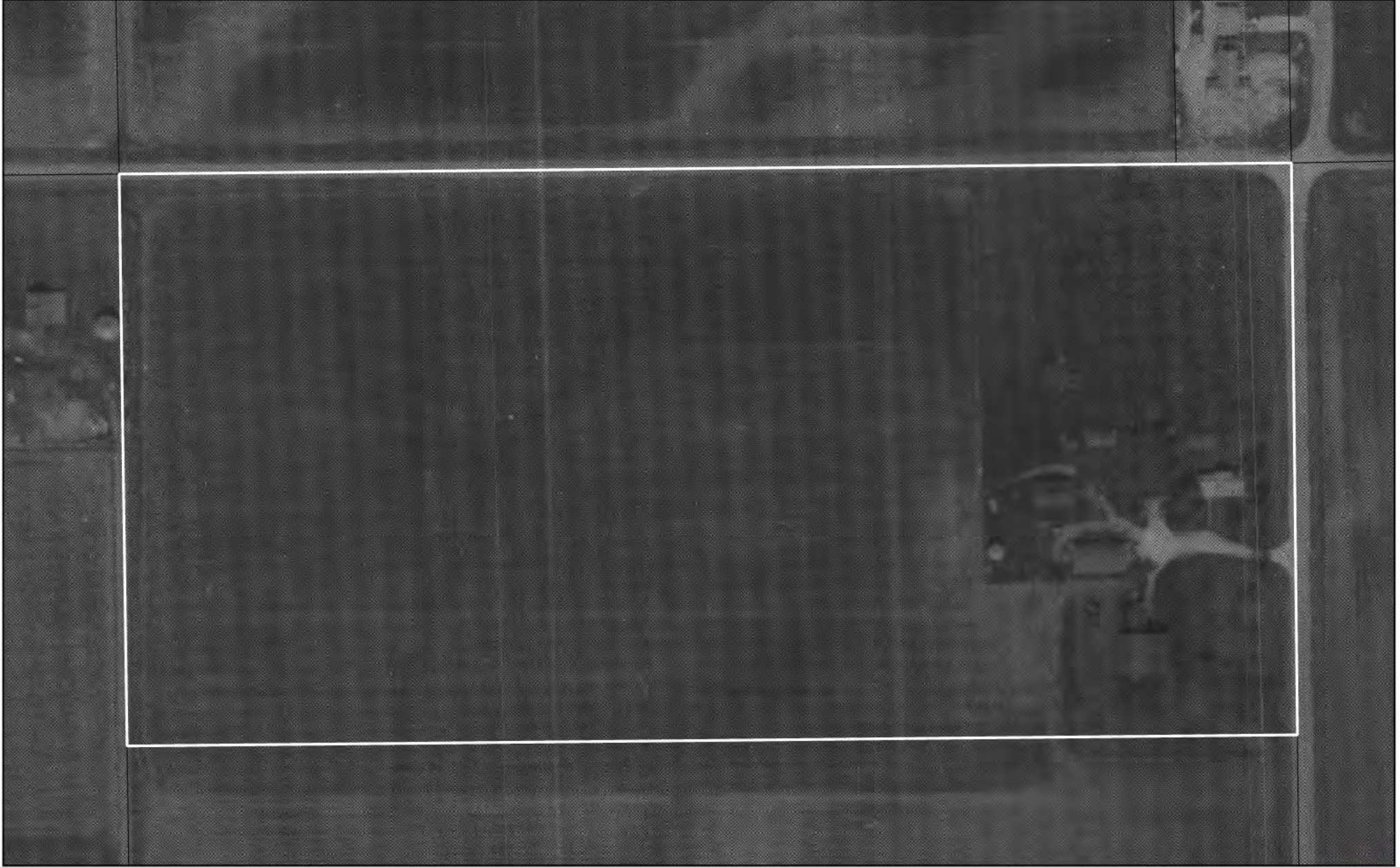
-  Existing Parcel
-  Proposed Parcel



# Annotated 1973 Aerial

Case 149-V-24

September 26, 2024



0 150 300 Feet





# Annotated 1988 Aerial

Case 149-V-24

September 26, 2024



0 150 300 Feet



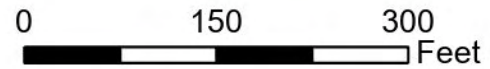
# Land Evaluation and Soil Map

Case 149-V-24

September 26, 2024



\*This map shows the LE score of the proposed parcel



### 149-V-24 Site Images



Facing South along 2600E



From 2600E facing East

### 149-V-24 Site Images



Facing North along 2600E



From intersection of 2300N and 2600E facing SW

## 149-V-24 Site Images



**From 2300N facing South toward Subject Property**

**PRELIMINARY DRAFT**

**149-V-24**

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

---

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

Date: ***{September 26, 2024}***

Petitioners: **Rodney Osterbur**

Request: **Authorize a variance for a proposed 5.026-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

---

**Table of Contents**

**General Application Information..... 2**  
**Required Variance.....2-3**  
**Specific Ordinance Requirements .....3-4**  
**Variance Evidence .....5 - 6**  
**Documents of Record.....7**  
**Case 149-V-24 Findings of Fact.....8**  
**Case 149-V-24 Final Determination .....9**

***PRELIMINARY DRAFT***

**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **September 26, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Rodney Osterbur, 2293 CR 2600E, Ogden, IL, owns the 20-acre lot with an address of 2293 CR 2600E, in the Northeast 20 acres of the Northeast quarter of Section 7, Township 22 North, Range 14 West of the Second Principal Meridian, in Ogden Township, with an address of 2293 CR 2600E, Ogden.
2. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
  - A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of Royal, a municipality with zoning. Municipalities do not have protest rights on a variance and do not receive notification of such cases.
  - B. The subject property is located within Ogden Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and receive notification of such cases.

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

4. Land use and zoning on the subject property and in the vicinity are as follows:
  - A. The proposed 5.026-acre subject property is zoned AG-1 Agriculture and is in use as residential and agriculture.
  - B. Land surrounding the subject property is zoned AG-1 Agriculture to the north, south, east, and west and is used for residential and agriculture to the north and is in agricultural production, to the south, east and west.

***GENERALLY REGARDING THE PROPOSED SITE PLAN***

5. Regarding the site plan for the subject property:
  - A. The Site Plan received on April 26, 2024, indicates the following:
    - (1) Existing structures on the property include:
      - a. One single family dwelling
      - b. A 35 x 60 quonset building
      - c. A 48 x 48 barn
      - d. A small yard shed and chicken coop
      - e. Two grain bins
    - (2) The petitioner is not proposing any construction at this time.
  - B. The single-family dwelling was constructed around 1979 to replace an existing home on the property.
  - C. The petitioner is planning to split off 5.026 acres that contains the buildings, structures, grass area and trees at the east end of the property and leave the remaining 15 acres as tilled farm ground.

**PRELIMINARY DRAFT****Case 149-V-24**

Page 3 of 9

- D. There are no previous zoning cases for the subject property.
- E. The requested variance is a proposed 5.026-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

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

- 6. Regarding specific *Zoning Ordinance* requirements relevant to this case:
  - A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested variances (capitalized words are defined in the Ordinance):
    - (1) “AGRICULTURE” is the growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry and the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm BUILDINGS used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm BUILDINGS for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm DWELLINGS occupied by farm OWNERS, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of AGRICULTURE all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed. Agricultural purposes include, without limitation, the growing, developing, processing, conditioning, or selling of hybrid seed corn, seed beans, seed oats, or other farm seeds.
    - (2) “AREA, LOT” is the total area within the LOT LINES.
    - (3) “BEST PRIME FARMLAND” is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:
      - (a) Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County Land Evaluation and Site Assessment (LESA) System;
      - (b) Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA System; or
      - (c) Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils, as determined by the Champaign County LESA System.
    - (4) “LOT” is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
    - (5) “LOT LINES” are the lines bounding a LOT.



**PRELIMINARY DRAFT**

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

**PRELIMINARY DRAFT****Case 149-V-24**

Page 5 of 9

**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 house and other buildings were constructed in the late 1970’s long before the ordinance was created limiting residential lots to 3 acres”**
  - B. The proposed 5.026-acre lot is comprised of Catlin silt loam, Drummer silty clay and Brenton silt loam which are soils that are considered BEST PRIME FARMLAND and has a relative value of 98 LE.
  - C. The petitioner wants to keep the dwelling and outbuildings separate from the surrounding farmland. The proposed 5.026-acre lot will provide adequate setbacks for the existing structures as well as retain the existing grass areas and trees.
  - D. The proposed 5.026-acre lot includes approximately .55 acres of tilled farmland.

**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: **“The house, outbuildings and trees would have to be removed to bring site into compliance with zoning ordinance.”**
  - B. Without the proposed variance, the petitioners would not be able to configure the lot lines in a way that keeps the dwelling, accessory buildings, grass area and trees on the lot.

**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.”**
  - B. A home and accessory buildings were constructed on the property prior to the adoption of the Champaign County Zoning Ordinance in 1973. The shape and dimensions of the proposed lot are the same as the grass area in 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 Petitioners testified the following on the application: **“Applicant seeks a variance that minimizes removal of farmland.”**

**PRELIMINARY DRAFT**

- B. The maximum lot size on best prime farmland requirement was first established by Ordinance No. 726 (Case 444-AT-04) on July 22, 2004. It was made permanent with Ordinance No. 773 approved December 20, 2005.
- C. Ordinance No. 914 (Case 711-AT-12) approved on November 27, 2012, revised the best prime farmland definition to have a Land Evaluation (LE) rating of 91 or higher rather than the previous rating of 85 or higher.
- D. The 5.026-acre lot area is 167% of the required three acre maximum, for a variance of 67%.
- E. The proposed 5.026-acre lot includes approximately .55 acres of tilled farmland.
- F. The requested variance is not prohibited by the *Zoning Ordinance*.

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

- 11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
  - A. The Petitioners testified the following on the application: **“Virtually nothing is being taken from productive farmland”**.
  - B. The proposed 5.026-acre lot includes approximately .55 acres of tilled farmland.
  - C. The Ogden Township Highway Commissioner has been notified of this variance, and no comments have been received.
  - D. The Ogden Township Supervisor has been notified of this variance, and no comments have been received.
  - E. The Ogden-Royal Fire Protection District has been notified of this variance, and no comments have been received.

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

- 12. Generally regarding and other circumstances which justify the Variance:
  - A. The Petitioners testified the following on the application: **“Similar requests with similar issues have been approved by the County.”**
  - B. Attempts to arrange the property lines for the lot that contains the dwellings, accessory buildings, grass area and trees would result in an irregular lot that doesn’t capture all of the improvements that the petitioners want to retain.

**GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL**

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

***PRELIMINARY DRAFT***

**Case 149-V-24**  
**Page 7 of 9**

**DOCUMENTS OF RECORD**

1. Application for Variance Permit received August 19, 2024, with attachment:
  - Plat of Survey received August 19, 2024
  - Legal description
  
2. Preliminary Memorandum dated May 23, 2024, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Plat of Survey received August 19, 2024
  - C 2023 Aerial Photo
  - D 1973 and 1988 Aerial Photos
  - E Soils Map
  - F Site Images taken September 18, 2024
  - G Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 149-V-24 dated September 26, 2024

**PRELIMINARY DRAFT****SUMMARY DRAFT FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **149-V-24** held on **September 26, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **{DO / DO NOT}** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
  - a. ***The petitioner wants to keep the dwelling and outbuildings separate from the surrounding farmland. The proposed 5.026-acre lot will provide adequate setbacks for the existing structures as well as retain the existing grass areas and trees.***
2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **{WILL / WILL NOT}** prevent reasonable or otherwise permitted use of the land or structure or construction because:
  - a. ***Without the proposed variance, the petitioners would not be able to configure the lot lines in a way that keeps the dwelling, accessory buildings, grass area and trees on the lot.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
  - a. ***A home and accessory buildings were constructed on the property prior to the adoption of the Champaign County Zoning Ordinance in 1973. The shape and dimensions of the proposed lot are the same as the grass area in 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. ***The petitioner seeks to separate an existing farmstead from the surrounding farm ground and create straight property lines.***
5. The requested variance ~~**{SUBJECT TO THE PROPOSED CONDITION}**~~ **{WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
  - a. ***Relevant jurisdictions have been notified of this case, and no comments have been received.***
6. The requested variance ~~**{SUBJECT TO THE PROPOSED CONDITION}**~~ **{IS / IS NOT}** the minimum variation that will make possible the reasonable use of the land/structure because: ***it is the minimum lot size that will provide adequate setbacks for existing structures and encompass the existing grass area and trees while creating straight.***
7. **{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}**

**PRELIMINARY DRAFT**

**Case 149-V-24**

**Page 9 of 9**

**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 **149-V-24** is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioner, **Rodney Osterbur**, to authorize the following:

**Authorize a variance for a proposed 5.026-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the AG-1 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

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

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

SIGNED:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals  
Date