

CASE NO. 754-V-13

SUPPLEMENTAL MEMORANDUM

July 11, 2013

Champaign
County
Department of

**PLANNING &
ZONING**

Petitioners: KH Farms, Inc.

Request: Authorize the following in the AG-1 Zoning District:

Part A. Variance for a lot area of .924 acre in lieu of the minimum required 1 acre.

Part B. Variance for an average lot width of 110.17 feet in lieu of the minimum required 200 feet.

Subject Property: Lot 1 of KH Farms Subdivision in the Southwest Quarter of Section 2 of Scott Township and commonly known as the house and outbuilding at 456 CR 1700N, Champaign.

Site Area: .924 acre

Time Schedule for Development: Existing

Prepared by: **Andy Kass**
Associate Planner

John Hall
Zoning Administrator

(217) 384-3708

**Brookens
Administrative Center**
1776 E. Washington Street
Urbana, Illinois 61802

STATUS

This is the first hearing for this case. New evidence/revisions and a special condition are proposed below.

PROPOSED EVIDENCE AND REVISIONS

Add the following to Item 5.B.(1)

- (1) The location of an existing 2-story house (existed prior to October 10, 1973). It appears that there have been additions to the home, but no Zoning Use Permits have been issued for additions to the home. A special condition has been proposed to ensure that any previous expansion of the home receives a Zoning Use Permit.

Add the following to Item 7.

- D. Neither the Illinois Department of Public Health nor the Champaign County Public Health Department has any record of the existing septic system on the subject property.

Make the following revision to Item 8.D.

~~D. Expanding the lot to the north would not increase the width of the lot. Only expansion to the west is feasible to increase the width of the lot. This would require taking agricultural land out of production.~~

D. Regarding the purchase of additional land and expansion of the lot:

(1) The petitioner has not pursued purchasing additional land in order to meet the minimum lot area or width requirements.

(2) 90 feet of width is needed for the lot to meet the minimum required average lot width of 200 feet.

(3) 0.076 acre of land is needed to meet the minimum required lot area of 1 acre.

(2) Expanding the lot to the north would increase the area of the lot, but would not increase the width of the lot.

(3) Expanding the lot to the east would require taking agricultural land out of production.

(4) Regarding expansion of the lot to the west:

(a) Expanding the lot to the west is feasible, and the petitioner may be able to purchase enough land to meet the average lot width and lot area requirements.

(b) There is an existing barn on the property to the west that is approximately 90 feet from the shared property line. It is possible that expanding 90 feet could result in this barn being on the property line, or very close to it.

(c) The area to the west may not be adequate for a septic system because it appears to have been an area for animal grazing in the past and the soils are likely compacted, and may not accommodate a septic system.

Delete Item 8.F. as follows:

~~F. It is unknown if the petitioner has pursued the option of purchasing additional land.~~

PROPOSED SPECIAL CONDITION

A. Within 30 days of Final Action of Case 754-V-13, the petitioner shall submit a Zoning Use Permit Application (ZUPA) for any previous renovations that may have expanded the footprint of the existing home.

The above special condition is required to ensure the following:

To ensure compliance with the *Zoning Ordinance* requirements.

ATTACHMENTS

- A Email from Mike Flanagan, Environmental Health Specialist, Champaign-Urbana Public Health District, to Alan Singleton, Attorney, dated July 11, 2013
- B Email from Rick Hafer, Illinois Department of Public Health, to Alan Singleton, Attorney, dated July 10, 2013

Andrew Kass

From: Alan R. Singleton [singleton@singletonlawfirm.com]
Sent: Thursday, July 11, 2013 11:50 AM
To: Andrew Kass
Subject: FW: FOIA

Here is the written confirmation. Alan

Alan R. Singleton
Singleton Law Firm, P.C.

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2001 South First Street, Suite 209
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From: Michael Flanagan [mailto:mflanagan@c-uphd.org]
Sent: Thursday, July 11, 2013 11:49 AM
To: Alan R. Singleton
Subject: RE: FOIA

Alan,

The Champaign County/Champaign-Urbana Public Health District does not have any records for the property at 456CR 1700N.

Thank You,

Michael Flanagan, BS, LEHP, REHS
Environmental Health Specialist II
Environmental Health Division
Champaign-Urbana Public Health District
201 W. Kenyon Road
Champaign, IL 61820

Phone: (217) 531-2908
Fax: (217) 373-7905
mflanagan@c-uphd.org

Andrew Kass

From: Alan R. Singleton [singleton@singletonlawfirm.com]
Sent: Thursday, July 11, 2013 11:46 AM
To: Andrew Kass
Subject: FW: 456 CR 1700N Champaign

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From: Hafer, Rick [<mailto:Rick.Hafer@Illinois.gov>]
Sent: Wednesday, July 10, 2013 3:51 PM
To: Alan R. Singleton
Subject: 456 CR 1700N Champaign

Mr. Singleton:

I have searched the file and found no plan for a septic system at 456 CR 1700N, Champaign, IL.

Sincerely,

Rick Hafer