

AS APPROVED JUNE 14, 2018

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3 **MINUTES OF REGULAR MEETING**

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5 **CHAMPAIGN COUNTY ZONING BOARD OF APPEALS**

6 **1776 E. Washington Street**

7 **Urbana, IL 61801**

8  
9 **DATE: May 17, 2018**

**PLACE: Lyle Shields Meeting Room  
1776 East Washington Street**

10  
11 **TIME: 7:00 p.m.**

**Urbana, IL 61802**

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13 **MEMBERS PRESENT:** Catherine Capel, Frank DiNovo, Ryan Elwell, Debra Griest, Jim Randol,  
14 Marilyn Lee

15  
16 **MEMBERS ABSENT :** Brad Passalacqua

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18 **STAFF PRESENT :** Connie Berry, Susan Burgstrom, John Hall

19  
20 **OTHERS PRESENT :** Jane Berbaum, Dave Berbaum, Bill Markel, Joni Markel, Tim Montague

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23 **1. Call to Order**

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25 The meeting was called to order at 7:00 p.m.

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27 **2. Roll Call and Declaration of Quorum**

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29 The roll was called and a quorum declared present, with one member absent.

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31 Ms. Capel informed the audience that anyone wishing to testify for any public hearing tonight must sign the  
32 witness register for that public hearing. She reminded the audience that when they sign the witness register  
33 they are signing an oath.

34  
35 **3. Correspondence**

36  
37 None

38  
39 **4. Approval of Minutes (April 5, 2018)**

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41 Ms. Capel stated that Mr. DiNovo emailed staff minor editorial revisions to the April 5, 2018, minutes, and  
42 staff has inserted those revisions to the final copy. She asked the Board if there were any additional  
43 revisions or additions to the April 5, 2018, minutes, and there were none.

44  
45 Ms. Capel entertained a motion to approve the April 5, 2018, minutes as amended.

46  
47 **Ms. Griest moved, seconded by Mr. Randol, to approve the April 5, 2018, minutes, as amended. The**  
48 **motion carried by voice vote.**

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**5. Continued Public Hearing**

None

**6. New Public Hearings**

**Case 900-V-18 Petitioner: William and Joni Markel Request to authorize the construction and use of a detached garage with a front yard of 10 feet in lieu of the minimum required 25 feet on a flag lot in the CR Conservation Recreation Zoning District, per Section 5.3 of the Zoning Ordinance. Location: A 6.02-acre tract that is part of the Southeast Quarter of the Southeast Quarter of Section 1, Township 18 North, Range 10 East of the Third Principal Meridian in Sidney Township, and commonly known as the residence at 1106 CR 2375E, Homer.**

Ms. Capel informed the audience that Case 900-V-18 is an Administrative Case and as such, the County allows anyone the opportunity to cross-examine any witness. She said that at the proper time, she will ask for a show of hands for those who would like to cross-examine and each person will be called upon. She requested that anyone called to cross-examine go to the cross-examination microphone to ask any questions. She said that those who desire to cross-examine are not required to sign the witness register but are requested to clearly state their name before asking any questions. She noted that no new testimony is to be given during the cross-examination. She said that attorneys who have complied with Article 7.6 of the ZBA By-Laws are exempt from cross-examination.

Ms. Capel informed the audience that anyone wishing to testify for any public hearing tonight must sign the witness register for that public hearing. She reminded the audience that when they sign the witness register they are signing an oath. She asked the audience if anyone desired to sign the witness register and there was no one.

Ms. Capel asked Mr. Markel if he would like to make a statement outlining the request.

Mr. William Markel, who resides at 1106 CR 2375E, Homer, stated that he and his wife purchased the subject property a couple of years ago, they were originally from a farm located in Vermilion County where they had large sheds for storage. He said that they are very limited on placement for a new garage/shed on their current property, because they have six acres that sits on a hilltop and the way that the house and driveway are configured on the property the shed must be located in the southwest corner of the property. He said that he went to the Department of Planning and Zoning to obtain a permit and he was told that he owned a flag lot, which he does not understand, and that the shed had to be 25 feet from the west property line. He said that for the size of building that he and his wife desire, a 10 feet setback would work better. He noted that he discussed the location of the proposed shed with his neighbors and they indicated that they had no issue with it.

1 Ms. Capel asked the Board and staff if there were any questions for Mr. Markel.

2  
3 Mr. Elwell asked Mr. Markel if the neighbors submitted their approval of the placement of the shed in  
4 writing.

5  
6 Mr. Markel stated yes. He said that the letters were included in the information that everyone received.  
7

8 Ms. Capel stated that the photographs attached to the memorandum indicates that the subject property is  
9 well screened from the neighbors.

10  
11 Mr. Markel stated yes, it is a wooded area which serves as a buffer between the two homes.

12  
13 Ms. Lee asked Mr. Hall to clarify the definition of a flag lot, and why the 25 feet front yard is required.

14  
15 Mr. Hall stated that a parcel is called a flag lot because there is a pole, driveway, from the street which  
16 serves as access to the property, the flag. He said that the definition of a flag lot is as follows: An  
17 interior lot separated from streets by intervening lots except for an access strip which provides frontage  
18 upon a street. He said that since there is a lot in front of the flag lot, the front yard is required to be the  
19 same as the required front yard for the lot in front of it.

20  
21 Mr. Markel stated that he does not understand it, but he is almost one-quarter of a mile off the road. He  
22 said that their property is closer to 2400E, but he assumes that this is all because of the position of his  
23 driveway.

24  
25 Ms. Griest stated that Mr. Markel’s driveway is the only portion of his property that fronts the street.

26  
27 Mr. Markel agreed, and indicated that his driveway is 30 feet wide.

28  
29 Mr. Capel asked the audience if anyone desired to cross examine Mr. Markel, and there was no one.

30  
31 Ms. Capel asked the audience if anyone desired to sign the witness register and present testimony  
32 regarding Case 900-V-18, and there was no one.

33  
34 Ms. Capel read the proposed special condition as follows:

- 35 **A. The petitioner shall include the unauthorized existing detached building in the**  
36 **Zoning Use Permit Application for the proposed garage and pay associated permit**  
37 **fees for both the existing and proposed buildings.**

38  
39 The special condition stated above is to ensure the following:  
40 **That all structures on the subject property have the required Zoning Use**  
41 **Permits.**

- 1 Ms. Capel asked Mr. Markel if he agreed to the proposed special condition.  
2  
3 Mr. Markel stated that he agreed to the special condition, although the existing detached building is  
4 approximately 12 years old and was on the property when they purchased it two years ago.  
5  
6 Ms. Capel informed Mr. Markel that such may be true, but, as the current owner, he is now responsible  
7 for obtaining the proper permit for its construction.  
8  
9 Mr. DiNovo stated that the existing building appears to be close to the property line. He asked staff if  
10 they were certain that the existing building has an adequate setback from the south property line.  
11  
12 Ms. Burgstrom stated that she visited the property and the existing building does have an adequate  
13 setback from the south property line.  
14  
15 Mr. Randol stated that he did not see any information regarding the existing shed in the memorandum or  
16 the site plan.  
17  
18 Ms. Griest asked if staff measured the distance to the south property line.  
19  
20 Ms. Burgstrom stated yes.  
21  
22 Ms. Griest stated that staff's measurement satisfies any of her concerns.  
23  
24 Mr. Randol stated that he is satisfied as well.  
25  
26 Ms. Capel asked the Board if Mr. Markel should indicate the existing building on the site plan.  
27  
28 Mr. Randol stated that this Board is only reviewing the variance for the proposed building, and staff has  
29 verified that the existing building complies with the ordinance.  
30  
31 Ms. Capel informed Mr. Markel that when he applies for the permit for the proposed shed, he should  
32 indicate the existing building with dimensions and setback on site plan.  
33  
34 Mr. Markel agreed to revise the site plan during the permitting process.  
35  
36 Ms. Griest stated that information regarding staff visiting the site and that the existing shed meets the  
37 requirements of the ordinance should be indicated in the Summary of Evidence or Finding of Fact.  
38  
39 Mr. Hall stated that new Item 5.A.(2) a. should be added to the Summary of Evidence as follows: a.  
40 The Department of Planning and Zoning Staff visited the subject property and verified that this garage  
41 meets yard requirements.  
42

1 Mr. DiNovo stated that the Summary of Evidence should reflect the requirements in Section 7.2.1 for  
2 rear and side yards in the CR District.

3  
4 Mr. Hall stated that new Item 6.E. of the Summary of Evidence should be added indicating the  
5 following: Section 7.2.1 B. and C. establish 10 feet side and rear yards for detached accessory buildings  
6 and structures in the CR District.

7  
8 Mr. DiNovo and Ms. Griest agreed with Mr. Hall’s recommendation for new Item 6.E.

9  
10 Ms. Capel entertained a motion to approve the Special Condition A.

11  
12 **Mr. DiNovo moved, seconded by Ms. Griest, to approve the Special Condition A. The motion**  
13 **carried by voice vote.**

14  
15 Ms. Capel stated that the Board will now move to the Findings of Fact for Case 900-V-17.

16  
17 **FINDINGS OF FACT FOR 900-V-17:**

18  
19 From the documents of record and the testimony and exhibits received at the public hearing for zoning  
20 case **900-V-18** held on **May 17, 2018**, the Zoning Board of Appeals of Champaign County finds that:

- 21  
22 **1. Special conditions and circumstances DO exist which are peculiar to the land or**  
23 **structure involved, which are not applicable to other similarly situated land and structures**  
24 **elsewhere in the same district.**

25  
26 Mr. DiNovo stated that special conditions and circumstances DO exist which are peculiar to the  
27 land or structure involved, which are not applicable to other similarly situated land and structures  
28 elsewhere in the same district, because the topography and the existing structures limit the potential  
29 location of the building to the southwest corner of the subject property.

- 30  
31 **2. Practical difficulties or hardships created by carrying out the strict letter of the regulations**  
32 **sought to be varied WILL prevent reasonable or otherwise permitted use of the land or**  
33 **structure or construction.**

34  
35 Mr. Randol stated that practical difficulties or hardships created by carrying out the strict letter of the  
36 regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or  
37 structure or construction, because the existing structures were there when the new owners purchased the  
38 land.

39  
40 Ms. Griest stated that the petitioner would be unable to construct a building of adequate size outside of  
41 the special Flood Hazard Area or without clearing additional wooded area.

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**3. The special conditions, circumstances, hardships, or practical difficulties DO NOT result from actions of the applicant.**

Ms. Capel stated that the special conditions, circumstances, hardships, or practical difficulties DO NOT result from actions of the applicant, because the structures were in place and the lot was set up when the petitioner bought it.

**4. The requested variance, SUBJECT TO THE PROPOSED CONDITION, IS in harmony with the general purpose and intent of the Ordinance.**

Mr. DiNovo stated that the requested variance, SUBJECT TO THE PROPOSED CONDITION, IS in harmony with the general purpose and intent of the Ordinance, because the ordinance generally accommodates accessory building of this type, and the setbacks that apply to this building are the same as those on adjacent properties.

**5. The requested variance, SUBJECT TO THE PROPOSED CONDITION, WILL NOT be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare.**

Mr. Randol stated that the requested variance, SUBJECT TO THE PROPOSED CONDITION, WILL NOT be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare, because there have been no responses from the Fire District, the Township Highway Commissioner, and the adjacent neighbors.

**6. The requested variance, SUBJECT TO THE PROPOSED CONDITION, IS the minimum variation that will make possible the reasonable use of the land/structure.**

Ms. Capel stated that the requested variance, SUBJECT TO THE PROPOSED CONDITION, IS the minimum variation that will make possible the reasonable use of the land/structure.

**7. THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

**A. The petitioner shall include the unauthorized existing detached building in the Zoning Use Permit Application for the proposed garage and pay associated permit fees for both the existing and proposed buildings.**

The special condition stated above is to ensure the following:

**That all structures on the subject property have the required Zoning Use Permits.**

1 Ms. Capel entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings  
2 of Fact, as amended.

3  
4 **Ms. Griest moved, seconded by Mr. Elwell, to adopt the Summary of Evidence, Documents of  
5 Record, and Findings of Fact, as amended. The motion carried by voice vote.**

6  
7 Ms. Capel entertained a motion to move to the Final Determination for Case 900-V-18.

8  
9 **Mr. DiNovo moved, seconded by Mr. Randol, to move to the Final Determination for Case 900-V-  
10 18. The motion carried by voice vote.**

11  
12 Ms. Capel stated that currently the Board has one member absent; therefore, it is at the petitioner’s discretion  
13 to either continue Case 900-V-18 until a full Board is present or request that the present Board move to the  
14 Final Determination. She informed the petitioner that four affirmative votes are required for approval.

15  
16 Mr. Markel requested that the present Board move to the Final Determination.

17  
18 **FINAL DETERMINATION FOR CASE 900-V-18:**

19 **Mr. DiNovo moved, seconded by Ms. Griest, that the Champaign County Zoning Board of Appeals  
20 finds that, based upon the application, testimony, and other evidence received in this case, the  
21 requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority granted  
22 by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of  
23 Champaign County determines that:**

24 **The Variance requested in Case 900-V-18 is hereby GRANTED WITH ONE CONDITION to the  
25 petitioners, William and Joni Markel, to authorize the following variance in the CR Conservation  
26 Recreation Zoning District:**

27  
28 **Authorize the construction and use of a detached garage with a front yard of 10 feet in lieu  
29 of the minimum required 25 feet on a flag lot, per Section 5.3 of the Zoning Ordinance.**

30  
31 **SUBJECT TO THE FOLLOWING CONDITION:**

- 32  
33 **A. The petitioner shall include the unauthorized existing detached building in the  
34 Zoning Use Permit Application for the proposed garage and pay associated permit  
35 fees for both the existing and proposed buildings.**

36  
37 The special condition stated above is to ensure the following:  
38 **That all structures on the subject property have the required Zoning Use  
39 Permits.**

40

1 Ms. Capel requested a roll call vote.

2  
3 The roll call vote was as follows:

5	<b>Lee – yes</b>	<b>Passalacqua – absent</b>	<b>Randol – yes</b>
6	<b>Elwell – yes</b>	<b>DiNovo – yes</b>	<b>Griest – yes</b>
7	<b>Capel - yes</b>		

8  
9 Mr. Hall informed the petitioners that they have received an approval, and staff will be in contact regarding  
10 final paperwork.

11  
12 **Case 902-V-18 Petitioner: Jane Berbaum, Robert Musson, Richard Musson, and David Sides**  
13 **Request to authorize a variance in the AG-1 Agriculture Zoning District, for the addition of 2 acres to**  
14 **an existing 2.78-acre lot on best prime farmland, for a total lot size of 4.78 acres in lieu of the**  
15 **maximum area of 3 acres for lots with soils that best prime farmland, per Section 5.3 of the**  
16 **Champaign County Zoning Ordinance. Location: An existing 2.78-acre tract of land plus 2 acres of**  
17 **surrounding land located in the Northeast Quarter of the Southeast Quarter of Section 12, Township**  
18 **20 North, Range3 8 East of the Third Principal Meridian in Hensley Township, with an address of**  
19 **2237 CR 1200 East, Champaign.**

20  
21 Ms. Capel informed the audience that Case 902-V-18 is an Administrative Case and as such, the County  
22 allows anyone the opportunity to cross-examine any witness. She said that at the proper time, she will  
23 ask for a show of hands for those who would like to cross-examine and each person will be called upon.  
24 She requested that anyone called to cross-examine go to the cross-examination microphone to ask any  
25 questions. She said that those who desire to cross-examine are not required to sign the witness register  
26 but are requested to clearly state their name before asking any questions. She noted that no new  
27 testimony is to be given during the cross-examination. She said that attorneys who have complied with  
28 Article 7.6 of the ZBA By-Laws are exempt from cross-examination.

29  
30 Ms. Capel informed the audience that anyone wishing to testify for any public hearing tonight must sign  
31 the witness register for that public hearing. She reminded the audience that when they sign the witness  
32 register they are signing an oath. She asked the audience if anyone desired to sign the witness register  
33 and there was no one.

34  
35 Ms. Capel asked Ms. Jane Berbaum if she would like to make a statement outlining the request.

36  
37 Ms. Berbaum, who resides at 533 CR 1200N, Champaign, stated that her father and mother originally  
38 owned the subject property, and her mother passed away in 2011. She said that before her mother  
39 passed away she sold two acres to Mr. Sides, which consisted of the house and the garage. She said that



1 at the time of the sale, the machine shed was not sold to Mr. Sides, but he had expressed interest in  
 2 purchasing the machine shed in the future. She said that she and her two brothers currently own the  
 3 surrounding farmland and the have decided that it is time to sell the area with the machine shed to Mr.  
 4 Sides. She said that in order to make the machine shed area a square two acres, the surveyors created the  
 5 survey that is before the Board. She said that Mr. Sides wanted to square off the north side where the  
 6 grass is located so that a straight line was created, and he wanted one-half acre on the south side so that  
 7 there was a buffer between his orchard and the farmland that they own. She said that Mr. Sides is a  
 8 farmer, he has other farm ground, but he does live on the subject property and he would use the machine  
 9 shed for agricultural storage of equipment, grain truck, etc.

10  
 11 Ms. Capel asked the Board and staff if there were any questions for Mr. Berbaum, and there were none.

12  
 13 Ms. Burgstrom stated that she spoke to Mr. Sides today regarding additional justification for the .5 acres  
 14 to the south. She said that Mr. Sides indicated that the orchard is approximately 20 feet off the property  
 15 line, and he has a garden which has blackberries growing in it, and he would like to get as much area as  
 16 he can to buffer the overspray from the farm field. She said that Mr. Sides stated that the sprayer drivers  
 17 do not always obey the speed limit when they are spraying the fields, so he would like the additional  
 18 room. She said that Mr. Sides has a 60 feet tall tree on the property that has been damaged by lightning,  
 19 and when he cuts the tree down, he wants to make sure that it falls onto his property. She said that Mr.  
 20 Sides plans to plant alfalfa on the northern and southern strips; therefore, the land will not be taken out  
 21 of crop production.

22  
 23 Ms. Capel asked the audience if anyone desired to cross examine Ms. Berbaum, and there was no one.

24  
 25 Ms. Capel asked the audience if anyone desired to sign the witness register and present testimony  
 26 regarding Case 902-V-18, and there was no one.

27  
 28 Ms. Capel stated that the Board will now move to the Findings of Fact.

29  
 30 **FINDINGS OF FACT FOR CASE 902-V-18:**

31 **From the documents of record and the testimony and exhibits received at the public hearing for**  
 32 **zoning case 902-V-18 held on May 17, 2018, the Zoning Board of Appeals of Champaign County**  
 33 **finds that:**

- 34 **1. Special conditions and circumstances DO exist which are peculiar to the land or structure**  
 35 **involved, which are not applicable to other similarly situated land and structures elsewhere**  
 36 **in the same district.**

37 Mr. DiNovo stated that special conditions and circumstances DO exist which are peculiar to the land or  
 38 structure involved, which are not applicable to other similarly situated land and structures elsewhere in  
 39 the same district, because the subject property, with exception of the 1/2 acre on the south side,

1 constituted a farmstead. If this request had been submitted in its entirety when the house was separated,  
2 it is consistent with other approvals because it is the original farmstead and it establishes an existing set  
3 of structures and land use.

4 **2. Practical difficulties or hardships created by carrying out the strict letter of the regulations**  
5 **sought to be varied WILL prevent reasonable or otherwise permitted use of the land or**  
6 **structure or construction.**

7 Ms. Griest stated that practical difficulties or hardships created by carrying out the strict letter of the  
8 regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or  
9 structure or construction, because these are existing structures that are part of the farmstead that predated  
10 adoption of the Zoning Ordinance and they will continue to be used in a farming application for  
11 equipment storage.

12 Ms. Capel stated that the 1/2 acre strip on the south provides separation from traditional agricultural  
13 spraying and protection for fruit trees and the garden.

14 **3. The special conditions, circumstances, hardships, or practical difficulties DO NOT result**  
15 **from actions of the applicant.**

16 Ms. Griest stated that the special conditions, circumstances, hardships, or practical difficulties DO NOT  
17 result from actions of the applicant because it is an original farmstead.

18 **4. The requested variance IS in harmony with the general purpose and intent of the**  
19 **Ordinance.**

20 Mr. DiNovo stated that the requested variance IS in harmony with the general purpose and intent of the  
21 Ordinance, because there will not be any significant permanent conversion of farmland, and the 1/2 acre  
22 strip on the south side will act as a buffer between dissimilar agricultural uses.

23 **5. The requested variance WILL NOT be injurious to the neighborhood or otherwise**  
24 **detrimental to the public health, safety, or welfare.**

25 Ms. Griest stated that the requested variance WILL NOT be injurious to the neighborhood or otherwise  
26 detrimental to the public health, safety, or welfare, because this is not a significant change of use, and the  
27 Drainage District, Township Highway Commissioner, and Fire Protection District were contacted and  
28 did not express any objections.

29 **6. The requested variance IS the minimum variation that will make possible the reasonable**  
30 **use of the land/structure.**

31 Ms. Griest stated that the requested variance IS the minimum variation that will make possible the  
32 reasonable use of the land/structure.

1 **7. NO SPECIAL CONDITIONS ARE HEREBY IMPOSED.**

2  
3 Ms. Capel entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings of  
4 Fact, as amended.

5  
6 **Ms. Griest moved, seconded by Mr. Randol, to adopt the Summary of Evidence, Documents of**  
7 **Record, and Findings of Fact, as amended. The motion carried by voice vote.**

8  
9 Ms. Capel entertained a motion to move to the Final Determination.

10  
11 **Ms. Lee moved, seconded by Mr. Randol, to move to the Final Determination for Case 902-V-18. The**  
12 **motion carried by voice vote.**

13  
14 Ms. Capel stated that currently the Board has one member absent; therefore, it is at the petitioner’s discretion  
15 to either continue Case 902-V-18 until a full Board is present or request that the present Board move to the  
16 Final Determination. She informed the petitioner that four affirmative votes are required for approval.

17  
18 Ms. Berbaum requested that the present Board move to the Final Determination.

19  
20 **Final Determination for Case 902-V-18:**

21  
22 **Mr. Randol moved, seconded by Ms. Griest, that the Champaign County Zoning Board of Appeals**  
23 **finds that, based upon the application, testimony, and other evidence received in this case, that the**  
24 **requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority granted**  
25 **by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of**  
26 **Champaign County determines that:**

27 **The Variance requested in Case 902-V-18 is hereby GRANTED to the petitioners, Jane Berbaum,**  
28 **Robert Musson, Richard Musson, and David Sides, to authorize the following variance in the AG-1**  
29 **Agriculture Zoning District:**

30  
31 **Authorize the addition of 2 acres to an existing 2.78-acre lot on best prime farmland, for a**  
32 **total lot size of 4.78 acres in lieu of the maximum area of 3 acres for lots with soils that are**  
33 **best prime farmland, per Section 5.3 of the Champaign County Zoning Ordinance.**

34  
35 Ms. Capel requested a roll call vote.

36  
37 The roll call vote was as follows:

38  
39 **Elwell – yes                      DiNovo – yes                      Griest – yes**  
40 **Lee – yes                          Passalacqua – absent              Randol – yes**

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**Capel – yes**

Mr. Hall informed the petitioners that they have received an approval, and staff will be in contact regarding final paperwork.

**7. Staff Report**

None

**8. Other Business**

**A. Review of Docket**

Mr. DiNovo stated that he will be absent from the May 31, 2018, meeting.

Ms. Griest asked Mr. Hall if Case 899-V-18 was withdrawn, or will the Board see it at a later time.

Mr. Hall stated that the petitioner realized that there was an alternative location for the proposed structure that would be compliant with the ordinance, so he withdrew his variance request.

Mr. DiNovo asked Mr. Hall if there would be a consolidated version of the amendment for Case 895-AT-18, for the June 14<sup>th</sup> meeting.

Mr. Hall stated yes.

Mr. Hall stated that it has come to attention that the September 27<sup>th</sup> meeting is to be held in the John Dimit Meeting Room, but that is also the date of the first two solar farm cases. He said that the John Dimit Room does not have the capacity for the anticipated audience for the two solar cases listed on the docket.

Ms. Griest agreed with Mr. Hall regarding the John Dimit Room not having adequate capacity for the anticipated audience for the two solar cases indicated on the docket.

Mr. Hall stated that staff will use the September 27<sup>th</sup> date for cases not related to solar farms. He said that Community Power, LLC, petitioners for Cases 894-S-17 and 897-S-18, indicated that they will have to pull their zoning cases because the timing was getting such that they would not be able to do them. He said that after checking with the State’s Attorney, he offered to move Case 894-S-17 and 897-S-18 to the August 30<sup>th</sup> ZBA meeting, which is one week after the anticipated adoption of the amendment by the County Board. He said that Community Power, LLC agreed to the August 30<sup>th</sup> date, and he believes that the Board and staff can do that, although staff will have to carefully prepare the legal advertisement and check with the State’s Attorney. He said that the Board could literally be reviewing their first solar farm one week after the amendment is adopted.

1 Mr. Randol noted that he will be absent from the July 12, 2018, meeting.

2  
3 **9. Audience participation with respect to matters other than cases pending before the Board**

4  
5 None

6  
7 **10. Adjournment**

8  
9 Ms. Capel entertained a motion to adjourn the meeting.

10  
11 **Mr. DiNovo moved, seconded by Mr. Elwell, to adjourn the meeting. The motion carried by voice**  
12 **vote.**

13  
14 The meeting adjourned at 7:50 p.m.

15  
16  
17 Respectfully submitted

18  
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