

**CASE 174-V-25**  
**PRELIMINARY MEMORANDUM**  
September 11, 2025

**Petitioner: Adam Slagell**

**Request: Authorize the following variance in the R-2 Single Family Residence Zoning District:**

**Part A: A proposed ground-mounted solar array with a setback from the centerline of Windsor Rd of 48 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part B: A proposed ground-mounted solar array with a side and rear yard of 6 feet and 15 feet respectively in lieu of the required 30 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part C: An existing detached garage with a setback from the centerline of Windsor Rd of 63 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part D: An existing detached garage with a side and rear yard of 20 feet and 16 feet respectively in lieu of the minimum required 30 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Location: Lot 1 in Phinney Acres Subdivision in Section 23 of Champaign Township and commonly known as the property with address 2321 Phinney Dr., Champaign.**

**Site Area: .43 acres**

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

**Prepared by: Charlie Campo, Zoning Officer  
John Hall, Zoning Administrator  
Trevor Partin, Associate Planner**

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## **BACKGROUND**

The petitioner submitted a Zoning Use Permit Application to construct ground mounted solar array to the south of the existing detached garage. During the review of the application, it was noted that the proposed solar array did not meet the required setback and yard requirements or a corner lot along a Collector Street and that the proposed array would have to be located elsewhere on the property, or a variance would be required. Due to the location of the existing buildings and trees on the property the petitioner applied for a variance. During the review of the application, it was determined that the existing garage was non-conforming and should be included in the variance so that it could be rebuilt in its current location should it ever be destroyed. The proposed solar array is partially located in the mapped floodplain area however the panels are proposed to be above the Base Flood Elevation.



## MUNICIPAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Champaign, a municipality with zoning. Municipalities do not have protest rights on a variance and are generally not notified of such cases. In this case the City was notified due to the subject property's proximity to Windsor Road.

The subject property is located in Champaign Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

## SETBACK AND YARD REQUIREMENTS ON CORNER LOTS

Section 4.3.3 D. of the Champaign County Zoning Ordinance requires that the minimum side yard on the street side of a corner lot shall be equal to the minimum front yard.

Section 3.0 defines Setback Line as: 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.

## EXISTING LAND USE AND ZONING

**Table 1. Land Use and Zoning Summary**

Direction	Land Use	Zoning
Onsite	Residential	R-2 Single Family Res.
North	Residential	R-2 Single Family Res.
East	Residential	R-2 Single Family Res.
West	Residential	R-2 Single Family Res.
South	Agricultural	R-2 Single Family Res.

## SPECIAL CONDITIONS

No special conditions are proposed.

## ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received July 29, 2025
- C 2023 Annotated Aerial Photo
- D 1973 Aerial Photo
- E 2023 Aerial Photo showing floodplain
- F FEMA Flood Map
- G Site images taken September 3, 2025
- H Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 174-V-25 dated September 11, 2025

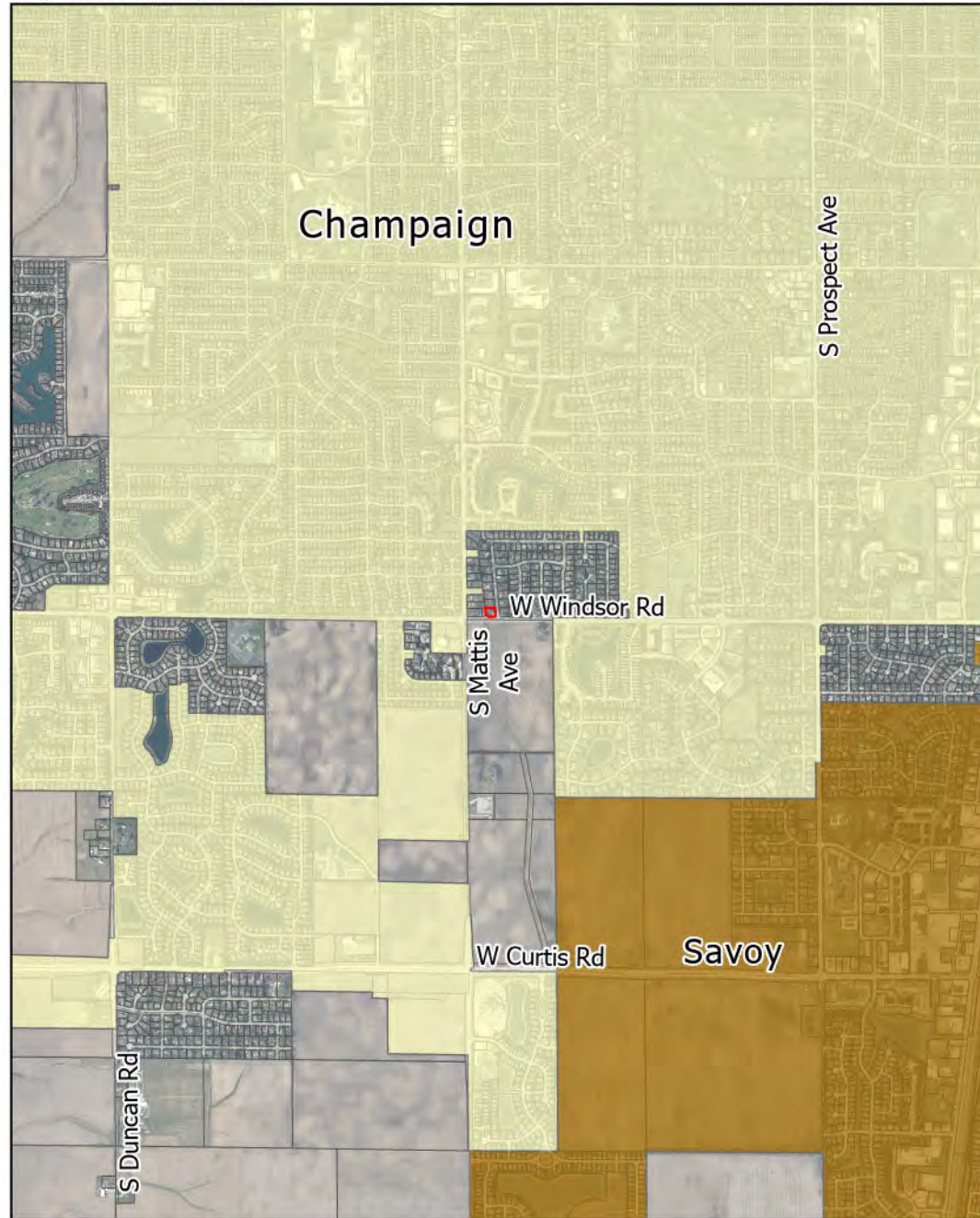


# Location Map

Case 174-V-25

September 11, 2025

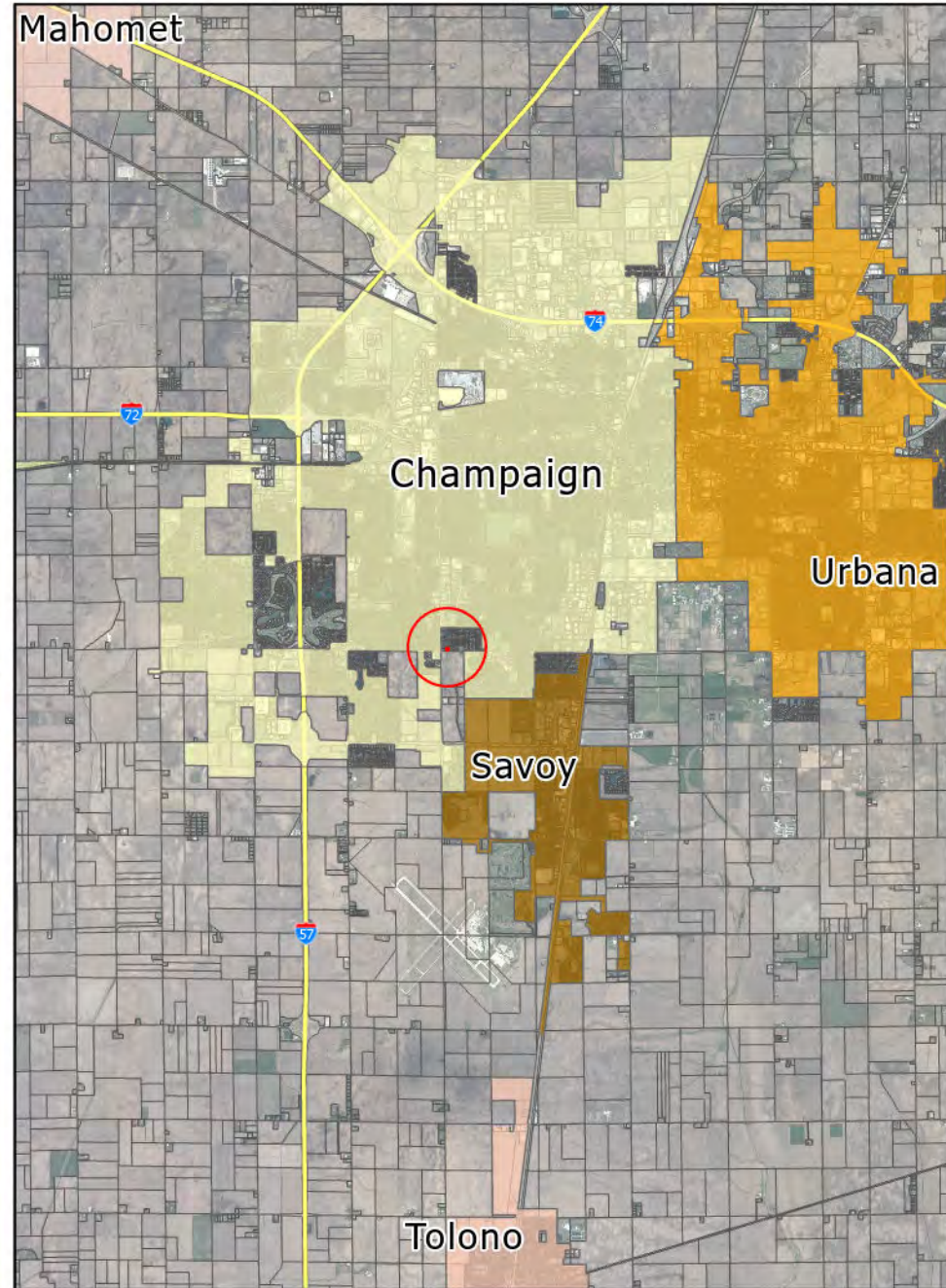
Subject Property



 Subject Parcel

0 0.5 1 Miles

Property location in Champaign County



0 2 4 Miles



PLANNING &  
ZONING



# Land Use Map

Case 174-V-25

September 11, 2025



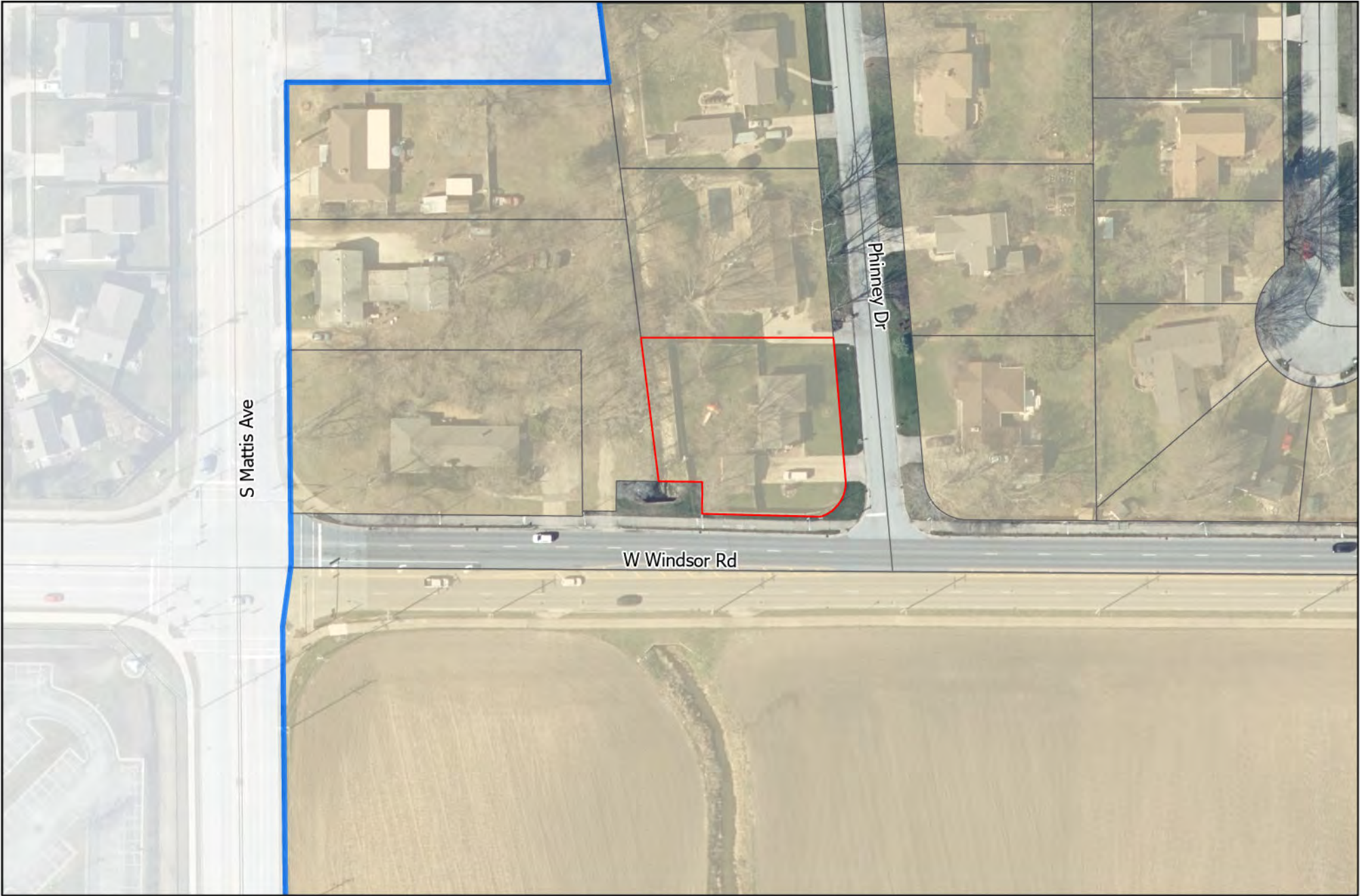
-  Subject Parcel
-  Agricultural
-  Residential
-  City of Champaign

0 100 200 Feet



PLANNING &  
ZONING





Subject Parcel

City of Champaign

R-2 Single Family Residence

0100200

 Feet

N

PLANNING & ZONING



SHEET CATALOG	
INDEX NO.	DESCRIPTION
T-01	COVER PAGE
S-01	MOUNTING DETAIL
S-02	STRUCTURAL DETAIL
E-01	SINGLE LINE DIAGRAM
E-02	ELECTRICAL CALCULATIONS
PL-01	WARNING PLACARDS
PL-02	DIRECTORY PLACARD
SS	SPEC SHEET(S)

SCOPE OF WORK

**GENERAL SYSTEM INFORMATION:**  
**NEW SYSTEM SIZE:**  
4800W DC, 4560W AC  
**MODULES:**  
(12)REC SOLAR REC400AA PURE-R (400W)  
**INVERTER:**  
(12)ENPHASE IQ8X-80-M-US (240V)  
**BRANCH DETAILS:**  
2X6 ENPHASE BRANCHES  
**EXISTING SYSTEM SIZE:**  
10400W DC, 9984W AC  
**MODULES:**  
(26)WAAREE ARKA SERIES WSMDI-400 (400W)  
**INVERTER:**  
(26)ENPHASE IQ7HS-66-M-US (240V)  
**BRANCH DETAILS:**  
1X10, 1X9, 1X7 ENPHASE BRANCHES

GENERAL NOTES

1. MODULES ARE LISTED UNDER UL 1703 / 61730 AND CONFORM TO THE STANDARDS.
2. INVERTERS ARE LISTED UNDER UL 1741 AND CONFORM TO THE STANDARDS.
3. DRAWINGS ARE DIAGRAMMATIC, INDICATING GENERAL ARRANGEMENT OF THE PV SYSTEM AND THE ACTUAL SITE CONDITION MIGHT VARY.
4. WORKING CLEARANCES AROUND THE NEW PV ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC 110.26.
5. ALL GROUND WIRING CONNECTED TO THE MAIN SERVICE PANEL/ SERVICE EQUIPMENT.
6. ALL CONDUCTORS SHALL BE 600V, 90°C STANDARD COPPER UNLESS OTHERWISE NOTED.
7. WHEN REQUIRED, A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH OSHA REGULATIONS.
8. THE SYSTEM WILL NOT BE INTERCONNECTED BY THE CONTRACTOR UNTIL APPROVAL FROM THE LOCAL JURISDICTION AND/OR THE UTILITY.
9. PV ARRAY COMBINER/JUNCTION BOX PROVIDES TRANSITION FROM ARRAY WIRING TO CONDUIT WIRING

ADAM SLAGELL - 4.800kW DC, 4.560kW AC

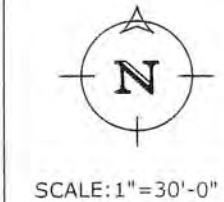
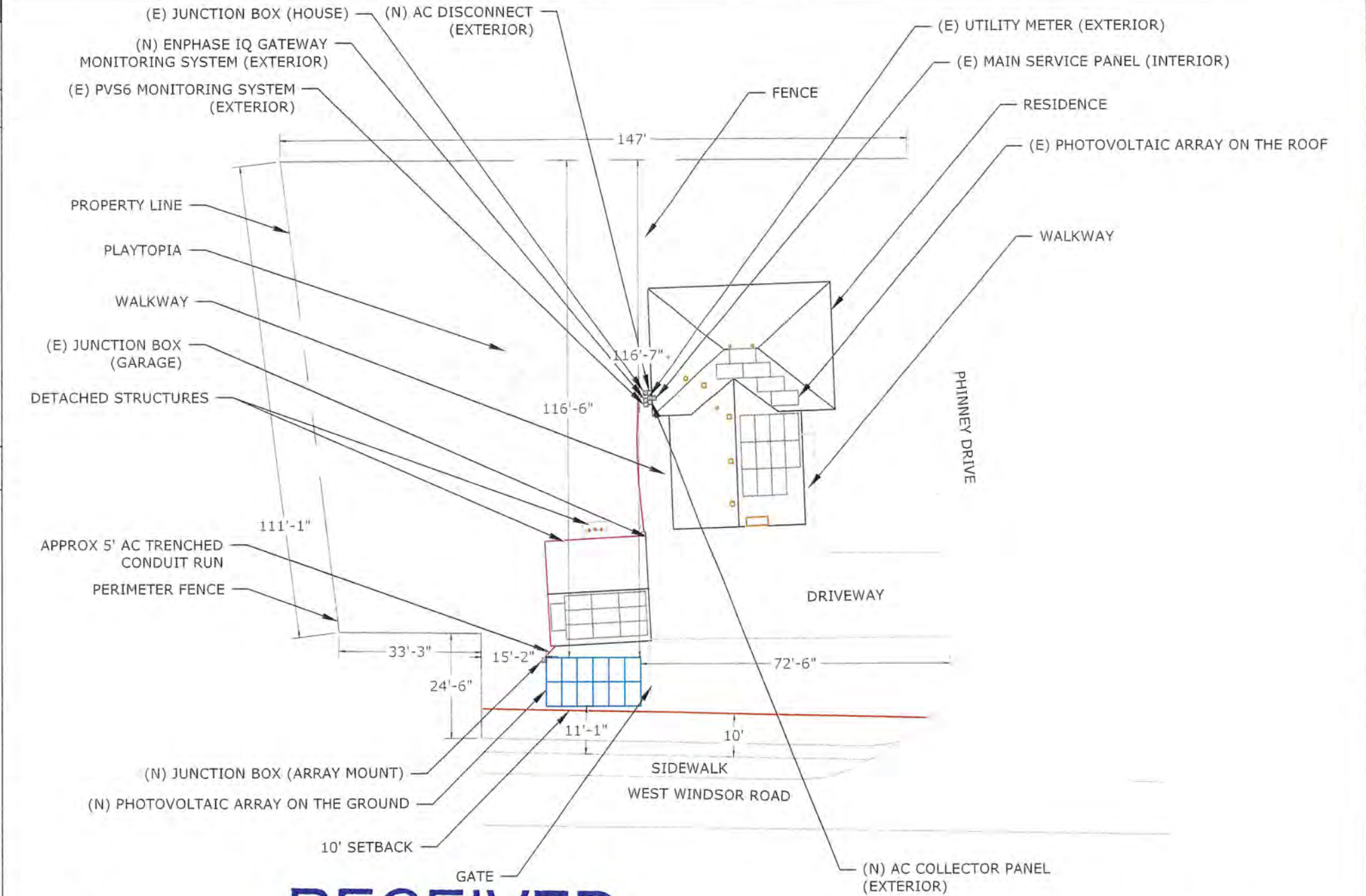
SITE PLAN LAYOUT

**ENGINEERING SCOPE OF WORK**

1. ILLUMINE INTERNATIONAL INC. HAS ONLY PROVIDED DRAFTING SERVICES FOR THE PERMIT DRAWINGS. NO ACTUAL ENGINEERING WORK, ENGINEERING REVIEW OR ENGINEERING APPROVAL HAS BEEN CONDUCTED BY ILLUMINE INTERNATIONAL INC. UNLESS NOTED OTHERWISE.

2. WHEN A PROFESSIONAL ENGINEER APPROVES AND SEALS THE DESIGN FOR COMPONENTS OF THEIR RESPECTIVE DISCIPLINE (STRUCTURAL/ELECTRICAL) SHOWN ON THESE PERMIT DRAWINGS, HE/SHE:

- a. TAKES FULL DIRECT CONTROL OF THE ENGINEERED DESIGN
- b. IS GIVEN ACCESS TO PERSONALLY SUPERVISE AND RECTIFY ANY ASPECT OF THE ENGINEERED DESIGN
- c. HAS FULLY ACCEPTED RESPONSIBILITY FOR THE ENGINEERED DESIGN



**RECEIVED**  
JUL 29 2025  
CHAMPAIGN CO. P & Z DEPARTMENT

APPLICABLE CODES	
• ELECTRIC CODE: NEC 2014	
• FIRE CODE: IFC 2015	
• BUILDING CODE: IBC 2015	
• RESIDENTIAL CODE: IRC 2015	



CUSTOMER INFORMATION

NAME: ADAM SLAGELL

ADDRESS: 2321 PHINNEY DRIVE, CHAMPAIGN, IL 61821

40.084041, -88.274845  
APN: 3202353020

AHJ: IL- TOWNSHIP OF CHAMPAIGN

UTILITY: AMEREN

PRN NUMBER: LSS-1013391



COVER PAGE

DRAFTED BY: SETHIL	PAPER SIZE: 17"X11"
QC'ED BY: RAM S	
SCALE: AS NOTED	REV: B
DATE: 7/2/2025	T-01



# Annotated 2023 Aerial

Case 174-V-25

September 11, 2025



Subject Parcel



Proposed Solar Array

0 50 100 Feet





# Annotated 1973 Aerial

Case 174-V-25

September 11, 2025



 Subject Parcel

0 50 100 Feet



PLANNING &  
ZONING



# Annotated Flood Map

Case 174-V-25

September 11, 2025

## Floodplain



0  
mi

This map was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGISC member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this map is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this map and information contained herein. The use of this map constitutes acknowledgement of this disclaimer.

Date: Wednesday, September 3, 2025

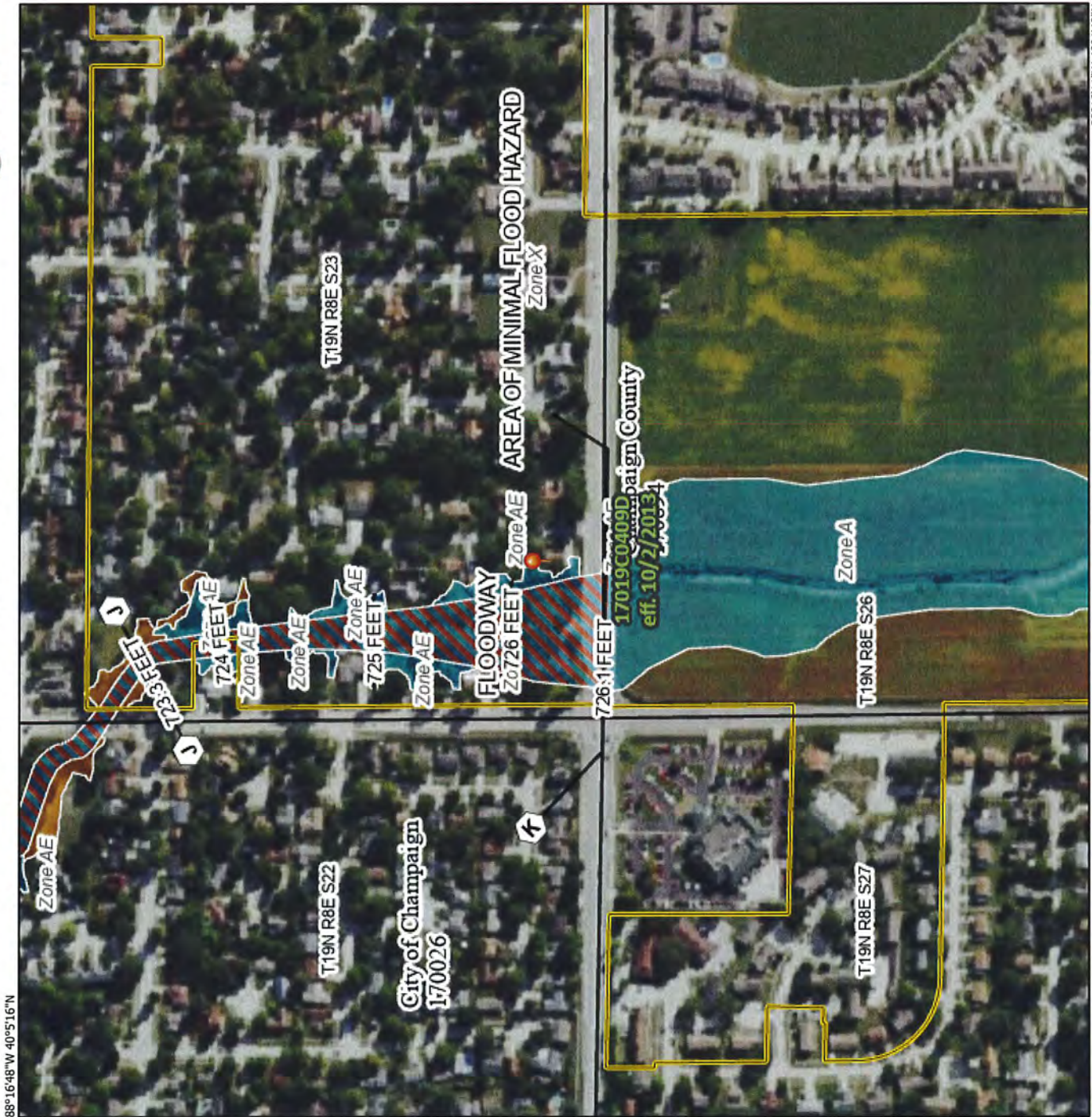




# National Flood Hazard Layer FIRMette



88°16'48"W 40°5'16"N



Basemap Imagery Source: USGS National Map 2023

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)  
Zone A, V, A99

With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

Special Flood Hazard Areas

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee, See Notes, Zone X

Area with Flood Risk due to Levee Zone D

Other Areas of Flood Hazard

NO SCREEN

Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone D

General Structures

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Other Features

Cross Sections with 1% Annual Chance

Water Surface Elevation

Coastal Transsect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transsect Baseline

Profile Baseline

Hydrographic Feature

Map Panels

Digital Data Available

No Digital Data Available

Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/11/2025 at 7:32 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



## 174-V-25 Site Images



**From Phinney Dr. looking southwest to subject property**



**From Windsor Rd. right-of-way looking toward proposed array location**



## 174-V-25 Site Images



**From south side of Windsor Rd. looking north**



**From Windsor Rd. right-of-way looking toward proposed array location**



## 174-V-25 Site Images



From Windsor Rd. right-of-way looking east



***PRELIMINARY DRAFT***

**174-V-25**

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

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Final Determination: ***{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}***

Date: ***{September 11, 2025}***

Petitioners: **Adam Slagell**

Request: **Authorize the following variance in the R-2 Single Family Residence Zoning District:**

**Part A: A proposed ground-mounted solar array with a setback from the centerline of Windsor Rd of 48 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part B: A proposed ground-mounted solar array with a side and rear yard of 6 feet and 15 feet respectively in lieu of the required 30 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part C: An existing detached garage with a setback from the centerline of Windsor Rd of 63 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part D: An existing detached garage with a side and rear yard of 20 feet and 16 feet respectively in lieu of the minimum required 30 feet per Section 7.2.1 of the Champaign County 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 **September 11, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Adam Slagell is the owner of the subject property.
2. The subject property is Lot 1 in Phinney Acres Subdivision in Section 23 of Champaign Township and commonly known as the property with address 2321 Phinney Dr., Champaign.
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 City of Champaign, 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 Champaign Township, which does not 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 currently zoned R-2 Single Family Residence and is in use as a single-family residence.
  - B. Land surrounding the subject property is also in the R-2 Single Family Residence Zoning District.
  - C. The areas to the north, east and west are in use as single family residential and to the south is Windsor Road and a 60-acre lot in agricultural production.

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

5. Regarding the site plan for the subject property:
  - A. The Site Plan, received July 29, 2025, as part of Zoning Use Permit 231-25-01 indicates the following:
    - (1) Existing structures consist of the following:
      - a. 2320 sq. ft. single-family residence.
      - b. 625 sq. ft detached garage.
    - (2) The petitioner proposes to construct a 22x11 ft. solar array with a maximum height of 10 ft.
  - B. The existing house and detached garage on the property were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973.
  - C. The petitioner submitted a Zoning Use Permit Application on July 29, 2025, and it was determined that the proposed solar array required a variance from the setback and side and rear yard requirements.



- D. Upon further review it was determined that the existing garage does not meet the required setback and yard requirements and is non-conforming. The variances listed below are necessary for the existing and proposed structures and the lot.
- E. The requested variance includes the following:
- (1) Part A: A proposed ground-mounted solar array with a setback from the centerline of Windsor Rd of 48 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.
  - (2) Part B: A proposed ground-mounted solar array with a side and rear yard of 6 feet and 15 feet respectively in lieu of the required 30 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.
  - (3) Part C: An existing detached garage with a setback from the centerline of Windsor Rd of 63 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.
  - (4) Part D: An existing detached garage with a side and rear yard of 20 feet and 16 feet respectively in lieu of the minimum required 30 feet per Section 7.2.1 of the Champaign County 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) “ACCESSORY STRUCTURE” is a STRUCTURE on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, subordinate to and USED for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.
  - (2) “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.
  - (3) “LOT, CORNER” is a LOT located:
    - (a) at the junction of and abutting two or more intersecting STREETS; or
    - (b) at the junction of and abutting a STREET and the nearest shoreline or high water line of a storm or floodwater runoff channel or basin; or
    - (c) at and abutting the point of abrupt change of a single STREET where the interior angle is less than 135 degrees and the radius of the STREET is less than 100 feet.
  - (4) “LOT LINES” are the lines bounding a LOT.
  - (5) “LOT LINE, FRONT” is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one



STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.

- (6) “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.
- (7) “RIGHT-OF-WAY” is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
- (8) 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.
- (9) “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
- (10) “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.
- (11) “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.
- (12) “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 abut a STREET RIGHT-OF-WAY both such YARDS shall be classified as FRONT YARDS.
- (13) “YARD, REAR” is a YARD extending the full width of a LOT and situated between the REAR LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT.
- (14) “YARD, SIDE” is a YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.



- B. The R-2 Single Family Residence DISTRICT is intended to provide areas for SINGLE FAMILY detached DWELLINGS, set on medium sized building LOTS and is intended for application within or adjoining developed areas where community facilities exist.
- 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. The minimum SIDE YARD on the STRET SIDE of a CORNER LOT shall be equal to the minimum FRONT YARD otherwise required in the DISTRICT per Section 4.3.3.D.
- E. The minimum FRONT YARD measured from the nearest RIGHT-OF-WAY lines shall be 30 feet from a COLLECTOR STREET.
- F. The minimum setback from a COLLECTOR STREET shall be 75 feet per Section 5.3.

**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 has testified on the application, **“The subject parcel has a unique combination of lot orientation, existing mature trees, and the location of the primary residence and septic system, which together limit available space for a ground-**



**mounted solar array. To maximize solar production, the system must be placed in a specific portion of the lot that does not conform to standard setbacks.”**

- B. The house and detached garage were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973.
- C. In 1996 a portion of the southwest corner of the property was dedicated to the City of Champaign for road improvements
- D. Regarding variance Part A and Part B, there are several large trees in the back yard of the house that would need to be removed in order to create a location for the proposed solar array that meets the current setback and yard requirements.
- E. Regarding variance Part C and Part D, these variances were added so that the legally non-conforming garage can be reconstructed in its current location should it be destroyed by any means.

***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, **“Strict application of setback and coverage rules would block installation in the only area with sufficient solar access making the system financially and technically unfeasible and denying the owner the ability to use on-site renewable energy.”**
  - B. Regarding variance Part A and Part B, without the approval of the proposed variance, the petitioner would have to remove multiple existing trees and relocate the solar array.
  - C. Regarding variance Part C and Part D, without the approval of the proposed variance, the garage could not be reconstructed in the same location if it were damaged or destroyed.

***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, **“No. The conditions are inherent to the existing lot configuration, natural features (e.g. tree shading) and the location of prior permanent structures that were established before this solar project was proposed”**
  - B. Additional right-of-way was dedicated to the City of Champaign for road improvements in 1996.
  - C. The petitioners purchased the property with the existing house, garage and trees in 2007.



- D. Regarding variance Part A and Part B, the proposed solar array location is the only reasonable location that doesn't require removal of existing trees
- E. Regarding variance Part C and Part D, the existing house and garage were constructed prior to the adoption of the Champaign County Zoning Ordinance and prior to the dedication of additional land for road improvements.

***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, **"The proposed solar installation advances the county's sustainability and energy goals by enabling low-profile, non-intrusive renewable energy on homes. It fits with surrounding land uses, preserves neighborhood character and supports reasonable, efficient accessory uses"**
  - B. Regarding variance Part A for a proposed ground-mounted solar array with a setback from the centerline of Windsor Rd of 48 feet in lieu of the minimum required 75 feet: the requested setback variance is 64% of the minimum required, for a variance of 36%.
  - C. Regarding Variance Part B for a proposed ground-mounted solar array with a side and rear yard of 6 feet and 15 feet respectively in lieu of the required 30 feet: the requested side and rear yard variance 20% of the minimum required for a variance of 80% and 50% of the minimum required for a variance of 50% respectively.
  - D. Regarding variance Part C for an existing detached garage with a setback from the centerline of Windsor Rd of 63 feet in lieu of the minimum required 75 feet: the requested setback variance is 84% of the minimum required, for a variance of 16%.
  - E. Regarding variance Part D for an existing detached garage with a side and rear yard of 20 feet and 16 feet respectively in lieu of the minimum required 30 feet: the requested side and rear yard variance 67% of the minimum required for a variance of 33% and 53% of the minimum required for a variance of 47% respectively
  - 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. Additional right of way for Windsor Road was dedicated in 1996 and Windsor Road was widened to 4 lanes after 1996.
    - (3) Parking, where applicable.
      - a. No parking is allowed along Windsor Rd.



- G. The Zoning Ordinance does not clearly state the considerations that underlay the side and rear yard requirements. In general, the side yard is presumably intended to ensure the following:
- (1) Adequate light and air.
    - a. The nearest structure on the adjacent property is over 150 ft. away.
  - (2) Separation of structures to prevent conflagration: The subject property is within the jurisdiction of the Savoy Fire Department. The station is approximately 3 road miles from the subject property.
  - (3) Aesthetics: Aesthetic benefit may be a consideration for any given yard and can be very subjective.

***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: **“The solar array will comply with all codes, pose no safety risks, be securely installed, visually screened where feasible, and produce no noise, glare or traffic impacts. The minor variance will not negatively affect nearby properties or infrastructure”**
  - B. The Champaign Township Supervisor has been notified of this variance, and no comments have been received.
  - C. The Champaign Township Road Commissioner has been notified of this variance, and no comments have been received.
  - D. The Savoy Fire Department has been notified of this variance, and no comments have been received.
  - E. Surrounding landowners within 250 feet have been notified of this variance and no comments have been received.
  - F. The nearest structures on adjacent property are 150 ft. away.

***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: **“The variance request advances public policy goals by promoting renewable energy, reducing fossil fuel use, and supporting environmental quality. It aligns with State and Federal solar incentives including the Illinois Future Energy Jobs Act and CEJA.”**

***GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL***

13. Regarding proposed special conditions of approval:



- A. No special conditions are currently proposed.



**DOCUMENTS OF RECORD**

1. Application for Variance received August 5, 2025, with attachment:
  - A Site Plan received July 29, 2025, as part of ZUPA 231-25-01
2. Preliminary Memorandum dated September 18, 2024, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Site Plan received July 29, 2025
  - C 2023 Annotated Aerial Photo
  - D 1973 Aerial Photo
  - E 2023 Aerial Photo showing floodplain
  - F FEMA Flood Map
  - G Site images taken September 3, 2025
  - H Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 174-V-25 dated September 11, 2025



**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case 174-V-25 held on **September 11, 2025**, 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. ***Regarding variance Part A and Part B, due to the existing buildings and trees on the property the proposed location of the solar array is the only location to maximize solar production without removing existing trees.***
  - b. ***Regarding variance Part C and Part D, the existing garage was constructed prior to the adoption of the Champaign County Zoning Ordinance in 1973 and prior to the dedication of additional right-of-way for Windsor Road in 1996.***
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. ***Regarding variance Part A and Part B, due to existing buildings and trees on the property there is no other location the solar array could be constructed.***
  - b. ***Regarding variance Part C and Part D, without the proposed variance the existing garage could not be reconstructed in the same location.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
  - a. ***The existing house and garage were constructed prior to the adoption of the Champaign County Zoning Ordinance in 1973.***
  - b. ***Additional right-of-way was dedicated for Windsor Road in 1996.***
  - c. ***The petitioners purchased the property in 2007 with the existing building and trees.***
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 Windsor Road.***
  - b. ***The nearest structures on adjacent properties are 150 feet away.***
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 case, and no comments have been received.***
  - b. ***The garage has existed prior to 1973.***
  - c. ***The proposed solar array should not cause any visibility problems along Windsor Road and the nearest structure on adjacent property is over 150 ft. away.***
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/structures because:
  - a. ***Regarding variance Part A and Part B, the requested variance is the minimum variance required to provide sufficient sunlight to the solar array without removing existing trees.***



- b. Regarding variance Part C and Part D, the requested variance is the minimum variance required to be able to rebuild in the same location should the building be destroyed.*
- 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 **174-V-25** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioners, **Adam Slagell**, to authorize the following variance in the R-2 Single Family Residence Zoning District:

**Part A: A proposed ground-mounted solar array with a setback from the centerline of Windsor Rd of 48 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part B: A proposed ground-mounted solar array with a side and rear yard of 6 feet and 15 feet respectively in lieu of the required 30 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part C: An existing detached garage with a setback from the centerline of Windsor Rd of 63 feet in lieu of the minimum required 75 feet per Section 7.2.1 of the Champaign County Zoning Ordinance.**

**Part D: An existing detached garage with a side and rear yard of 20 feet and 16 feet respectively in lieu of the minimum required 30 feet per Section 7.2.1 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