

## **CASE 188-V-25**

### **PRELIMINARY MEMORANDUM**

February 5, 2026

**Petitioner: James W. Riggs, Robert C. Riggs, Lyna S. Buzzard, Jacqueln M. Clark, Daniel J. Riggs, Lisa K. Burke, Maria M. Honig, d.b.a Riggs Family Farm**

**Request: Authorize a variance for a proposed 9-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the CR Conservation Recreation Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

**Location: A proposed 9-acre tract in the Northeast ¼ of the Southeast ¼ of Section 30, Township 19 North, Range 14 West of the Second Principal Meridian in South Homer Township, with an address of 1332 S. Homer Lake Rd., Homer.**

**Site Area: 9 acres**

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

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

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## **BACKGROUND**

The petitioners James W. Riggs, Robert C. Riggs, Lyna S. Buzzard, Jacqueln M. Clark, Daniel J. Riggs, Lisa K. Burke, Maria M. Honig, d.b.a Riggs Family Farm own the 33.75-acre lot that contains an existing single-family residence, accessory buildings and farmland. The petitioners seek to retain ownership of the farmstead and sell off the remaining farmland. The petitioners are proposing to divide off a 9-acre lot that contains the existing homestead area, grass and trees as well as approximately 4.3-acres of farmland. The buildings on the property were constructed prior to the adoption of the Champaign County Zoning Ordinance.

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 not located within the one and one-half mile extraterritorial jurisdiction of any municipality with zoning.

The subject property is located within South Homer Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and receive notification of such cases.

## EXISTING LAND USE AND ZONING

**Table 1. Land Use and Zoning in the Vicinity**

Direction	Land Use	Zoning
Onsite	Single Family Residence/Agriculture	CR Conservation-Recreation
North	Single Family Residence	CR Conservation-Recreation
East	Agriculture	CR Conservation-Recreation
West	Forest Preserve	CR Conservation-Recreation
South	Agriculture	CR Conservation-Recreation

## SPECIAL CONDITIONS

No special conditions are proposed.

## ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan showing the proposed 9-acre lot received December 4, 2025
- C 2023 Annotated Aerial Photo
- D 1973 Aerial Photo
- E Soils Map
- F Floodplain Map
- G Site Images
- H Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 188-V-25 dated February 12, 2026

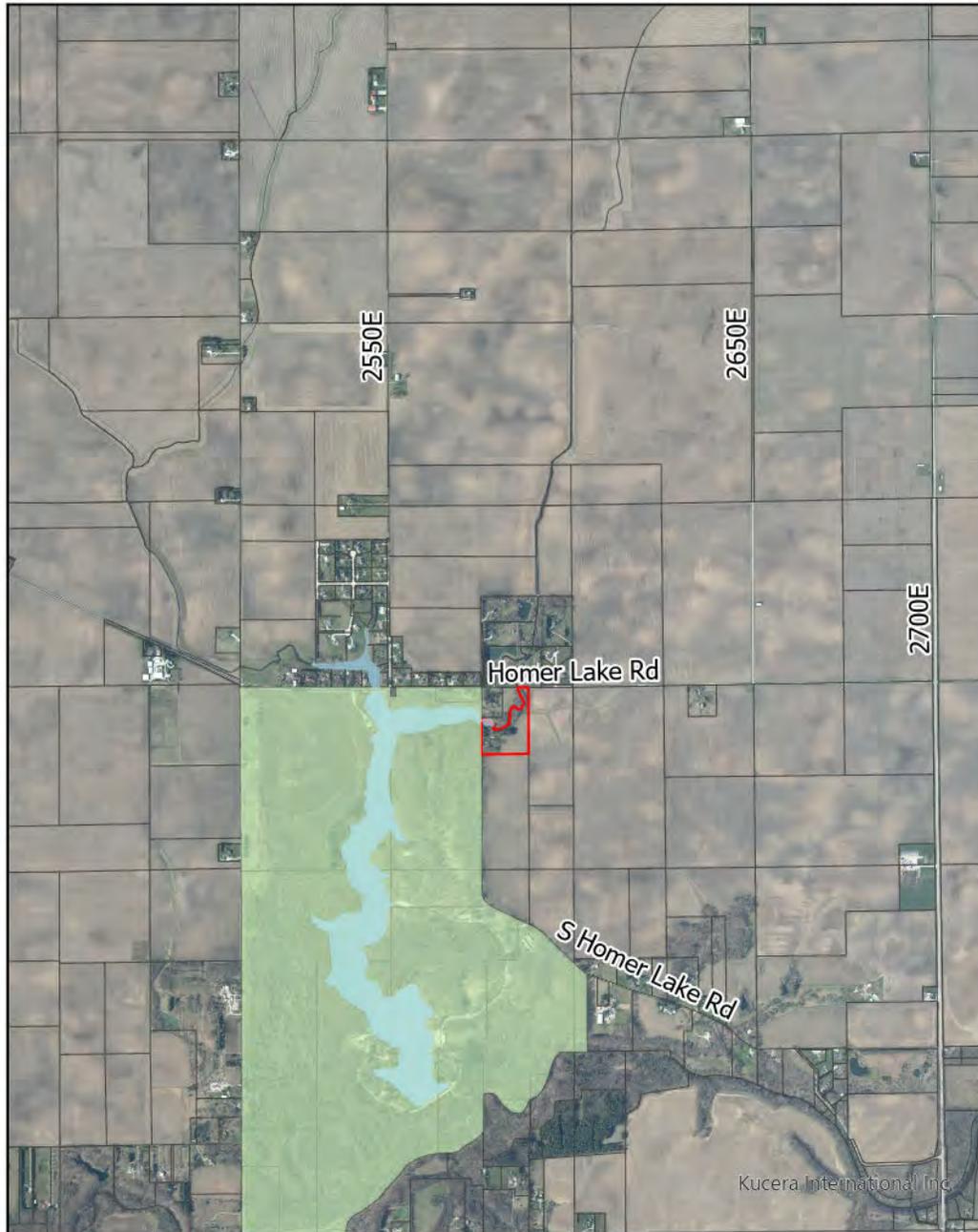
# Location Map

Case 188-V-25

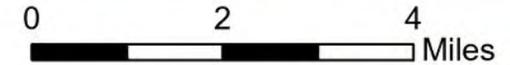
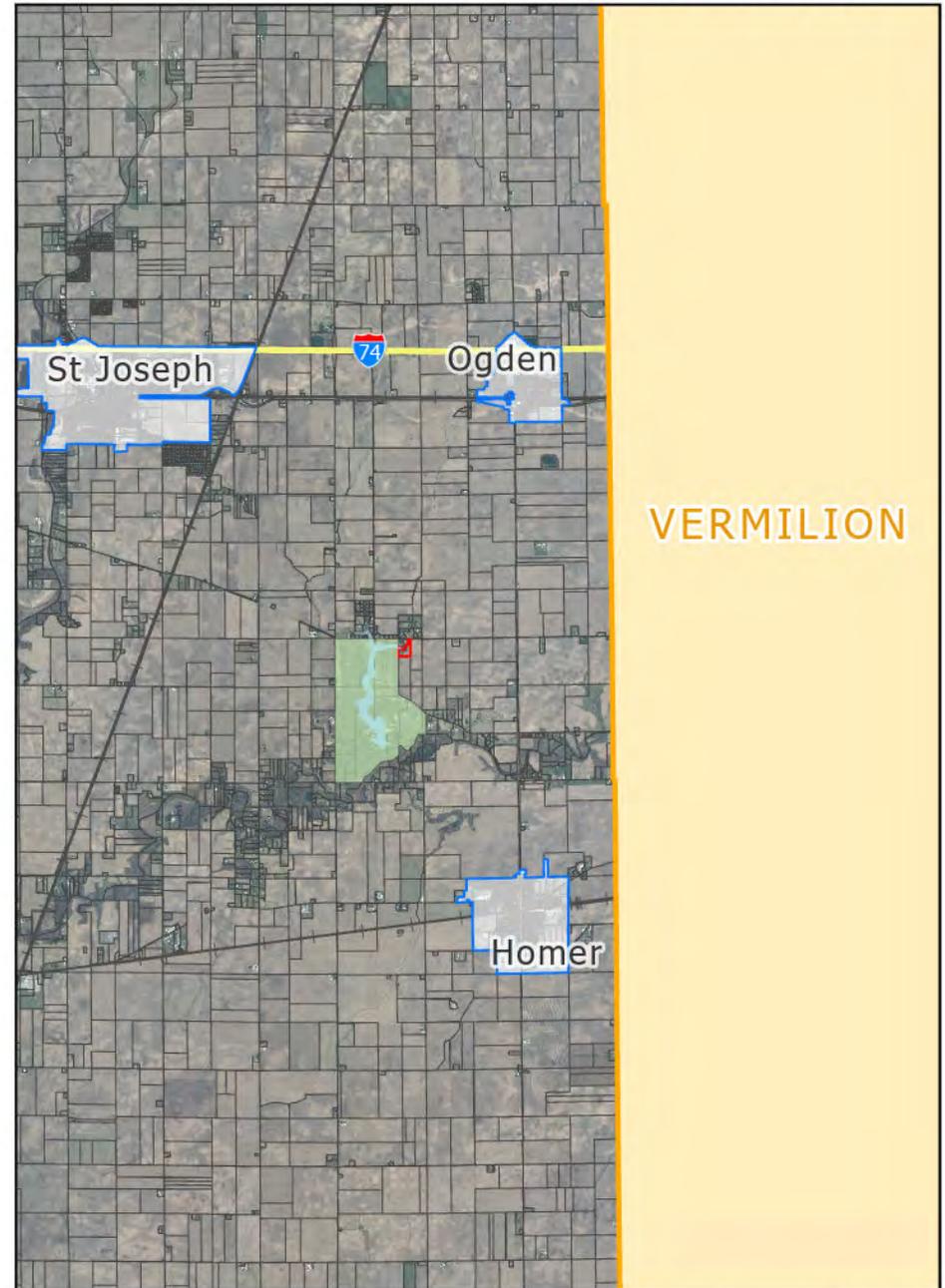
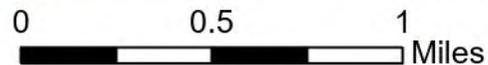
February 12, 2026

Subject Parcel

Parcel location in Champaign County



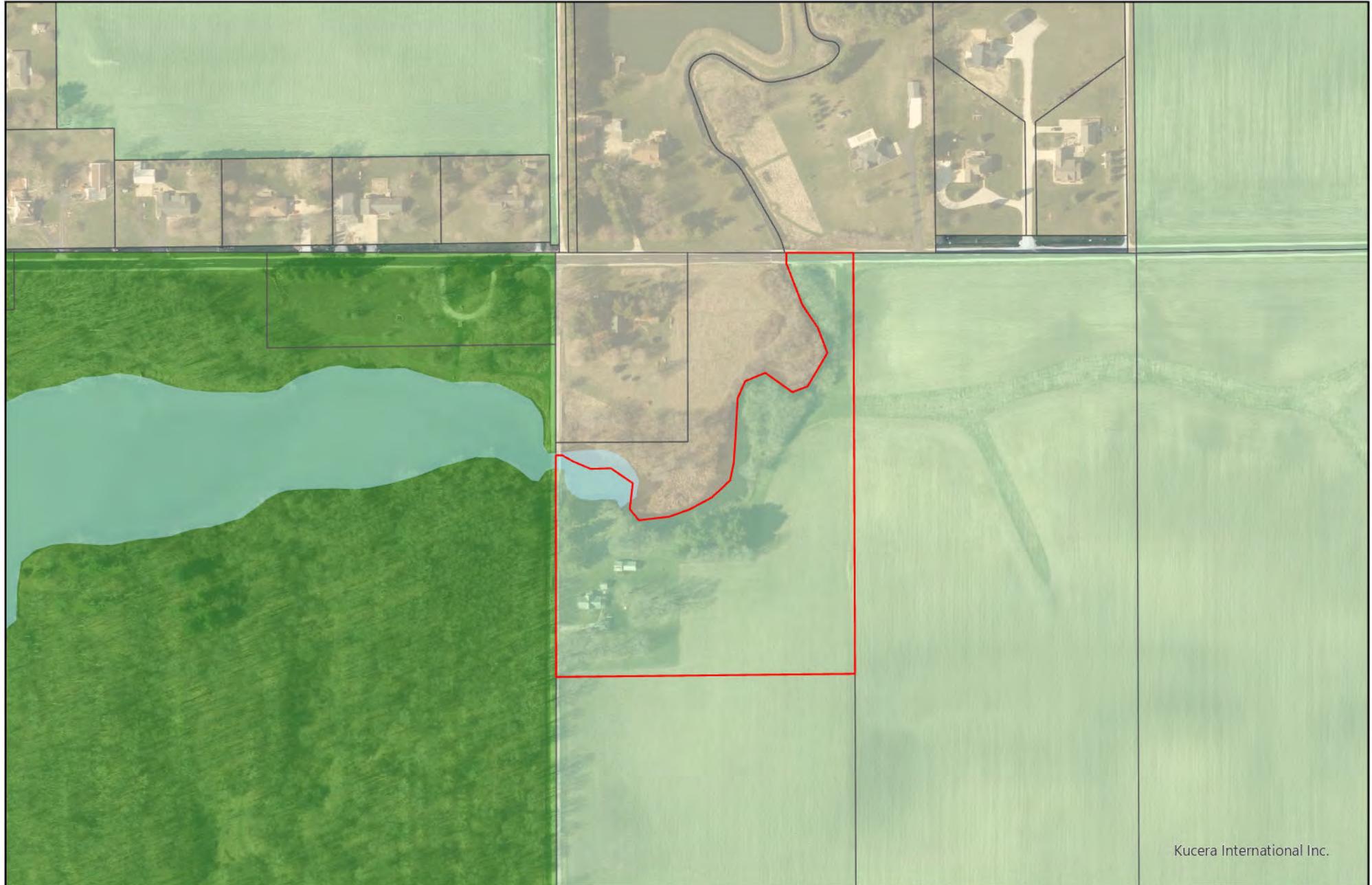
-  Proposed Parcel
-  Homer Lake Forest Preserve



# Land Use Map

Case 188-V-25

February 12, 2026



Kucera International Inc.

-  Proposed Parcel
-  Homer Lake Forest Preserve
-  Agricultural
-  Residential



Zoning Map  
Case 188-V-25  
February 12, 2026



-  Subject Parcels
-  CR Conservation-Recreation
-  AG-1 Agriculture

0 300 600 Feet



RECEIVED

DEC 04 2025

CHAMPAIGN CO. P & Z DEPARTMENT

# Annotated 2023 Aerial

Case 188-V-25

February 12, 2026



 Proposed Parcel

0 200 400 Feet

PLANNING &  
ZONING

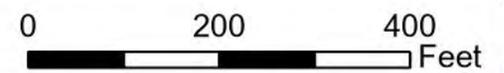
# Annotated 1973 Aerial

Case 188-V-25

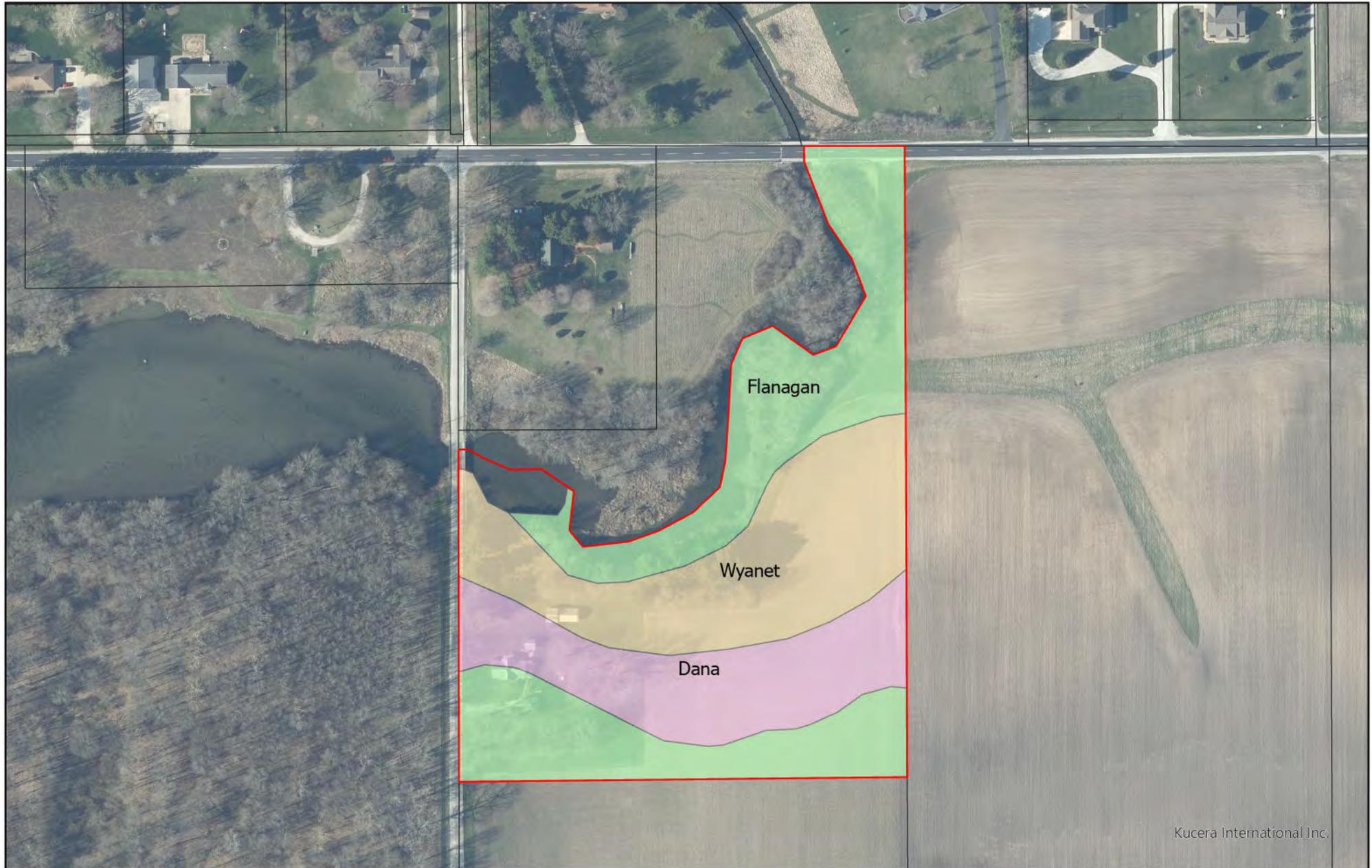
February 12, 2026



 Proposed Parcel

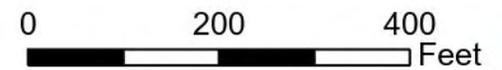


Soils Map  
Case 188-V-25  
February 12, 2026

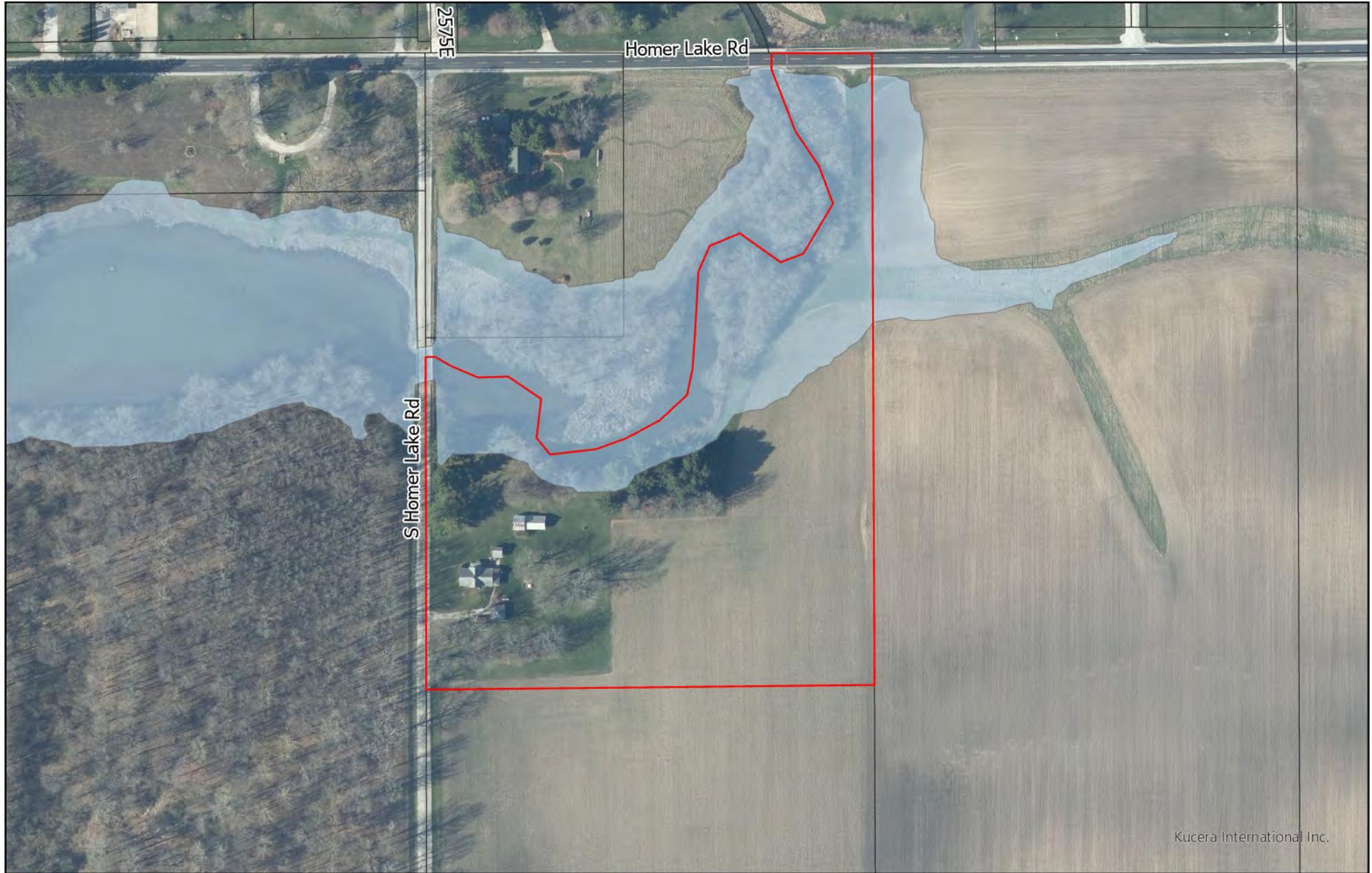


Kucera International Inc.

 Proposed Parcel

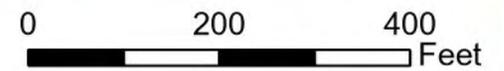


Flood Map  
Case 188-V-25  
February 12, 2026



Kucera International Inc.

 Proposed Parcel



PLANNING &  
ZONING

**188-V-25 Site Images**



**From S. Homer Lake Rd. looking NE toward subject property and along S. Homer Lake Rd.**



**From S. Homer Lake Rd. Looking SE toward subject property and along S. Homer Lake Rd.**

## 188-V-25 Site Images



**From Homer Lake Rd looking west toward north part of the subject property along Homer Lake Rd.**



**From S. Homer Lake Rd. looking north with Homer Lake Forest Preserve on left**

**PRELIMINARY DRAFT**

**188-V-25**

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

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

Date: ***{February 12, 2026}***

Petitioner: **James W. Riggs, Robert C. Riggs, Lyna S. Buzzard, Jacqueln M. Clark,  
Daniel J. Riggs, Lisa K. Burke, Maria M. Honig, d.b.a Riggs Family Farm**

Request: **Authorize a variance for a proposed 9-acre lot in lieu of the maximum  
allowed 3 acres in area for a lot with soils that are best prime farmland in  
the CR Conservation Recreation Zoning District, per Section 5.3 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 **February 12, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. James W. Riggs, Robert C. Riggs, Lyna S. Buzzard, Jacqueln M. Clark, Daniel J. Riggs, Lisa K. Burke, Maria M. Honig, d.b.a Riggs Family Farm, 1332 S. Homer Lake Rd, Homer, are the owners of the 33.75-acre property. The property is in the Northeast ¼ of the Southeast ¼ of Section 30, Township 19 North, Range 14 West of the Second Principal Meridian in South Homer Township, with an address of 1332 S. Homer Lake Rd., Homer.
2. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
  - A. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.
  - B. The subject property is located within South Homer 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 9-acre subject property is zoned CR Conservation-Recreation and is in use as residential and agriculture.
  - B. Land to the north, south, east and west is zoned CR Conservation-Recreation. Land to the north is residential, land to the south and east is in agricultural production and land to the west is the Homer Lake Forest Preserve.

**GENERALLY REGARDING THE PROPOSED SITE PLAN**

5. Regarding the site plan for the subject property:
  - A. The Site Plan received on December 4, 2025, indicates the following:
    - (1) Existing structures on the property include:
      - a. One single family dwelling
      - b. One 20 x 20-foot detached garage
      - c. One 14 x 16-foot yard shed
      - d. One approx. 1000 sq. ft. machine shed
    - (2) The petitioner is not proposing any additional changes at this time.
  - B. The buildings on the property were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973.
  - C. There are no previous zoning cases for the subject property.
  - D. The petitioner is proposing to create a 9-acre lot that contains all of the existing buildings and sell off the remaining 27.75 acres of farmland.

- E. The requested variance is for the proposed 9-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the CR Conservation Recreation 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 Land Evaluation (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.

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: **“Most of this land consists of the homestead, grass, and trees, with only approximately 3 acres of 9 that is currently being farmed. The family has no intent to take those acres out of farmland production. When looking at a map, the best and easiest way to complete a survey would be to make a straight line on the south boundary, which comes to 9 acres. The family ideally wants to own the grass/trees with the homestead and really would make it difficult on a surveyor, while also being over the 3 acres.”**
  - B. The proposed 9-acre lot is comprised of Flanagan silt loam, Wyanet silt loam and Dana silt loam 2. Flanagan and Dana are soils that are considered BEST PRIME FARMLAND and the proposed lot has an average LE score of 89.
  - C. The proposed lot contains a portion of the Conkey Branch Drainage Ditch and approximately 2.75 acres of floodplain area next to the ditch.
  - D. Approximately 4.3 acres of the proposed lot are currently in agricultural production.
  - D. No land is proposed to be taken out of production.

***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 family has no intent to build any structures on any best prime farmland acres.”**
  - B. The existing grass and tree area is approximately 4.7 acres.
  - C. Without the proposed variance, the petitioners would not be able to make use of the existing grass and tree area that has historically been a part of the farmstead and retain a small amount of farmland that would allow them separation from any future nearby development.

***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 did not provide a response on the application.
  - B. The property has been owned by the family since before the adoption of the Champaign County Zoning Ordinance.

- C. To keep the farmstead and the existing grass and trees on a single lot the resulting lot would exceed the 3-acre maximum. In order to keep some of the existing farmland and provide separation from future neighbors the petitioners are requesting a 9-acre lot.

**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: **“By granting this variance, it will still fall in line with current use regulations, but will only allow the family to maintain ownership in extra acres at their family’s home they all grew up in.”**
  - 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, and also included the rule that 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 would be considered Best Prime Farmland.
    - (1) The proposed 9-acre lot meets the current definition of Best Prime Farmland, and therefore a variance is necessary.
  - D. The proposed 9-acre lot area is 300% of the required three acre maximum, for a variance of 200%.
  - E. No land is proposed to be taken out of production.
  - 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: **“residents and remain owners of this homestead and 9 acres if approved. (They are selling the remainder of the farmland). There is no mind change of wanting to use this land for anything other than what it has been for many years”.**
  - B. The South Homer Township Highway Commissioner has been notified of this variance, and no comments have been received.
  - C. The South Homer Township Supervisor has been notified of this variance, and no comments have been received.

- D. The Homer 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: **“The family would really appreciate the opportunity to remain owner of 9 acres, and the bigger goal is to keep the land the way it is, and protect any potential changes by a new owner.”**

*GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL*

13. **No special conditions are proposed at this time.**

**DOCUMENTS OF RECORD**

1. Application for Variance received December 4, 2025, with attachments:
  - A Site plan showing the proposed 9-acre lot received December 4, 2025.
  
2. Preliminary Memorandum dated February 5, 2026, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Site plan showing the proposed 9-acre lot received December 4, 2025
  - C 2023 Annotated Aerial Photo
  - D 1973 Aerial Photo
  - E Soils Map
  - F Floodplain Map
  - G Site Images
  - H Draft Summary of Evidence, Summary Draft Finding of Fact, and Final Determination for Case 188-V-25 dated February 12, 2026

SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **188-V-25** held on **February 12, 2026**, 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 divide off the existing homestead and retain enough farmland to provide a buffer from any future adjacent development and sell the remaining farmland.***
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 have access to the full area that has been used as part of the farmstead for many years and be able to retain a small amount of farmland.***
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
  - a. ***The area of the existing farmstead, grass and trees exceed the 3-acre maximum. In order to keep some of the existing farmland and provide separation from future neighbors the petitioners are requesting a 9-acre lot.***
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. ***No land is proposed to be taken out of production.***
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 encompass the existing farmstead and provide additional farm ground to provide separation from any future development on adjacent properties.***
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 **188-V-25** is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioners, **James W. Riggs, Robert C. Riggs, Lyna S. Buzzard, Jacqueln M. Clark, Daniel J. Riggs, Lisa K. Burke, Maria M. Honig, d.b.a Riggs Family Farm**, to authorize the following:

**Authorize a variance for a proposed 9-acre lot in lieu of the maximum allowed 3 acres in area for a lot with soils that are best prime farmland in the CR Conservation Recreation 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:

ATTEST:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals  
Date