

## **CASE NO. 142-V-24**

**PRELIMINARY MEMORANDUM**

June 19, 2024

Petitioner: **Jason Brumfield**

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

**Part A: Authorize a proposed detached garage with a side yard of 1 foot in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part B: Authorize a proposed detached garage with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 7.2.2 of the Zoning Ordinance.**

**Part C: Authorize an existing shed with a side and rear yard of 0 feet in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part D: Authorize an existing house with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 5.3 of the Zoning Ordinance.**

Subject Property: **Lot 7 of Commissioners' Addition to Seymour Subdivision, Section 17, Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township, and commonly known as the property with an address of 110 West Carper Street, Seymour.**

Site Area: **.26 acres**

Time Schedule for Development: **Currently in use with garage construction as soon as possible**

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

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### **BACKGROUND**

The Petitioner requests a variance to construct a detached garage to replace a garage that was damaged by fire and subsequently demolished. The proposed garage requires two variances in order to be constructed in the location shown on the attached site plan.

- Variance Part A is required to allow a proposed garage with a side yard of 1 foot in lieu of the required 5 feet.
- Variance Part B is required to allow a front yard of 19 feet and a front setback from the centerline of Carper Street of 39 feet in lieu of the required 25 feet and 55 feet respectively.

Variance Part C is required to authorize a previously constructed non-conforming detached shed that has a side and rear yard of zero feet in lieu of the required 5 feet. This variance was included so that the legally non-conforming shed can be reconstructed in its current location should it be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction. Per Section 8.3.2, the Board may authorize such a variance prior to such structure incurring any damage or destruction.

Variance Part D is required to authorize a previously constructed non-conforming residence that has a front yard of 19 feet and a front setback from the centerline of Carper Street of 39 feet in lieu of the required 25 feet and 55 feet respectively. This variance was included so that the legally non-conforming residence can be reconstructed in its current location should it be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction. Per Section 8.3.2, the Board may authorize such a variance prior to such structure incurring any damage or destruction.

**EXISTING LAND USE AND ZONING**

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
Onsite	Residential	R-2 Single Family Res.
North	Residential	R-2 Single Family Res.
East	Commercial	B-4 General Business
West	Residential	R-2 Single Family Res.
South	Residential	AG-2 Agriculture

**EXTRATERRITORIAL JURISDICTION**

The subject property is not within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.

The subject property is located within Scott Township, which does not have a Plan Commission.

**SPECIAL CONDITIONS**

No special conditions are proposed.

**ATTACHMENTS**

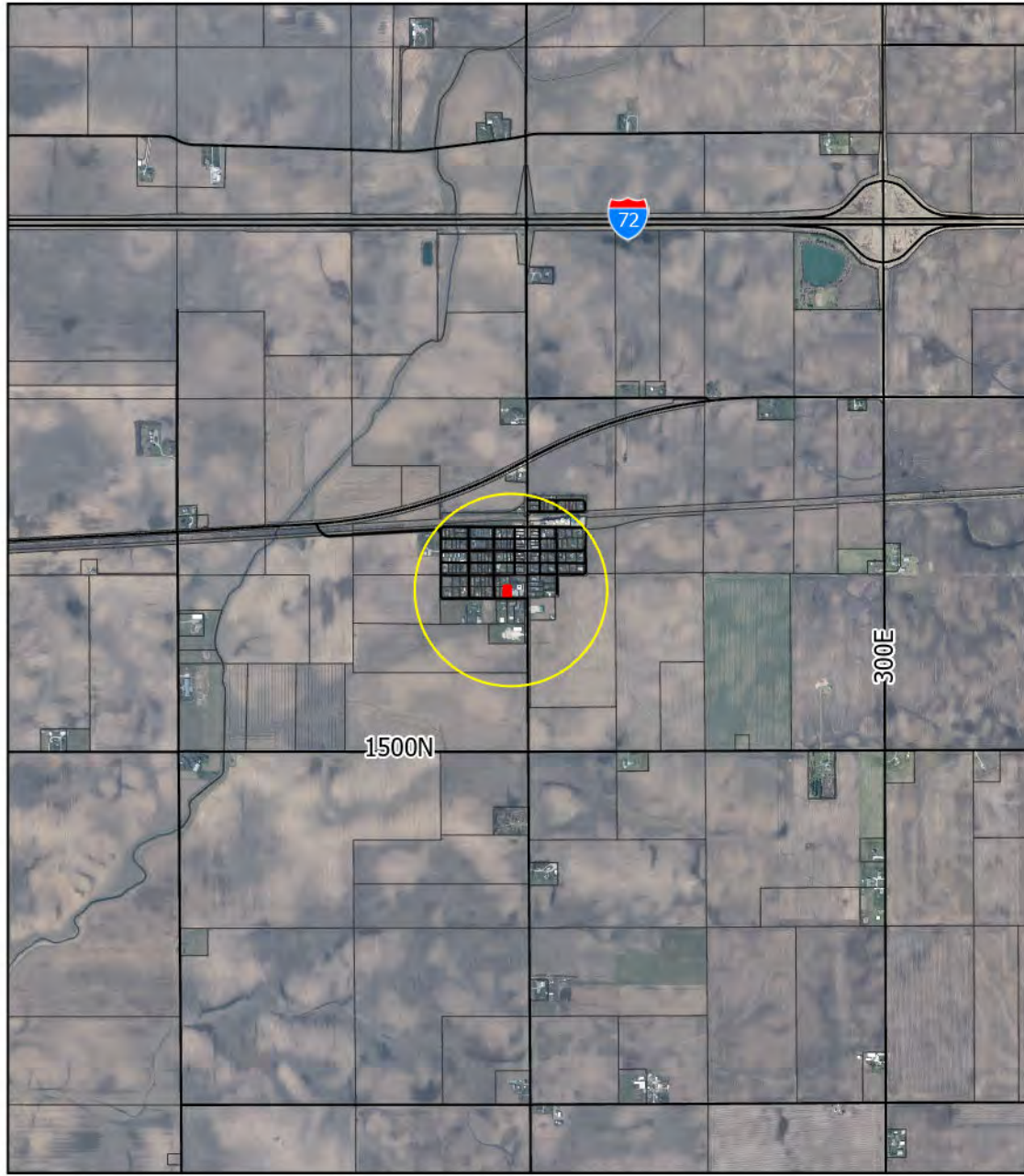
- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received May 21, 2024
- C 2023 Annotated Aerial Photo/Site Plan
- D 1973 Aerial Photo
- E Site Images taken June 17, 2024
- F Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 142-V-24 dated June 27, 2024

# Location Map

Case 142-V-24

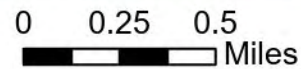
June 27, 2024

## Subject Property



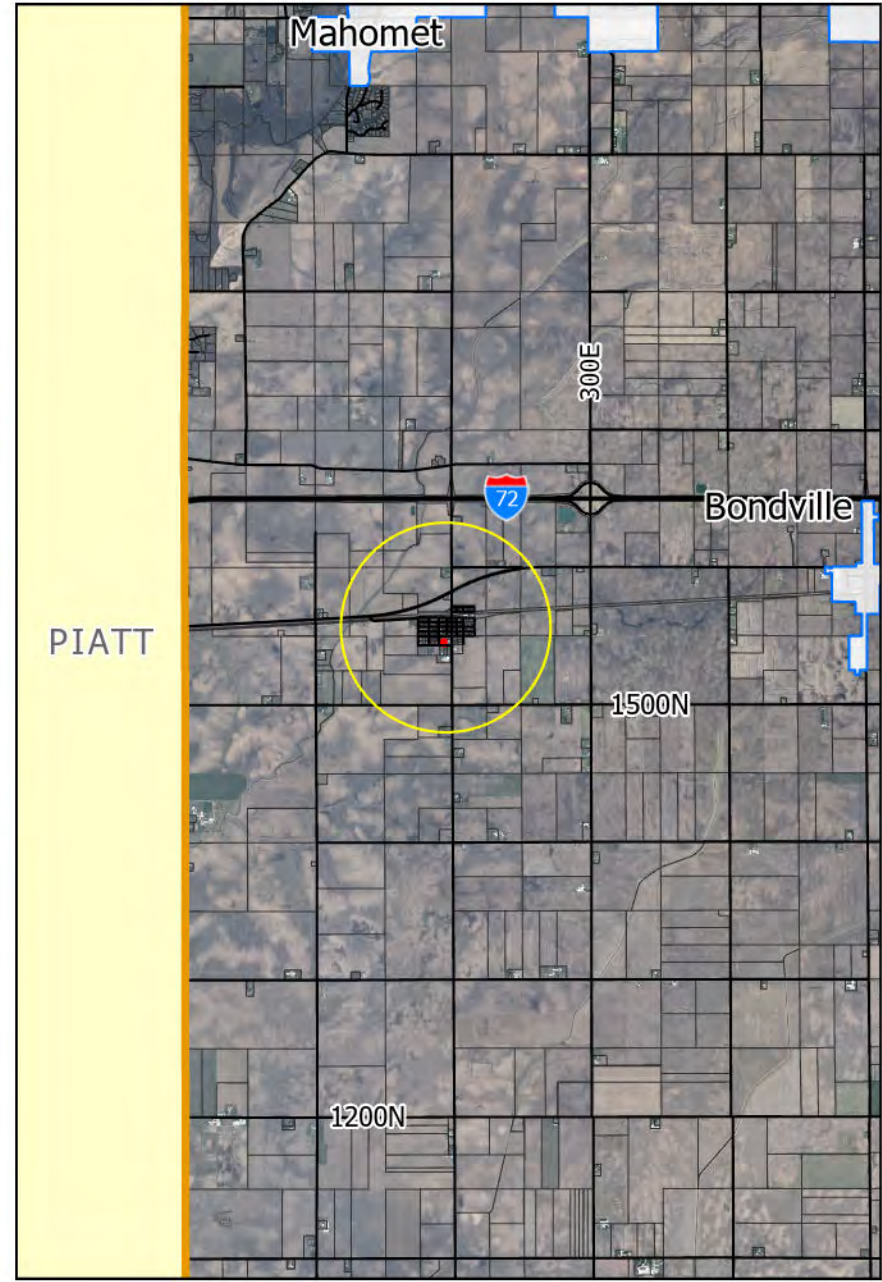
 Subject Property  Municipal Boundary

 Piatt County

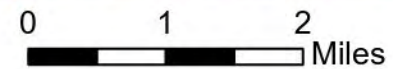


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## Property Location in Champaign County



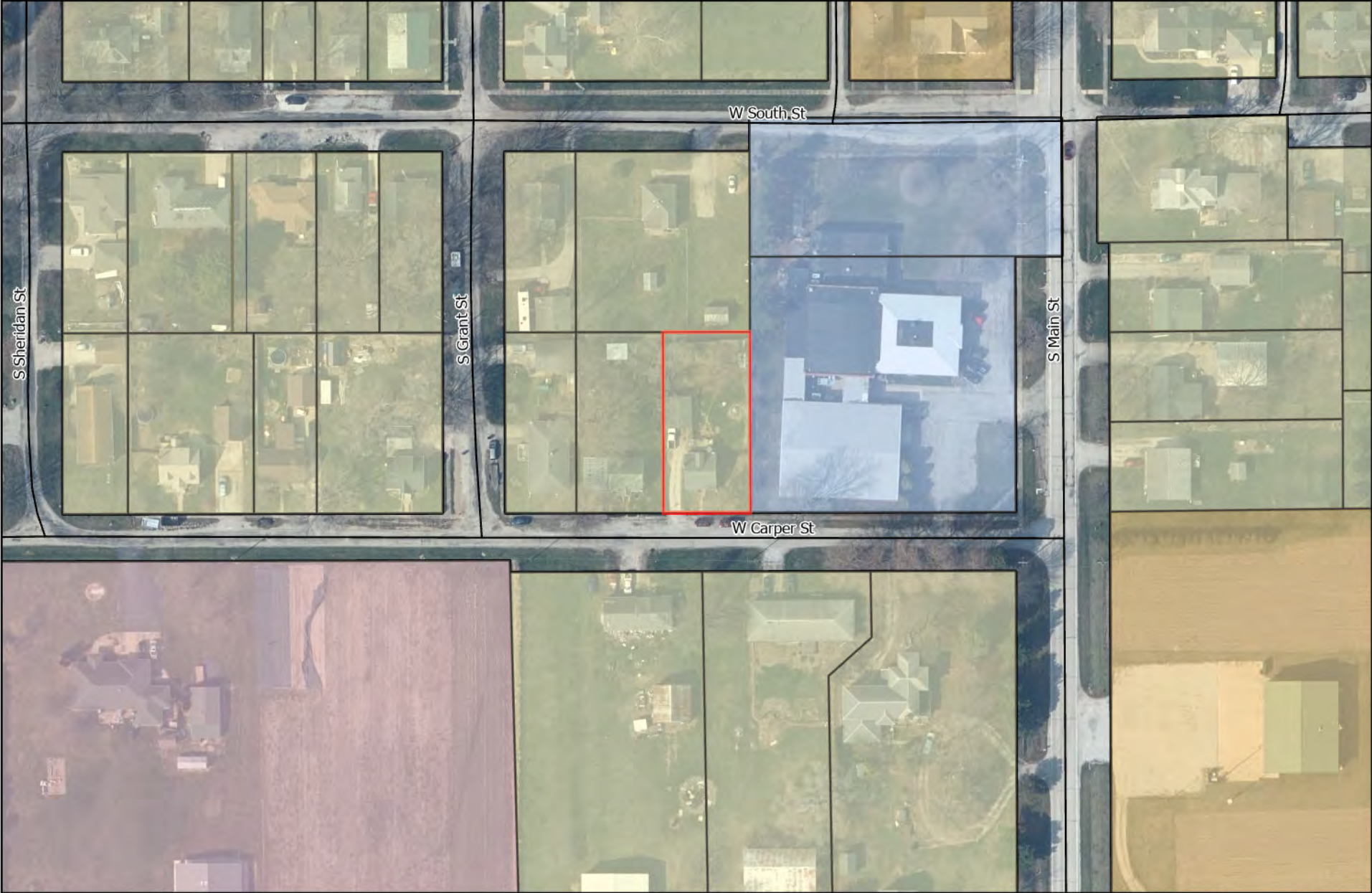
PIATT



# Land Use Map

Case 142-V-24

June 27, 2024



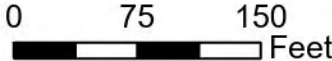
 Subject Property

 Residential/Agriculture

 Public Agency

 Residential

 Commercial



# Zoning Map

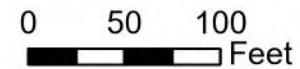
Case 142-V-24

June 27, 2024



- R-1 Single-Family Residence
- R-2 Single-Family Residence
- B-4 General Business
- B-2 Neighborhood Business

- AG-1 Agriculture
- AG-2 Agriculture



110 W Carper St  
Seymour, IL 61875  
lot # 428-007

Shed

RECEIVED

MAY 21 2024

CHAMPAIGN CO. P & Z DEPARTMENT

leach field

Previous Garage

Septic

27 ft  
from  
Property  
line to  
Commercial  
Building

26'

4 ft

1 ft

16'

30'

30'

New Structure

24'

20'

29'

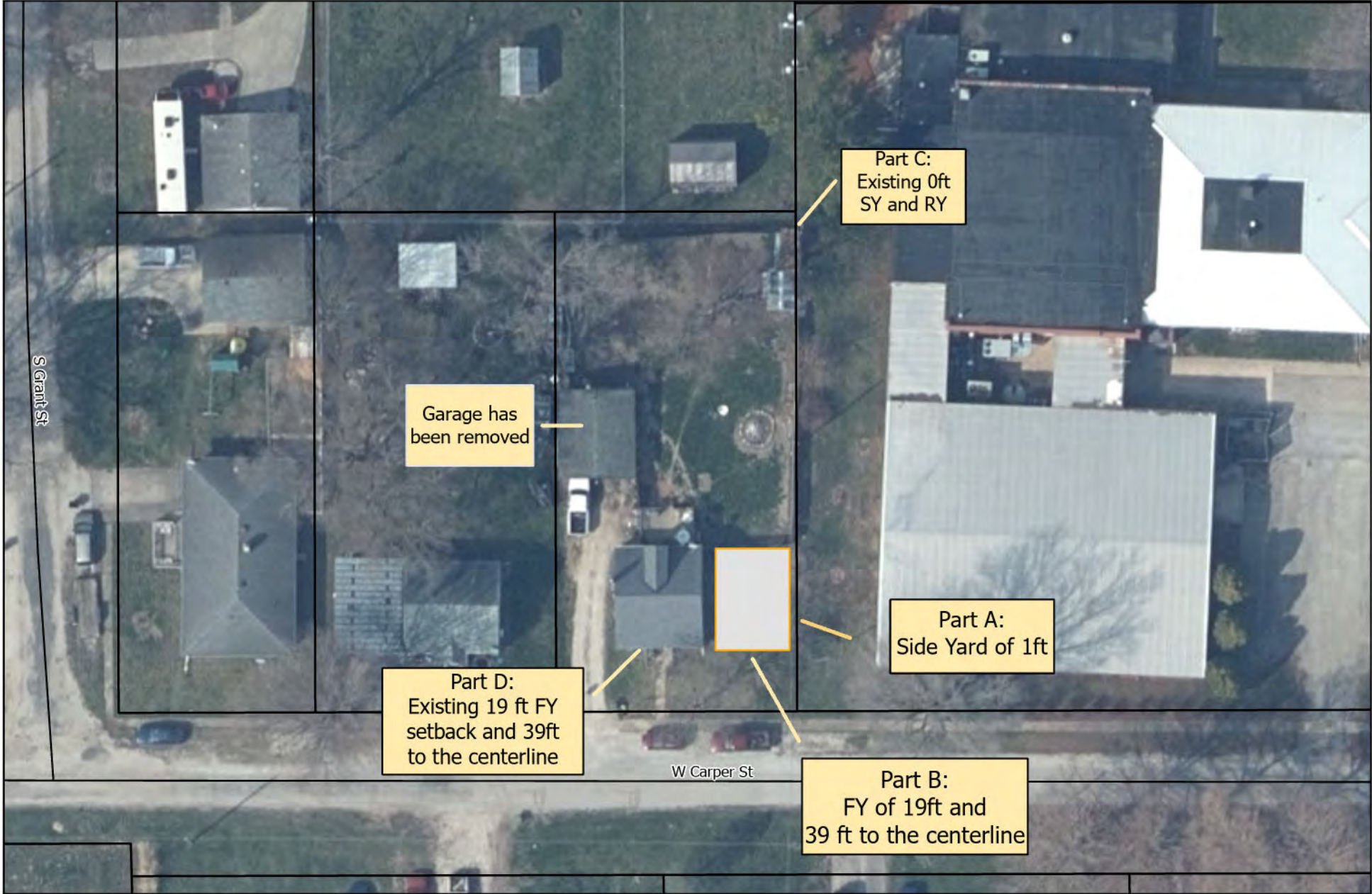
Driveway

Sidewalk

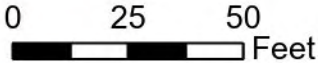
Carper Street

# Annotated Aerial & Site Plan

Case 142-V-24  
June 27, 2024



 Proposed Detached Garage



Annotated 1973 Aerial

Case 142-V-24

June 27, 2024



 Subject Property

0 25 50 Feet





### 142-V-24 Site Images



**Facing W along Carper St. toward existing house and proposed garage location**



**From Carper St. Facing N along E property line at proposed garage location**

### 142-V-24 Site Images



**From adjacent property looking W toward existing shed on E property line**



**From adjacent property looking SW toward existing shed on N property line**

**PRELIMINARY DRAFT**

**142-V-24**

**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: ***{June 27, 2024}***

Petitioner: **Jason Brumfield**

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

**Part A: Authorize a proposed detached garage with a side yard of 1 foot in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part B: Authorize a proposed detached garage with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 7.2.2 of the Zoning Ordinance.**

**Part C: Authorize an existing shed with a side and rear yard of 0 feet in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part D: Authorize an existing house with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 5.3 of the Zoning Ordinance.**

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***PRELIMINARY DRAFT***

**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 27, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Jason Brumfield owns the subject property.
2. The subject property is a .26-acre tract that is Lot 7 of Commissioners' Addition to Seymour Subdivision, Section 17, Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township, and commonly known as the property with an address of 110 West Carper Street, Seymour.
3. 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 Scott 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 to the north and west of the subject property is also zoned R-2 Single Family Residence and is in use as single family residential. The property to the East is Zoned B-4 General Business and is in use as a sports training facility. The property to the south is zoned AG-2 Agriculture and is in use as single family residential.

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

5. Regarding the site plan for the subject property:
  - A. The Site Plan, received May 21, 2024, indicates the following:
    - (1) Existing structures consist of the following:
      - a. Single-family residence.
      - b. Detached yard shed in the northeast corner of the property
    - (2) The petitioner proposes to construct a detached garage near the southeast corner of the property next to the existing house.
  - B. The existing house and detached yard shed on the property were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973, and are legally non-conforming structures.
  - C. A detached garage was also constructed on the property prior to October 10, 1973 and was recently damaged by fire and subsequently demolished.
  - D. There are no previous zoning cases for the subject property.

- E. The requested variance includes the following:
- (1) Part A; Authorize a proposed detached garage with a side yard of 1 foot in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.
  - (2) Part B: Authorize a proposed detached garage with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 7.2.2 of the Zoning Ordinance.
  - (3) Part C: Authorize an existing shed with a side and rear yard of 0 feet in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.
  - (4) Part D: Authorize an existing house with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 5.3 of the 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 LINES” are the lines bounding a LOT.
  - (4) “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.
  - (5) “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.
  - (6) “RIGHT-OF-WAY” is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
  - (7) “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

**PRELIMINARY DRAFT**

of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.

- (8) 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.
- (9) “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.
- (10) “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.
- (11) “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 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. Section 8.3.2 for non-conforming structures states, “Should such STRUCTURE be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction, it shall not be reconstructed unless a VARIANCE is granted by the BOARD in accordance with Section 9.1.9. The BOARD may authorize such a VARIANCE prior to such STRUCTURE incurring any damage or destruction.”
- D. 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.
- E. Regarding the proposed variance:
- (1) Minimum SIDE YARD and REAR YARD for an accessory structure in the R-2 Single Family Residence DISTRICT is established in Section 7.2.1.B. of the Zoning Ordinance as 5 feet.
  - (2) Minimum setback from the centerline of a MINOR STREET for a STRUCTURE in the R-2 Single Family Residence Zoning DISTRICT is established in Section 5.3 of the Zoning Ordinance as 55 feet.
  - (3) Minimum FRONT YARD from the street right of way of a MINOR STREET to a STRUCTURE in the R-2 Single Family Residence Zoning DISTRICT is established in Section 5.3 of the Zoning Ordinance as 25 feet.

**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 original structure was built before zoning ordinances and placement of new structure would interfere with septic.”**
  - B. The original house, garage and yard shed were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973. The original garage was recently damaged by fire and demolished. Construction of a proposed new garage in the same location would interfere with the septic system that serves the house. The existing house and shed were constructed prior to any yard or setback regulations. The proposed garage will have the same setback and front yard as the existing house.

**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:

**PRELIMINARY DRAFT**

- A. The Petitioner has testified on the application, **“Without variance, new structure would interfere with septic system, must be able to build substantial structure for mortgage purposes.”**
- B. Moving the proposed garage further north would interfere with the septic system. To construct a garage that met the side yard requirement would require reducing the size of the garage to a less useful size and may not qualify for financing.

**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.”**
  - B. The existing structures were constructed by previous owners prior to the adoption of the Champaign County Zoning Ordinance. The previous garage was deteriorated and damaged by fire. The proposed location of the new garage is the only reasonable location that will avoid interfering with the septic system that serves the house.

**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, **“No other structures or property would be affected.”**
  - B. Regarding the request for a 1-foot side yard for the detached garage: the requested variance is 20% of the minimum required, for a variance of 80%.
  - C. Regarding the request for a 0-foot side and rear yard for the existing shed: the requested variance is 0% of the minimum required, for a variance of 100%.
  - D. Regarding the request for a 19-foot front yard for the existing house and the proposed garage: the requested variance is 76% of the minimum required, for a variance of 24%.
  - E. Regarding the request for a 39-foot front setback from the centerline of Carper Street: the requested variance is 71% of the minimum required, for a variance of 29%.
  - 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.
      - a. The separation from the proposed garage to Carper Street will be the same as the existing house and consistent with other houses in the area.
    - (2) Allow adequate area for road expansion and right-of-way acquisition.



- a. There are no known plans to expand Carper Street.
- (3) Parking, where applicable
- G. The Zoning Ordinance does not clearly state the considerations that underlay the side yard requirements. In general, the side yard is presumably intended to ensure the following:
  - (1) Adequate light and air: the building on the adjacent property is approximately 23 feet from the property line in the area of the proposed garage on the east. The buildings near the existing yard shed are and approximately 7 feet away to the north and 28 feet away to the east
  - (2) Separation of structures to prevent conflagration: The subject property is within the Scott Fire Protection District and is served by the Seymour Fire Department. The station is approximately .1 road miles from the subject property. The nearest structures on adjacent property are approximately 23 feet away on the east and 7 feet away on the north.
  - (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: **“Would increase property value.”**
  - B. The Scott Township Supervisor has been notified of this variance, and no comments have been received.
  - C. The Scott Township Road Commissioner has been notified of this variance, and no comments have been received.
  - D. The Scott Fire Protection District 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.

***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: **“No answer given”**

***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 May 21, 2024, with attachment:
  - A Site Plan dated May 21, 2024
  
2. Preliminary Memorandum dated June 19, 2024, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Site Plan dated May 21, 2024
  - C 2023 Annotated Aerial Photo/Site Plan
  - D 1973 Aerial Photo
  - E Site images taken June 17, 2024
  - F Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 142-V-24 dated June 27, 2024

**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **142-V-24** held on **June 27, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **{DO / DO NOT}** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
  - a. ***Regarding variance Part C and Part D, the house and shed were constructed prior to the adoption of the Champaign County Zoning Ordinance on October 10, 1973. Regarding variance Part A and Part B, the original garage was damaged by fire and rebuilding in the same location would interfere with the existing septic system.***
  
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, without the approval of the proposed variance, the petitioner would have to reduce the size of the proposed garage which would result in a less useful building, could cause difficulty with financing, and risk interfering with the existing septic system. Regarding variance Part C and Part D, the house and shed would not be able to be rebuilt in their current locations if they are damaged to 50% of their values.***
  
3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
  - a. ***Regarding variance Part C and Part D, the existing structures were constructed by previous owners, prior to the adoption of the Champaign County Zoning Ordinance. Regarding variance Part A and Part B, the previous garage was deteriorated and damaged by fire, the proposed location of the new garage is the only reasonable location that will avoid interfering with the septic system that serves the house.***
  
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. ***Regarding variance Part A, the requested variance is 20% of the minimum required, for a variance of 80%.***
  - b. ***Regarding variance Part C, the requested variance is 0% of the minimum required, for a variance of 100%.***
  - c. ***There is adequate light and air surrounding the proposed garage and existing detached storage sheds.***
  - d. ***There is separation to adjacent properties and structures to prevent conflagration and the Scott Fire Protection District has been notified of the requested variance and no comments have been received.***
  - e. ***Regarding variance Part B and Part D, the requested variance is 76% of the minimum required, for a variance of 24%.***
  - f. ***There is adequate separation from the right-of-way of Carper Street and there are no plans for street expansion and should not cause problems with traffic circulation.***

**PRELIMINARY DRAFT**

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 nearest structures on adjacent properties are 23 feet away on the east and 7 feet away on the north.***
  
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 C and Part D, the house and shed currently exist and are non-conforming structures. Regarding variance Part A and Part B, the location of the proposed garage is the only location that can accommodate the size of building that the petitioners are requesting and will not interfere with the existing septic system.***
  
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 **142-V-24** is hereby *{GRANTED / GRANTED WITH CONDITIONS / DENIED}* to the petitioners, **Jason Brumfield**, to authorize the following:

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

**Part A: Authorize a proposed detached garage with a side yard of 1 foot in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part B: Authorize a proposed detached garage with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 7.2.2 of the Zoning Ordinance.**

**Part C: Authorize an existing shed with a side and rear yard of 0 feet in lieu of the minimum required 5 feet, per Section 7.2.2 of the Zoning Ordinance.**

**Part D: Authorize an existing house with a front yard of 19 feet and a setback from the street centerline of Carper Street of 39 feet in lieu of the minimum required 25 feet and 55 feet, respectively, per Section 5.3 of the 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