

CASE 203-V-26

PRELIMINARY MEMORANDUM

May 7, 2026

Petitioner: **Rhonda Rhoden Angel**

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

Part A: Authorize a variance for an existing carport with a setback of 30 feet and a front yard of zero feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 A. and Section 5.3 of the Zoning Ordinance.

Part B: Authorize a variance for an existing carport with a side yard of zero feet in lieu of the required 5 feet per Section 7.2.2 B. of the Zoning Ordinance.

Part C: Authorize a variance for an existing carport located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.

Part D: Authorize a variance for an existing covered porch with a rear yard of 9 feet in lieu of the required 20 feet per Section 5.3 of the Zoning Ordinance.

Location: **Lot 89, of Scottswood 2nd Subdivision, in the Southeast Quarter of the Northwest Quarter of Section 15, Township 19 North, Range 9 East of the Third Principal Meridian, in Urbana Township with PIN 30-21-15-179-020, commonly known as the property with an address of 2425 E. Nevada St., Urbana.**

Site Area: **.16 acre**

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

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

BACKGROUND

The petitioner Rhonda Rhoden Angel owns the subject property that contains an existing single-family residence with a detached carport. It was brought to the attention of the Department in 2013 that a carport had been constructed that was located too close to E. Nevada St. and within the required street setback and front yard. The property was inspected by the Department in March 2013, and again in February of 2026. On February 11, 2026, a letter was sent to the petitioner noting that the carport was in violation of the setback, front yard and side yard regulations and would need a to be modified, removed or receive a variance. It was also noted in the letter that after review of aerial photos of the property that a covered porch addition had been constructed that is in violation of the rear yard regulations. The petitioner submitted a Zoning Use Permit Application for the carport and addition and an Application for Variance on March 9, 2026. Upon review of the application, it was

noted by staff that an additional variance for the carport being in the driveway visibility triangle would also be required.

USE OF THE CARPORT

The carport is currently being used as a workspace with material storage and not for covering a vehicle. This amounts to the carport being an area of outdoor storage and is required to be screened from neighboring residences by a Type D (8 feet tall, opaque) screen.

EXTRATERRITORIAL JURISDICTION

The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the City of Urbana, 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 Urbana Township, which does not have a Plan Commissions. Townships with Plan Commissions have protest rights on a variance and are notified 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 | R-2 Single Family Res. |
| North | Single Family Residence | R-2 Single Family Res. |
| East | Single Family Residence | R-2 Single Family Res. |
| West | Single Family Residence | R-2 Single Family Res. |
| South | Single Family Residence | R-2 Single Family Res. |

SPECIAL CONDITIONS

- A. **A Type D (8 feet tall, opaque) screen shall be installed to screen the interior of the carport if there is material storage for longer than 6 months.**

The special condition stated above is required to ensure the following:

That areas of outdoor storage are screened in conformance with the Champaign County Zoning Ordinance.

ATTACHMENTS

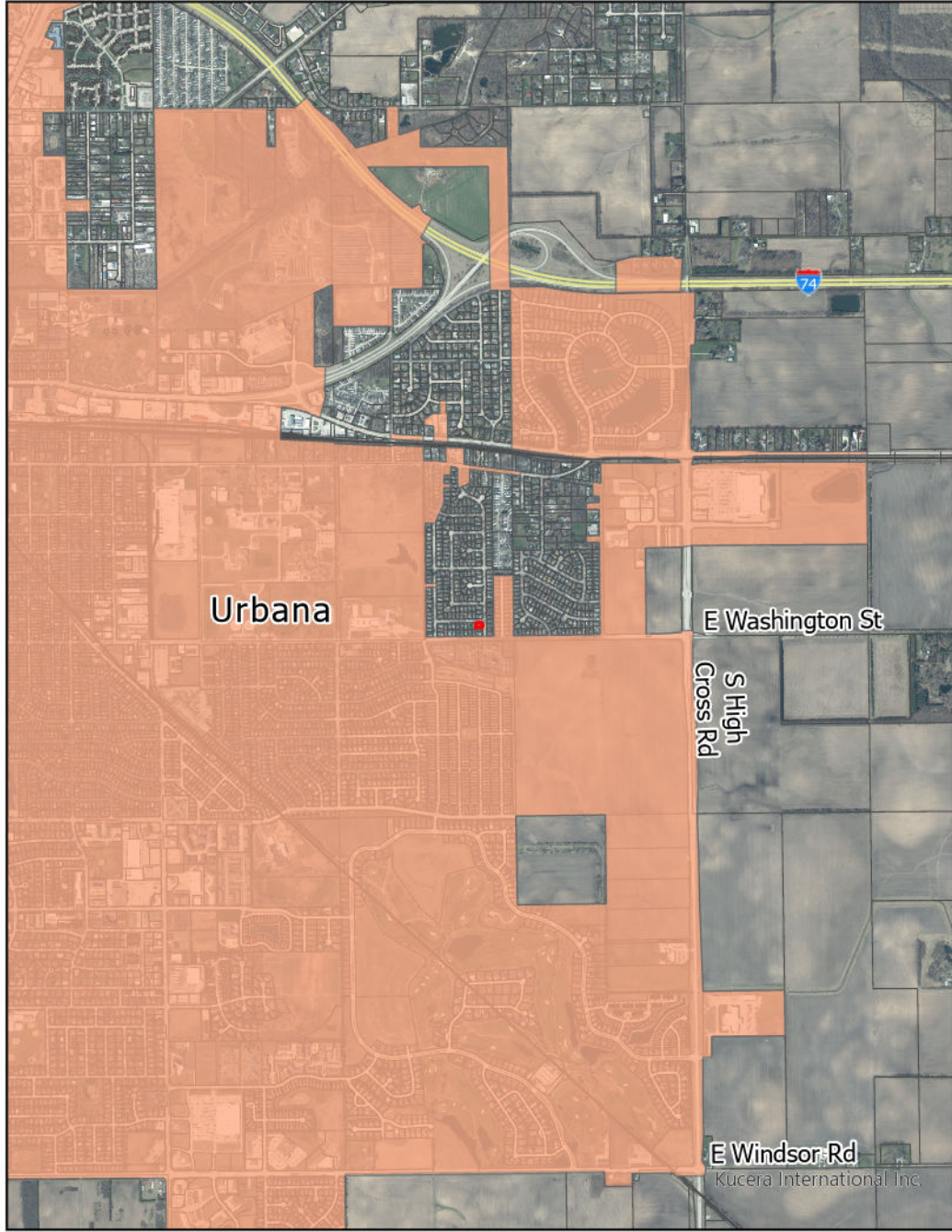
- A Case Maps (Location, Land Use, Zoning)
- B 2023 Annotated Aerial Photos showing carport and porch addition locations and visibility triangles
- C Letter in opposition to Variance Case 203-V-26 received May 6, 2026
- D Site Images taken May 6, 2026
- E Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 203-V-26 dated May 14, 2026

Location Map

Case 203-V-26

May 14, 2026

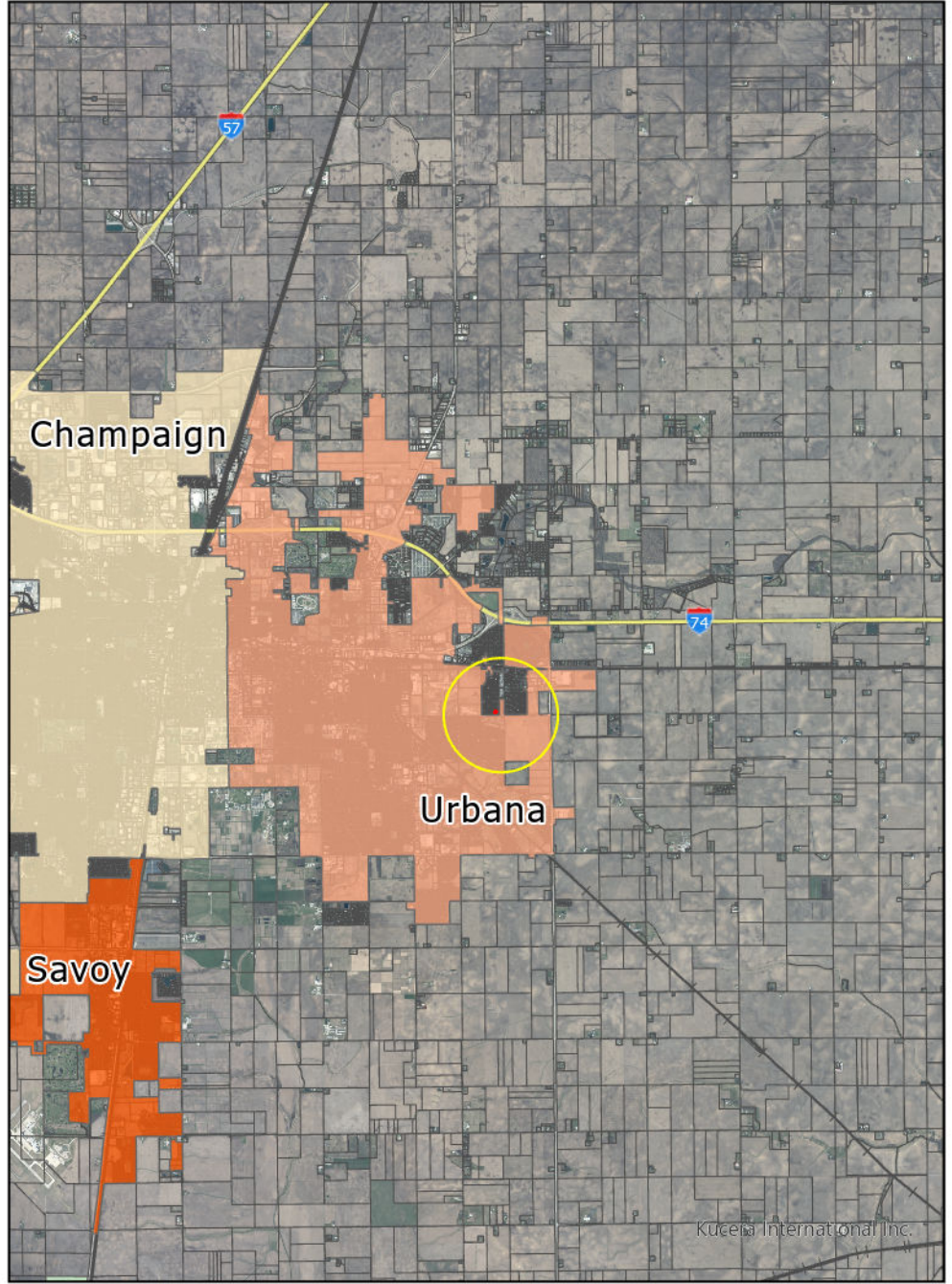
Subject Property



 Subject Property

0 0.5 1 Miles

Property location in Champaign County



0 2 4 Miles



Land Use Map

Case 203-V-26

May 14, 2026



 Subject Property  Residential  City of Urbana



Zoning Map

Case 203-V-26

May 14, 2026



 Subject Property  R-2 Single Family Residence  City of Urbana



Annotated 2023 Aerial

Case 203-V-26

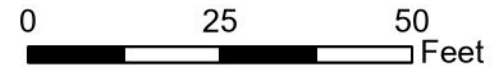
May 14, 2026



Kucera International, Inc.

 Subject Property

 15' Visibility Triangle



To: The Champaign County Zoning Board of Appeals

Date: May 06, 2026

Subject: Opposition to Variance Request – Case 203-V-26 (2425 E. Nevada St., Urbana, IL)

I am writing to oppose the variance request in Case 203-V-26. I live close to the subject property (2425 E. Nevada St., Urbana) and have driven past it multiple times since the carport was erected. I want to begin by making clear that my concern is not just the structure's appearance (though it is unattractive and almost certainly devalues the value of surrounding properties), but rather, my primary concern is that approving this petition/appeal would reward a property owner for bypassing the rules that every other resident in the county is expected to follow.

Plainly, the carport was built without a permit, and the requested variance would excuse *multiple* (serious) violations of the Champaign County Zoning Ordinance after the fact. Leniency on this request would be unacceptable and unfair to other homeowners and builders.

According to the public notice, the petitioner is asking the Board to approve a front setback of 30 feet and a front yard of zero feet (where 55 feet and 25 feet are required), a side yard of zero feet (where five feet is required), a structure within the driveway visibility triangle, and a covered porch with a rear yard of nine feet (where 20 feet is required). **These are several major deviations.** For example, a zero-foot side yard is not a small mistake, and a structure built directly on a property line raises clear concerns (e.g., drainage, fire access, maintenance, and impacts on the neighboring property). What is more, the visibility triangle rule exists because visibility matters for pedestrian, bicycle, and vehicle safety. Given the aforementioned, it is clear that the requested variances would therefore excuse violations of basic setback and safety rules.

On an additional note, it is important to specify the actual use of the structure (at least from my experience). From what I have seen driving past the property on multiple occasions, **the carport is not being used to store cars** but rather to store a collection of random items. It is visually prominent, detracts from the block's appearance, and does not appear to serve the intended function outlined in the public notice.

Variances are not designed to be a tool for retroactively legalizing voluntary choices—rather, they are meant to address *genuine* hardship (where strict application of the ordinance creates an unreasonable burden through no fault of the owner). It is clear that this is not the case, as the alleged hardship here is self-created, which should weigh strongly against granting the variance. It needs no reminding that the petitioner chose to build without a permit and now asks the Board to make that choice “legal” after the fact...

Approving this petition would send a clear (negative) message to the community. Every property owner who waited, applied for permits, paid fees, revised plans, or abandoned a non-compliant project did so because the ordinance matters. **If this variance is approved, the lesson is that compliance is optional and that residents can build first and ask permission later.** Of course, an approval of this variance would *clearly* undermine the permitting process and weaken confidence that the County applies its rules consistently, calling into question the Board's willingness to hold all property owners equally accountable.

In sum, while I understand the desire to show sympathy toward a fellow neighbor, I encourage the Board not to extend leniency in this case, as the structure was built without approval, violates multiple provisions of the zoning ordinance, and does not even appear to be used for its stated purpose. Allowing noncompliant structure(s) to remain without consequence has a cumulative effect, discouraging responsible property owners and degrading the character of neighborhoods that people are trying to maintain.

For these reasons, **I respectfully ask that the Board deny the petition in full and require the property to be brought into compliance with the Champaign County Zoning Ordinance.**

Sincerely,

203-V-26 Site Images



From E Nevada St. looking west along E Nevada St across subject property



From E Nevada St. looking toward subject property

203-V-26 Site Images



From E Nevada St looking toward carport



From E Nevada St. looking east along E Nevada

203-V-26 Site Images



From E Nevada St looking along west property line

PRELIMINARY DRAFT

203-V-26

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

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

Date: ***{May 14, 2026}***

Petitioner: **Rhonda Rhoden Angel**

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

Part A: Authorize a variance for an existing carport with a setback of 30 feet and a front yard of zero feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 A. and Section 5.3 of the Zoning Ordinance.

Part B: Authorize a variance for an existing carport with a side yard of zero feet in lieu of the required 5 feet per Section 7.2.2 B. of the Zoning Ordinance.

Part C: Authorize a variance for an existing carport located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.

Part D: Authorize a variance for an existing covered porch with a rear yard of 9 feet in lieu of the required 20 feet per Section 5.3 of the 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 **May 14, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Rhonda Rhoden Angel, is the owner of the subject property at 2807 E. Illinois St. Urbana. The property is Lot 89, of Scottswood 2nd Subdivision, in the Southeast Quarter of the Northwest Quarter of Section 15, Township 19 North, Range 9 East of the Third Principal Meridian, in Urbana Township with PIN 30-21-15-179-020, commonly known as the property with an address of 2425 E. Nevada St., Urbana.
2. 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 Urbana, 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 Urbana Township, which does not have a Plan Commissions. 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 existing .16-acre subject property is currently zoned R-2 Single Family Residence and is in use as a single-family residence.
 - B. Land to the north, south east and west is zoned R-2 Single-Family Residence and is in use as single family residential.
5. There are no prior Zoning Cases for the subject property.

GENERALLY REGARDING THE PROPOSED SITE PLAN

5. The site plan is an aerial photo of the property that shows existing improvements, no additional improvements are proposed at this time:
 - A. The Petitioner's Site Plan indicates the following:
 - (1) Existing structures on the property include:
 - a. One single family dwelling with a covered back porch addition
 - b. Detached carport
 - B. There are no previous Zoning Use Permits for the subject property:
 - (1) The single family dwelling was constructed prior to the adoption of the Champaign County Zoning Ordinance.
 - (2) The carport was constructed sometime between 2011 and 2014 without a permit.
 - (3) The carport is approximately 14 feet from the edge of pavement of Nevada St.

- (3) The back porch addition was constructed sometime between 2017 and 2020 without a permit.
- C. The required variance is as follows:
- (1) Part A: Authorize a variance for an existing carport with a setback of 30 feet and a front yard of zero feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 A. and Section 5.3 of the Zoning Ordinance.
 - (2) Part B: Authorize a variance for an existing carport with a side yard of zero feet in lieu of the required 5 feet per Section 7.2.2 B. of the Zoning Ordinance.
 - (3) Part C: Authorize a variance for an existing carport located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.
 - (4) Part D: Authorize a variance for an existing covered porch with a rear yard of 9 feet in lieu of the required 20 feet per Section 5.3 of the 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) “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) “AREA, LOT” is the total area within the LOT LINES.
 - (3) “BUILDING” is an enclosed STRUCTURE having a roof supported by columns, walls, arches, or other devices and used for the housing, shelter, or enclosure of persons, animals, and chattels.
 - (4) “DWELLING” is a BUILDING or MANUFACTURED HOME designated for non-transient residential living purposes and containing one or more DWELLING UNITS and/or LODGING UNITS.
 - (5) “FRONTAGE” is that portion of a LOT abutting a STREET or ALLEY.
 - (6) “HEIGHT” as applied to a story is the vertical measurement between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the vertical measurement between the surface of the floor and the ceiling next above it.

As applied to a BUILDING is the vertical measurement from GRADE to a point midway between the highest and lowest points of the roof.

As Applied to an Enclosed or Unenclosed STRUCTURE:

PRELIMINARY DRAFT

STRUCTURE, DETACHED: The vertical measurement from the average level of the surface of the ground immediately surrounding such STRUCTURE to the uppermost portion of such STRUCTURE.

STRUCTURE, ATTACHED: Where such STRUCTURE is attached to another STRUCTURE and is in direct contact with the surface of the ground, the vertical measurement from the average level of the surface of the ground immediately adjoining such STRUCTURE to the uppermost portion of such STRUCTURE shall be the HEIGHT. Where such STRUCTURE is attached to another STRUCTURE and is not in direct contact with the surface of the ground, the vertical measurement from the lowest portion of such STRUCTURE to the uppermost portion shall be the HEIGHT.

- (7) "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.
- (8) "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.
- (9) "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.
- (10) "LOT LINE, REAR" is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.
- (11) "LOT LINES" are the lines bounding a LOT.
- (12) "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.
- (13) "NONCONFORMING PREMISES" is a NONCONFORMING LOT with a NONCONFORMING STRUCTURE located on it.
- (14) "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.

- (15) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (16) “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.
- (17) “STRUCTURE” is anything CONSTRUCTED or erected with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Among other things, STRUCTURES include BUILDINGS, walls, fences, billboards, and SIGNS.
- (18) “STRUCTURE, DETACHED” is a STRUCTURE not connected to another STRUCTURE.
- (19) “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.
- (20) “YARD” is an OPEN SPACE, other than a COURT, of uniform 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.
- (21) “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 but a STREET RIGHT-OF-WAY both such YARDS shall be classified as front YARDS.
- (22) “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.
- (23) “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.

PRELIMINARY DRAFT

- 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 9.1.9C. 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.
 - (3) Paragraph 9.1.9 E. of the *Zoning Ordinance* authorizes the ZBA to prescribe appropriate conditions and safeguards in granting a variance
- D. Regarding the proposed variance:
 - (1) Minimum driveway visibility triangle is established in Section 4.3.3 F.2. of the *Zoning Ordinance* as an area bounded by the FRONT or SIDE LOT LINE, each side of any driveway, and a straight line joining points on the lot line measured 15 feet from the driveway and points along the driveway measured 15 feet from the lot line.
 - (2) Minimum SIDE YARD from SIDE LOT LINE to an ACCESSORY STRUCTURE in the R-2 Single Family Residence Zoning DISTRICT is established in Section 7.2.2 of the *Zoning Ordinance* as 5 feet.
 - (3) Minimum REAR YARD from REAR LOT LINE to a STRUCTURE in the R-2 Single Family Residence Zoning DISTRICT is established in Section 5.3 of the *Zoning Ordinance* as 20 feet.
 - (4) Fences located in required FRONT YARDS shall have a maximum height of six feet and any portion of a fence over four feet in height must be at least 50% transparent.

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 testified the following on the application: **“This area was a high crime neighborhood. I needed to keep my cars off the street.”**
 - B. The subject property is approximately 6,863 sq. ft.
 - C. The subject property is on a corner lot and has setback, and front yard requirements on two sides.
 - D. The dwelling on the property was constructed prior to the adoption of the Champaign County Zoning Ordinance in 1973.
 - D. The property has a fenced yard on the west (side) and south (rear) sides of the house.
 - E. E. Nevada St. is a low-speed residential street with a stop sign for eastbound traffic at the intersection of E. Nevada St. and Scottswood Dr.

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: **“Keep cars off of street.”**
 - B. Regarding Part A of the proposed variance: without the proposed variance, the carport would have to be removed or moved back from the front property line a distance of 25 feet.
 - C. Regarding Part B of the proposed variance: without the proposed variance, the carport would have to be removed, reduced in size or relocated so that it is 5 feet from the side lot line.
 - D. Regarding Part C of the proposed variance: without the proposed variance, the carport would have to be moved 15 feet back from the front property line or the sides would have to be modified so they did not materially impede vision for vehicles entering or leaving the property.
 - E. Regarding Part D of the proposed variance: without the proposed variance the covered back porch would have to be removed.

GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT

PRELIMINARY DRAFT

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 testified the following on the application: **“Keeping my cars off street to prevent vandalism and car accidents which has been a problem in the past.”**
 - B. Regarding the proposed Variances: The lot was platted and the house was constructed prior to the adoption of the Champaign County Zoning Ordinance in 1973. The property is a corner lot and the house is located toward the rear (south) of the lot leaving a minimal area for the rear yard. A fenced side yard prevents moving the carport further back from the front lot line.

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: **“The carport is not causing any hazards to the area around it.”**
 - B. Regarding Part A of the proposed variance for an existing carport with a setback of 30 feet and a front yard of zero feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 A. and Section 5.3 of the Zoning Ordinance: the requested variance is 60% and 0% of the minimum required, for a variance of 40% and 100%.
 - C. 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. There are no known plans to expand Nevada St.
 - (3) Parking, where applicable.
 - D. Regarding Part B of the proposed variance, for an existing carport with a side yard of zero feet in lieu of the required 5 feet per Section 7.2.2 B. of the Zoning Ordinance: the requested variance is 0% of the minimum required, for a variance of 100%.
 - E. Regarding Part D of the proposed variance, for an existing covered porch with a rear yard of 9 feet in lieu of the required 20 feet per Section 5.3 of the Zoning Ordinance: the requested variance is 45% of the minimum required, for a variance of 55%.
 - F. Regarding the proposed Variance, the Zoning Ordinance does not clearly state the considerations that underlie the side and rear yard requirements. In general, yard requirements are presumably intended to ensure the following:
 - (1) Adequate light and air: The subject property is in residential use. The surrounding properties are similarly sized lots in residential use.

- (2) Separation of structures to prevent conflagration: The subject property is served by the Edge-Scott Fire Protection District and their station is approximately 0.8 road miles from the subject property. The nearest building to the carport on adjacent property is a residence to the west that is approximately 6.5 feet away. The nearest building to the house at the rear on adjacent property is a residence to the south that is approximately 15 feet away.
- (3) Aesthetics: Aesthetic benefit may be a consideration for any given yard and can be very subjective.
- G. Regarding Part C of the proposed variance, for an existing carport with a driveway visibility triangle of 0 feet in lieu of the minimum required 15: the requested variance is 0% of the minimum required, for a variance of 100%.
- H. Regarding the proposed variance for not obstructing the driveway visibility triangle, the Zoning Ordinance seeks to not impede vision for vehicles entering and exiting the roadway from nearby driveways.
 - (1) The nearest driveway on adjacent property is 45 feet from the carport.
- I. 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: **“The carport has been up with no problems for 13 years.”**
 - B. Regarding neighborhood concerns:
 - (1) A letter was received on May, 6, 2026 in opposition to the requested variance.
 - B. The Urbana Township Highway Commissioner has been notified of this variance, and no comments have been received.
 - C. The Urbana Township Supervisor has been notified of this variance, and no comments have been received.
 - E. The Edge-Scott 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: **“Keeping all my vehicles off street to prevent vandalism.”**

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

13. Regarding proposed special conditions of approval:

- A. **A Type D (8 feet tall, opaque) screen shall be installed to screen the interior of the carport if there is material storage for longer than 6 months.**

The special condition stated above is required to ensure the following:

That areas of outdoor storage are screened in conformance with the Champaign County Zoning Ordinance.

DOCUMENTS OF RECORD

1. Application for Variance received March 9, 2026, with attachments:
 - A Site plan showing the existing home and fence location
2. Letter in opposition to Variance Case 203-V-26 received May 6, 2026
3. Preliminary Memorandum dated February 5, 2026, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B 2023 Annotated Aerial Photos showing carport and porch addition locations and visibility triangles
 - C Letter in opposition to Variance Case 203-V-26 received May 7, 2026
 - D Site Images taken February 13, 2026
 - E Draft Summary of Evidence, Finding of Fact, and Final Determination for Case 203-V-26 dated May 14, 2026

SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **203-V-26** held on **May 14, 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. ***The subject property is on a corner lot and has setback, and front yard requirements on two sides leaving a minimal area for the rear yard.***
 - b. ***The home on the property was built prior to the adoption of the Champaign County Zoning Ordinance in 1973.***
 - c. ***The property has a fenced yard on the west side limiting the possible locations for a carport.***

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 Part A: without the proposed variance, the carport would have to be removed or moved back from the front property line a distance of 25 feet.
 - b. Regarding Part B: without the proposed variance, the carport would have to be removed, reduced in size or relocated so that it is 5 feet from the side lot line.
 - c. Regarding Part C: without the proposed variance, the carport would have to be moved 15 feet back from the front property line a distance of 15 feet or the sides would have to be modified so they did not materially impede vision for vehicles entering or leaving the property.
 - d. Regarding Part D: without the proposed variance the covered back porch would have to be removed.

3. The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because:
 - a. ***The lot was platted, and the house was constructed prior to the adoption of the Champaign County Zoning Ordinance in 1973.***

4. The requested variance **{SUBJECT TO THE PROPOSED CONDITIONS}** **{IS / IS NOT}** in harmony with the general purpose and intent of the Ordinance because:
 - a. ***There {IS/IS NOT} adequate visibility at the intersection of the driveway on the subject property and Nevada St.***
 - b. ***There is adequate light and air on the subject property and adjacent properties, and sufficient distance to prevent conflagration.***

5. The requested variance **{SUBJECT TO THE PROPOSED CONDITIONS}** **{WILL / WILL NOT}** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - a. ***The Urbana Township Highway Commissioner was notified of the case and stated to staff that he had no objection.***
 - b. ***Other relevant jurisdictions have been notified of this case, and no comments have been received.***

- c. *Regarding variance Part A: There {IS/IS NOT} adequate separation from the carport and E. Nevada St.*
 - d. *Regarding variance Part B: There {IS/IS NOT} adequate separation to adjacent buildings.*
 - e. *Regarding variance Part C: There {IS/IS NOT} adequate visibility at the intersection of the driveway on the property and E. Nevada St.*
 - f. *Regarding variance Part D: There is adequate separation to adjacent buildings.*
6. The requested variance *{SUBJECT TO THE PROPOSED CONDITIONS} {IS / IS NOT}* the minimum variation that will make possible the reasonable use of the land/structure because:
- a. *Regarding variance Parts A, B and C: the requested variance is the minimum variance required for the carport to remain in its current configuration and location.*
 - b. *Regarding variance Part D: the requested variance is the minimum variance required for the covered porch to remain in its current configuration and location.*
7. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***
- A. **A Type D (8 feet tall, opaque) screen shall be installed to screen the interior of the carport if there is material storage for longer than 6 months.**

The special condition stated above is required to ensure the following:

That areas of outdoor storage are screened in conformance with the Champaign County Zoning Ordinance.

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 203-V-26 is hereby *{GRANTED/ GRANTED WITH CONDITIONS/ DENIED}* to the petitioner, **Rhonda Rhoden Angel**, to authorize the following:

Part A: Authorize a variance for an existing carport with a setback of 30 feet and a front yard of zero feet in lieu of the required 55 feet and 25 feet respectively per Section 7.2.2 A. and Section 5.3 of the Zoning Ordinance.

Part B: Authorize a variance for an existing carport with a side yard of zero feet in lieu of the required 5 feet per Section 7.2.2 B. of the Zoning Ordinance.

Part C: Authorize a variance for an existing carport located within the driveway visibility triangle per Section 4.3.3 F.2 of the Zoning Ordinance.

Part D: Authorize a variance for an existing covered porch with a rear yard of 9 feet in lieu of the required 20 feet per Section 5.3 of the Zoning Ordinance.

{SUBJECT TO THE FOLLOWING CONDITION(S):}

- A. **A Type D (8 feet tall, opaque) screen shall be installed to screen the interior of the carport if there is material storage for longer than 6 months.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Cynthia Cunningham, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date