

**MINUTES OF A REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DATE: September 27, 2001

APPROVED

TIME: 7:30 p.m.

PLACE: Urbana City Building
400 S. Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Darwin Fields, Anna Merritt, Charles Warmbrunn, Harvey Welch

MEMBERS ABSENT Paul Armstrong, Herb Corten, Joe Schoonover

STAFF PRESENT: Tim Ross, Planner; Elizabeth Tyler, Planning Manager

OTHERS PRESENT: Howard Pitman, Bret Stillwell

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Merritt called the meeting to order at 7:35 p.m. The roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Welch moved to approve the minutes from the August 30, 2001 meeting. Mr. Warmbrunn seconded the motion. The motion carried by a unanimous vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

ZBA-01-MAJ-14; Request for a major variance requested by the East Lawn Burial Association to allow a reduction in the required front yard setback in order to construct a new office and maintenance building.

This case was requested to be continued to a future hearing.

ZBA-01-C-4; Request for a conditional use permit filed by Steve Johnson to establish a self-storage warehouse facility in the City's IN, Industrial Zoning District at 504 South Glover Street.

Tim Ross, Planner, presented the staff report. He gave a brief introduction and background including the Comprehensive Plan designation, current zoning, and current land use of the site and the surrounding properties. Mr. Ross discussed the requirements for a conditional use permit, which are as follows:

- That the proposed use is conducive to the public convenience at that location.
- That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.
- That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-3.

Mr. Ross reviewed the options of the Zoning Board of Appeals, and stated the staff recommendation was that the Zoning Board of Appeals grant the proposed conditional use, with the condition that the fencing along the west property line be maintained to provide screening to the west, on the basis that the request met the requirements for the granting of a conditional use permit as outlined in the staff report.

Mr. Warmbrunn asked if the proposed detention was similar to a pond? His main concern was that the fence followed the north property line for a certain distance and then stopped. He asked if the fence went all the way back to the east side of the lot? Mr. Ross said it appeared that was the case, and that there was mostly vegetation on the site. Mr. Warmbrunn inquired if there was mostly vegetation behind the produce warehouse as well? Mr. Ross replied that was correct. Mr. Warmbrunn commented that the Zoning Board of Appeals should require the petitioner to build a fence all the way along the north property line if water will be in the detention area to keep a

curious child out of that area. Mr. Ross stated that it might be something to consider, as screening to the north was one of the conditions of the original rezoning.

Chair Merritt stated that it was the staff recommendation to require fencing along the west, and she questioned if it was Mr. Warmbrunn's intention to require fencing along the north in addition? Mr. Warmbrunn responded that was correct. The fence should go all the way to the back of the property, since the detention area runs almost the entire length of the north side of the property. Mr. Welch commented that would be a good idea. It would be in the property owner's best interest to have that area blocked off, since it is in a secluded area. Chair Merritt added it could be a liability issue.

Chair Merritt swore in Bret Stillwell to speak during the public hearing.

Mr. Stillwell, architect for Steve Johnson (petitioner), mentioned that it would be a dry detention basin and not really a pond. There would be water buildup in the detention area immediately after a rain, and then the runoff would be conveyed to the storm sewers. It would be a short-term detention basin.

Mr. Warmbrunn questioned how deep the detention would be? Mr. Stillwell replied that the detention would typically be three feet, and that it would run off quickly. Along the north side, the drainage would be in the way of catch basins and actual storm sewer, which would convey the water back into the street storm sewer system. Mr. Welch inquired if there would be times when there was no water at all? Mr. Stillwell replied that the detention area would be dry the majority of the time. Only when there is heavy rainfall would there be a pond for a short time, until the storm sewers drained it off.

Mr. Warmbrunn questioned if the petitioner felt that the fencing was sufficient along the north side of the property? Mr. Stillwell replied that the petitioner felt the fencing currently in place was sufficient.

Mr. Warmbrunn inquired as to whether the other warehouse has a fence on the east side? Mr. Ross replied that there was a fence. Mr. Warmbrunn asked if the same type of fence was used on the back as in front? Mr. Stillwell answered that was correct.

Mr. Warmbrunn inquired as to whether the Zoning Board of Appeals requested fencing at the time of the original conditional use permit? Mr. Ross replied that the fence condition was upheld in the original conditional use permit from the conditional zoning. There was fencing constructed on all sides of the property.

Mr. Warmbrunn commented that he felt that a fence should be required if there will be water buildup. He realized that it would be an additional cost. Ms. Tyler mentioned that there are a lot of these types of detention areas all over town that are

not fenced. The Zoning Board of Appeals might want to consider the fencing for other purposes, as it seems the security concern would be more for the owners of the warehouses to consider. Mr. Warmbrunn also stated that the security of the warehouses should be the owners concern, not the Zoning Board of Appeals.

Mr. Warmbrunn asked if there was anything behind the produce warehouse that would need to be separated from the self-storage warehouses. He asked if the fence went to the back of the warehouse on the north side? Mr. Stillwell replied that by the end of the proposed expansion, the back part of the property would have been completely fenced in. Mr. Warmbrunn stated that the response solved his concern.

Mr. Warmbrunn made a motion to recommend approval with the conditions that the fence would be maintained on the west property line, and that upon completion a fence would be maintained on the north property line. Mr. Fields seconded the motion. The roll call was as follows:

Mr. Fields	-	Yes
Ms. Merritt	-	Yes
Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes

The motion was passed by unanimous vote.

ZBA-01-MIN-2; Request for a minor variance filed by Sead Krupalia to allow a 25% reduction in the front yard setback at 507 South Vine Street in the B-3, General Business Zoning District.

Mr. Ross, Planner, began the staff presentation by introducing the minor variance and gave a brief background of the case, including a description of the site and a summary of the surrounding zoning and land uses for the proposed site. Mr. Ross discussed the variance criteria of Section XI-3 of the Urbana Zoning Ordinance pertaining to this case.

Mr. Ross reviewed the options of the Zoning Board of Appeals, and stated that the staff recommendation was that the Urbana Zoning Board of Appeals grant approval of the proposed variance, subject to the condition that a site plan showing a landscaped buffer of at least three feet, nine inches in width that is in general conformity with the landscape buffer requirements of the Zoning Ordinance (Section VIII-2.F) be submitted and adhered to.

Mr. Warmbrunn questioned if staff wanted the flower planters to be 3 feet, 9 inches in width and to be placed between the sidewalk and where the cars would be parked? Mr. Ross responded that was what was indicated on the site plan. The landscape buffer refers to the area between the sidewalk and the remainder of the property.

Ms. Tyler added that there are species requirements, spacing of shrubs, and height requirements listed in the Zoning Ordinance. The Zoning Board of Appeals can place a

condition on the variance that it must meet those requirements. The City Arborist will review the buffer plans as well.

Mr. Warmbrunn asked if this buffer would be similar to the buffer that Cunningham Motors is currently putting in? Mr. Ross answered that the Cunningham Motors site would have a five foot buffer.

Mr. Welch moved to approve this case as staff suggested with the condition of a landscaped buffer of at least three feet, nine inches to be consistent with the Zoning Ordinance. Mr. Warmbrunn seconded the motion.

The roll call was as follows:

Ms. Merritt	-	Yes
Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes
Mr. Fields	-	Yes

The motion was passed by unanimous vote.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Ross gave the staff report on the following:

- The variance for the expanded unenclosed porch on South Race Street was approved by the Urbana City Council.
- The variance for the creation of two lots on Oregon and Anderson was also approved by the Urbana City Council.

Ms. Tyler discussed the following:

- Neighborhood Workshops: The first meeting was held at Park Inn on September 26, 2001. She reviewed the schedule for future workshops.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Tim Ross, Planner
Urbana Zoning Board of Appeals