



# **Zoning Board of Appeals**

## **2009 Annual Report**

*Prepared By:*

*Teri Andel  
Planning Secretary*

# **2009 Zoning Board of Appeals**

## **Decision Sheets / Ordinances (without attachments)**

**2009 Zoning Board of Appeals  
Meeting Minutes**

**OVERVIEW**

In calendar year 2009, the City of Urbana’s Zoning Board of Appeals met five times and considered 7 cases. A summary of past years case activity is below.

<b>Year</b>	<b>Meetings</b>	<b>Cases</b>
2000	10	13
2001	9	23
2002	8	17
2003	9	20
2004	7	19
2005	9	15
2006	10	11
2007	6	13
2008	7	17
2009	5	7

This report contains a summary of each case considered in 2009 by case type. Decision sheets, adopted ordinances, and minutes are attached.

**Members of the Zoning Board of Appeals included:**

Paul Armstrong, Herb Corten, Anna Merritt, (chairperson), Joe Schoonover, Nancy Uchtmann, Charles Warmbrunn, and Harvey Welch. Herb Corten and Anna Merritt resigned at the end of their terms on June 30, 2009. Paul Armstrong was appointed by Mayor Prussing to serve as Chairperson, and the City Council approved the appointment on August 17, 2009.

**Staff Support to the Zoning Board of Appeals was provided by:**

Libby Tyler, PhD, FAICP	Director of Community Development Services, Zoning Administrator and City Planner
Robert Myers, AICP	Planning Manager and Secretary of the Zoning Board of Appeals
Lisa Karcher, AICP	Planner II
Rebecca Bird	Planner I
Jeff Engstrom, AICP	Planner I
Teri Andel	Planning Secretary

**2009 Meeting Dates of the Zoning Board of Appeals:**

March 18      April 15      May 20      June 10      August 19

The Zoning Board of Appeals held no meetings in the months of January, February, July, September, October, November or December.

**2009 Zoning Board of Appeals Case Log**

<b>Total Number of Applications Submitted</b> .....	9
Number of Cases Heard .....	7
Number of Cases Withdrawn .....	2
Number of Cases Incomplete .....	0

**APPEAL REQUESTS**

<b>Total Number of Appeal Requests Heard</b> .....	0
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**CONDITIONAL USE PERMIT REQUESTS**

<b>Total Number of Conditional Use Requests Heard</b> .....	1
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**MINOR VARIANCE REQUESTS**

<b>Total Number of Minor Variance Requests Heard</b> .....	1
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**MAJOR VARIANCE REQUESTS**

<b>Total Number of Major Variance Requests Heard</b> .....	5
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## **CASE SUMMARIES**

### **Appeals**

There were none.

### **Conditional Use Permits**

#### **ZBA-2009-C-01**

702-732 Killarney Street (Lincoln Commerce Center)

A request filed by Audra Martin to all for a confectionery products manufacturing and packaging business to operate in a building in the B-3, General Business Zoning District.

*Case heard and request granted by the Zoning Board of Appeals on August 19, 2009 by a vote of 4 ayes - 0 nays. (Document No. 2009R27996)*

### **Minor Variances**

#### **ZBA 2009-MIN-01**

714 West California Avenue

A request filed by Kevin and Julia Webster for a minor variance to establish a lot in the R-7, University Residential Zoning District with a minimum width of 58 feet.

*Case Withdrawn*

#### **ZBA 2009-MIN-02**

201 North McCullough Street

A request filed by Jeff Trainor for a minor variance to build an addition encroaching 23% into the required 23.9-foot front yard in the R-4, Medium Density Multiple Family Residential Zoning District.

*Case heard and approved by the Zoning Board of Appeals on August 19, 2009 by a vote of 4 ayes - 0 nays. (Document No. 2009R27283)*

#### **ZBA 2009-MIN-03**

1506 South Orchard Street

A request filed by Martha Wagner Weinberg for a minor variance to allow construction of an entry vestibule that would encroach up to 3 feet into the required 18-foot front yard setback along Orchard Street in the R-1, Single-Family Residential Zoning District.

*Case Withdrawn*

**Major Variances**

**ZBA 2009-MAJ-01**

*2710 and 2810 South Philo Road*

A request by the Atkins Group, Inc. to revise an approved major variance allowing an electronic message board display to change no more than once every ten seconds in the B-3, General Business Zoning District.

*Case heard and recommended for approval by the Zoning Board of Appeals on March 18, 2009 by a vote of 6 ayes - 1 nay.*

*Case heard and approved by City Council on April 6, 2009 by a vote of 6 ayes - 1 nay. (Ordinance No. 2009-04-030)*

**ZBA 2009-MAJ-02**

*2710 and 2810 South Philo Road*

A request by the Atkins Group, Inc. to revise an approved major variance allowing an electronic message board display to be multi-colored in the B-3, General Business Zoning District.

*Case heard and recommended for approval by the Zoning Board of Appeals on March 18, 2009 by a vote of 6 ayes - 1 nay.*

*Case heard and approved by City Council on April 6, 2009 by a vote of 6 ayes - 1 nay. (Ordinance No. 2009-04-031)*

**ZBA 2009-MAJ-03**

*1011 West Clark Street*

A request by Howard Wakeland for a major variance to encroach 10 feet into the required 15 foot front yard setback on Harvey Street in the B-3U, General Business-University Zoning District.

*Case heard and recommended for approval by the Zoning Board of Appeals on April 15, 2009 by a vote of 7 ayes - 0 nays.*

*Case heard and approved by City Council on May 4, 2009 by a vote of 5 ayes - 2 nays. (Ordinance No. 2009-05-044)*

**ZBA 2009-MAJ-04**

*805 West Green Street and 303 South Busey Avenue*

A request by Scott Kunkel for a major variance to allow for an increase in the maximum allowable Floor Area Ratio (FAR) of 0.90 to 1.07 (19% increase) in the R-5, Medium-High Density Multiple Family Residential Zoning District.

*Case heard and recommended for approval by the Zoning Board of Appeals on June 10, 2009 by a vote of 7 ayes - 0 nays.*

*Case heard and approved by City Council on June 15, 2009 by a vote of 5 ayes - 0 nays. (Ordinance No. 2009-06-067)*

**ZBA 2009-MAJ-05**

*805 West Green Street and 303 South Busey Avenue*

A request by Scott Kunkel for a major variance to allow for a decrease in the minimum allowable Open Space Requirement (OSR) from 0.30 to 0.19 in the R-5, Medium-High Density Multiple Family Residential Zoning District.

*Case heard and recommended for approval by the Zoning Board of Appeals on June 10, 2009 by a vote of 7 ayes - 0 nays.*

*Case heard and approved by City Council on June 15, 2009 by a vote of 5 ayes - 0 nays.  
(Ordinance No. 2009-06-068)*