



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### m e m o r a n d u m

**TO:** The Urbana Zoning Board of Appeals

**FROM:** Christopher Marx, Planner I

**DATE:** April 15, 2016

**SUBJECT: ZBA Case 2016-MAJ-02:** A request by Andrew Fell for a Major Variance to allow a reduction in the required side yard setback from 7 feet to 5 feet at 708 West Green Street in the MOR, Mixed Office Residential district.

**ZBA Case 2016-MAJ-03:** A request by Andrew Fell for a Major Variance to allow a reduction in the required front yard setback from 25 feet to 15 feet at 708 West Green Street in the MOR, Mixed Office Residential district.

**ZBA Case 2016-MAJ-04:** A request by Andrew Fell for a Major Variance to allow a reduction in the required front yard setback from 25 feet to 15 feet at 710 West Green Street in the MOR, Mixed Office Residential district.

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### Introduction & Background

On behalf of the property owner, Andrew Fell, of Andrew Fell Architecture and Design, is requesting three major variances at 708 and 710 West Green Street. The variances are being requested to reduce their required front yard setbacks on the properties and the required side yard setback on 708 West Green Street. The owner plans to redevelop the two properties but recently discovered that an existing large-sized storm sewer line lies below 708 West Green Street restricting the buildable area of the two contiguous lots.

The owner purchased the two lots with the intent to redevelop the properties by replacing the two existing single-family homes with small apartment buildings. However, upon surveying the property, the owner discovered that an existing municipal storm sewer line runs under the eastern edge of 708 West Green Street. The line is an older, 82-inch brick arch storm sewer line that provides stormwater relief for parts of western Urbana. Unlike modern storm sewer infrastructure, the line exists without an easement and runs under privately owned properties. The owner was unaware of its existence until after the sale was completed because the line did not show up on any title searches during the real estate process.

The owner states that the maintenance needs of the current houses make refurbishing them unfeasible. In addition, redeveloping the properties by right, as originally intended, is not possible due to the unexpected existence and placement of the storm sewer. The storm sewer runs parallel to the eastern border of the property and is set back approximately ten feet. In order

to redevelop the properties in accordance with zoning code, variances in the required setback yards would be needed.

The applicant is requesting Major Variances at 708 and 710 West Green Street to reduce the required front yard setback from the block average of 25 feet to 15 feet. Article VI of the Zoning Ordinance states that the required front yard in the MOR district shall be the average depth of the existing buildings on the same block face and at least 25 feet. The average front yard setback for the block is approximately 26.34 feet. The owner is also seeking a Major Variance to reduce the required side yard on the west side of 708 West Green Street from 7 feet to 5 feet. Table VI-3(10) states that the combined sum of the two required side yards shall be no less than 17 feet and at least 7 feet on each side in the MOR district. The requested setback would be for the western side of the property that faces the adjacent parcel of 710 West Green Street. Section XI-3.C.2b(1) requires that any deviation from a required side yard setback that is more than 25% shall be a Major Variance.

The site plan and design of the proposed redevelopment of the subject properties will also be subject to the approval of the City's MOR Development Review Board. It is appropriate for the applicant to seek the requested variances prior to the MOR development review application in order to set the allowed footprint of the building prior to producing the detailed level of drawings required for an MOR Development Review Board application

## **Description of the Site**

The site is located on the north side of West Green Street between Busey and Coler Avenues. It consists of two single-family rental homes on adjacent properties totaling 0.35 acres in area. Both of the properties are zoned MOR, Mixed Office Residential. The neighboring properties to the east and west are also single-family homes zoned MOR. Across the street to the south, an apartment building is zoned R-5, Medium High Density Multiple-Family Residential and is adjacent to two other single-family homes zoned MOR, Mixed Office Residential. Towards the north and behind the subject properties are an apartment building and duplex are zoned R-5, Medium High Density Multiple-Family Residential. The future land use designation in the City's Comprehensive Plan is "Mixed Residential".

An underground storm sewer line that directs stormwater towards the Boneyard Creek runs underneath several properties in the area. The sewer for this line exists without an easement. According to the City Engineer, a ten foot buffer is required along either side of the sewer line. (see Exhibit F)

## Zoning and Land Use Table

The following is a summary of surrounding zoning and land uses for the subject site:

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
<b>Subject Properties</b>	MOR, Mixed Office Residential	Single Family Home – Rentals	Mixed Residential
<b>North</b>	R-5, Medium High Density Multiple-Family Residential	Apartment Building and Duplex	Mixed Residential
<b>South</b>	R-5, Medium High Density Multiple-Family Residential	Apartment Building	Mixed Residential
<b>East</b>	MOR, Mixed Office Residential	Single Family Home – Rentals	Mixed Residential
<b>West</b>	MOR, Mixed Office Residential	Single Family Home – Rentals	Mixed Residential

## Discussion

The applicant is requesting reduced setbacks for the subject property in order to allow for a configuration around the storm sewer line. The properties were acquired without any indication to the owner that they were constrained by the existing storm sewer line. The storm sewer runs north to south on the eastern edge of the 708 West Green Street parcel and is set back anywhere from three to twelve feet from the property line.

The storm sewer line was likely installed more than a century ago before public utilities regulations existed that would have prevented placement within the buildable area of a lot of record. The City's Public Works Department has a policy of not approving any construction within ten feet of a sewer line. The ten-foot buffer on both sides prevents any construction activities from damaging the line which provides important drainage functions for the West Urbana neighborhood and also allows access to maintain the line. Currently no easement exists over the line, a requirement that would be applied if the line were installed today.

The property owner states that maintenance costs require him to redevelop the property to maintain their viability and safety for residential housing. The existing property's survey displays the development constraints of the two lots. The lot of 710 West Green Street is already legally nonconforming and 7 feet narrower than the minimum lot width of 60 feet for the MOR district. Without the storm sewer line, the property at 708 West Green Street would have a side yard setback requirement of seven feet. The added buffer of 10 feet from the storm sewer line increases the setback provided along the eastern property line to almost 25 feet. The applicant states that such an increase in setback space necessitates an encroachment into the western side yard for the already narrow lot.

The applicant is also requesting a reduction in the required front yard setback distance from 25 feet to 15 feet to compensate for the reduced side yard buildable area. The applicant plans to construct two separate buildings, one on each lot, to be consistent with the purpose and requirements of the MOR District to limit the scale and intensity of the buildings. The Design Guidelines encourage building forms that are cohesive and compatible with the existing buildings in the district. The potential building footprint for the property at 708 West Green Street is significantly reduced by the storm sewer line and the buffer that accompanies it. The applicant is asking for a 10 foot encroachment into the required front yard setback at 708 West Green Street to mitigate the impact of the storm sewer and its buffers on the property. The applicant is also asking for a matching setback for the 710 West Green Street property to make the buildings more complementary to each other and the surrounding neighborhood.

The owner's proposal to construct two buildings instead of one is intended to meet the characteristics of the MOR district as stated in the Zoning Ordinance. The side yard variance for 708 West Green Street is necessitated because the storm sewer line below the property significantly limits the buildable area with a larger setback. The front yard variance for the 708 property allows the development to meet its off-street parking requirements on an already constrained parcel. The 710 West Green Street front yard variance is meant to allow both buildings to be cohesive as desired by the MOR Design guidelines.

## **Variance Criteria**

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The following is a review of the criteria as they pertain to this case:

1. *Are there special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance?*

An 82-inch brick-arch storm sewer runs underneath the eastern portion of the 708 West Green Street property. The presence of the sewer was not made known to the owner at the time of his purchase and pursuit of plans to redevelop the property. The storm sewer exists without an easement and was installed before most current public utilities codes were enacted that would have prevented its location through a lot and without an easement. The unbuildable buffer area around the storm sewer effectively increases the side yard setback from the required seven feet to at least 20 feet away from the property line on the east side of 708 West Green Street. The storm sewer reduces the amount of buildable space on the 708 West Green Street property by approximately 1,500 square feet, or approximately 20%.

2. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof which is not generally applicable to other lands or structures in the same district.*

The property was sold without any indication or knowledge of an underground storm sewer located at 708 West Green Street because there were no easements or indications on any title searches. Municipal sewer lines generally exist in a public right-of-way or with an easement and do not encroach on private property.

3. *The variance requested was not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The variances being requested are not due to a situation knowingly created by the Petitioner. The sewer line was installed before any municipal code would have forbidden such a location.

4. *The variance will not alter the essential character of the neighborhood.*

The variance will not alter the essential character of the neighborhood. The scale of the properties will remain proportionate to the neighborhood because the applicant is not requesting an increase in the allowable floor area ratio and the proposed development will remain as two separate residential buildings. The proposed front yard setback distance of 15 feet, while less than the block average, would help to offset the existence of the storm sewer and would allow more flexibility in building design to meet the design guidelines of the MOR District. One house at the end of the block is set back 20 feet from the property line while another across the street is set back 18 feet.

5. *The variance will not cause a nuisance to the adjacent property.*

The variances would not cause a nuisance to the adjacent properties. The requested side yard variance would only apply to one property and specifically the one boundary between the subject properties of 708 and 710 West Green Street, which have the same ownership. The front yard setbacks for both properties would allow the properties to remain compatible.

6. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The variance would generally be the minimum deviation from the requirements in the Zoning Ordinance. They are necessary to compensate for the presence of the storm sewer line. The MOR district contains development regulations that preserve and limit the existing scale and building footprints of the neighborhood. The properties are narrow lots at 53 feet and 60 feet and a further setback created from a storm sewer line further constrains any development possibilities. The proposed development would preserve many of the existing conditions of the subject properties.

## **Summary of Staff Findings**

1. On behalf of the owner, Andrew Fell has requested a Major Variance for a reduction from seven feet to five feet in the required side yard setback at 708 West Green Street. He is also requesting two Major Variances for a reduction in the required front yard setback from 25 feet to 15 feet at 708 and 710 West Green Street.
2. An underground stormwater sewer line runs under the eastern portion of the property at 708 West Green Street without an easement. The City's Public Works Department requires a ten foot buffer on both sides from any new construction.

3. The proposed variances would allow for the redevelopment of two new buildings on the subject properties that would be designed to be consistent with the City's MOR District Design Guidelines.
4. The proposed variances would reduce the front yard setback requirement from 25 feet to 15 feet and the required side yard setback from 7 feet to 5 feet for the 708 West Green Street property..
5. The site is located in West Urbana, and is zoned MOR, Mixed Office Residential. The Urbana Comprehensive Plan identifies the area as Mixed Residential.
6. The proposed variances are requested due to special circumstances of the underground storm sewer line.
7. The proposed variances represent special circumstances to the parcel concerned because of the storm sewer line with an easement.
8. The proposed variances do not serve as a special privilege because the property is adversely affected with a smaller buildable area than normal.
9. The proposed variances were not created by the applicant.
10. The proposed variances will not alter the neighborhood character as they attempt to preserve the building form and compatibility of the proposed apartments with their surrounding neighborhood.
11. The proposed variances would not cause a nuisance to the neighboring properties as they would preserve all other aspects of their existing form and building footprint.
12. The proposed variances represent the minimum deviation from the Zoning Ordinance requirements.
13. The proposed variances would allow for redevelopment of the properties in the MOR district in order to meet the district's design guidelines for neighborhood and building form compatibility.

## **Options**

A Major Variance requires a two-thirds vote by the Board to be approved. The Zoning Board of Appeals has the following options in this case:

- a. The Urbana Zoning Board of Appeals may forward the case to City Council with a recommendation to **approve** one or more of the variances based on the findings in this memo; or
- b. The Urbana Zoning Board of Appeals may forward the case to City Council with a recommendation to **approve one or more of the variances along with certain terms and conditions**. If the Urbana Zoning Board of Appeals elects to recommend conditions

or recommend approval of the variances on findings other than those articulated herein, they should articulate findings accordingly; or

- c. The Zoning Board of Appeals may **deny one or more** the variances requested. If the Zoning Board of Appeals elects to do so, the Board should articulate findings supporting its denial.

### **Staff Recommendation**

Based on the analysis and findings presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the variance to allow a reduction in the front yard setback requirement from 25 feet to 15 feet at 708 and 710 West Green Street and a reduction in the side yard setback requirement from seven feet to five feet at 708 West Green Street with the following conditions:

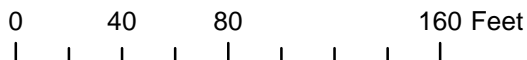
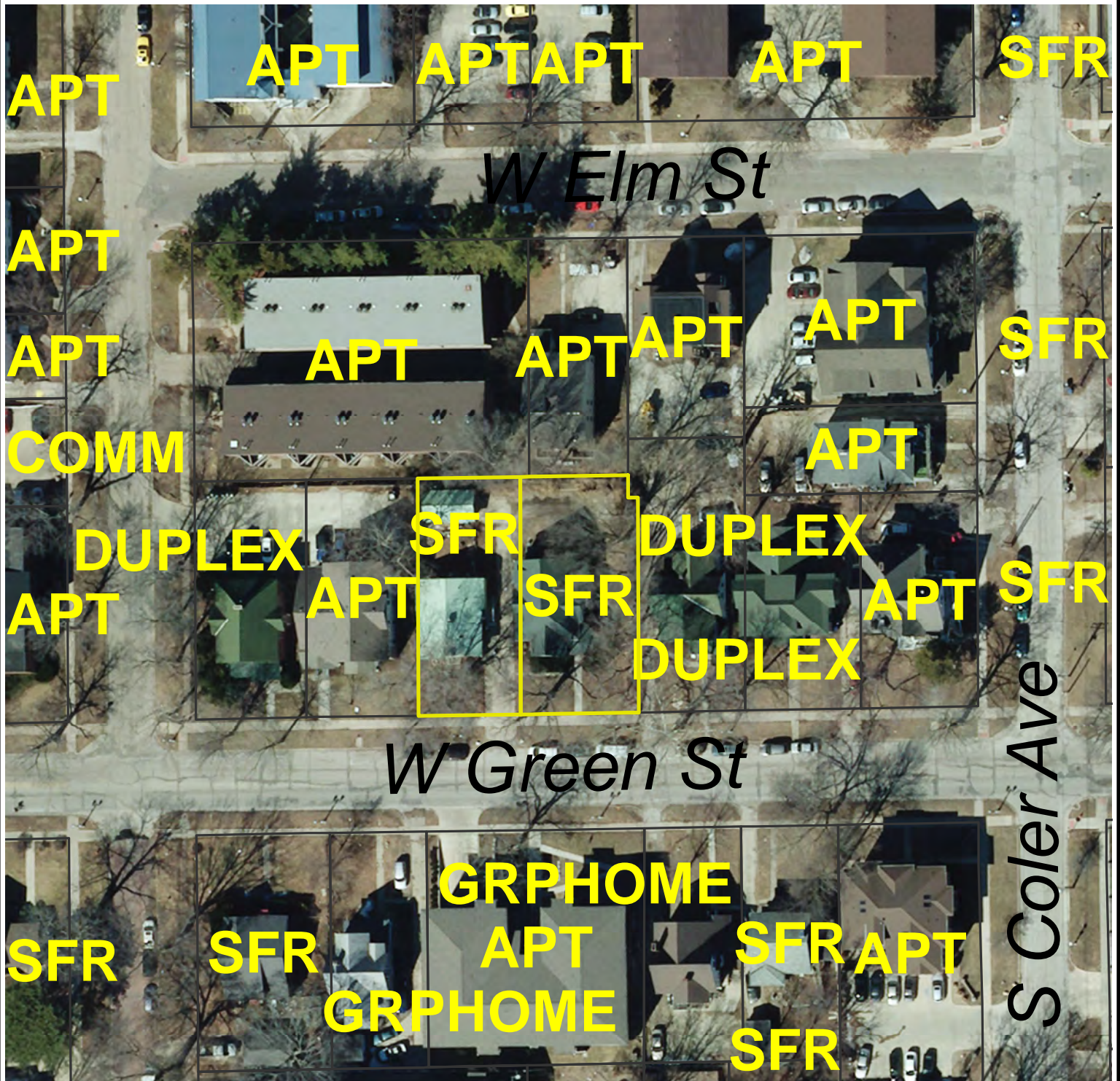
1. The site is developed in general compliance with the described conditions, except for any such modifications required by the MOR Development Review Board, provided those modifications do not exceed the requested variances.
2. The variance approvals are contingent upon approval of any site plan by the MOR Development Review Board.

Attachments:      Exhibit A:      Location & Aerial Map  
                         Exhibit B:      Zoning Map  
                         Exhibit C:      Future Land Use Map  
                         Exhibit D:      Existing Site Survey  
                         Exhibit E:      Site Photos  
                         Exhibit F:      Map of Storm Sewer Line  
                         Exhibit G:      Petition for Variance

cc:                    Andrew Fell  
                         Sohail Chaudhry



# Exhibit A: Location & Existing Land Use Map



 Subject Property



Case: ZBA-2016-MAJ-02, ZBA-2016-MAJ-03, ZBA-2016-MAJ-04

Subject: Variance for Front Yard and Side Yard Setbacks

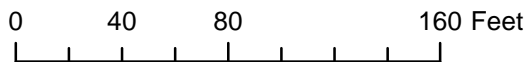
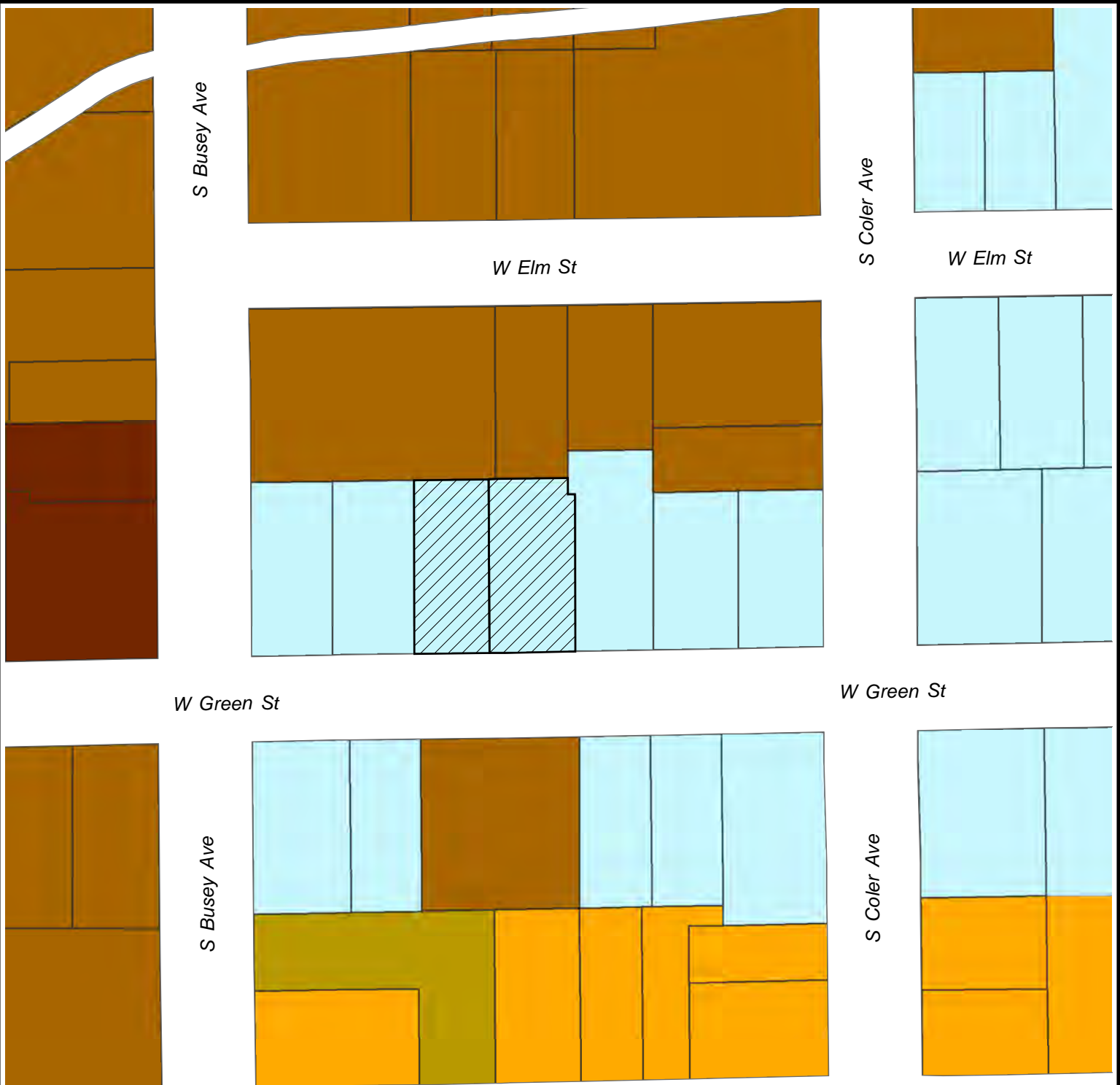
Location: 708 and 710 West Green Street

Petitioners: Andrew Fell

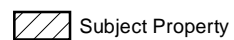
Prepared 4/15/2016 by Community Development Services - Christopher Marx



# Exhibit B: Zoning Map

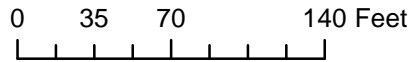
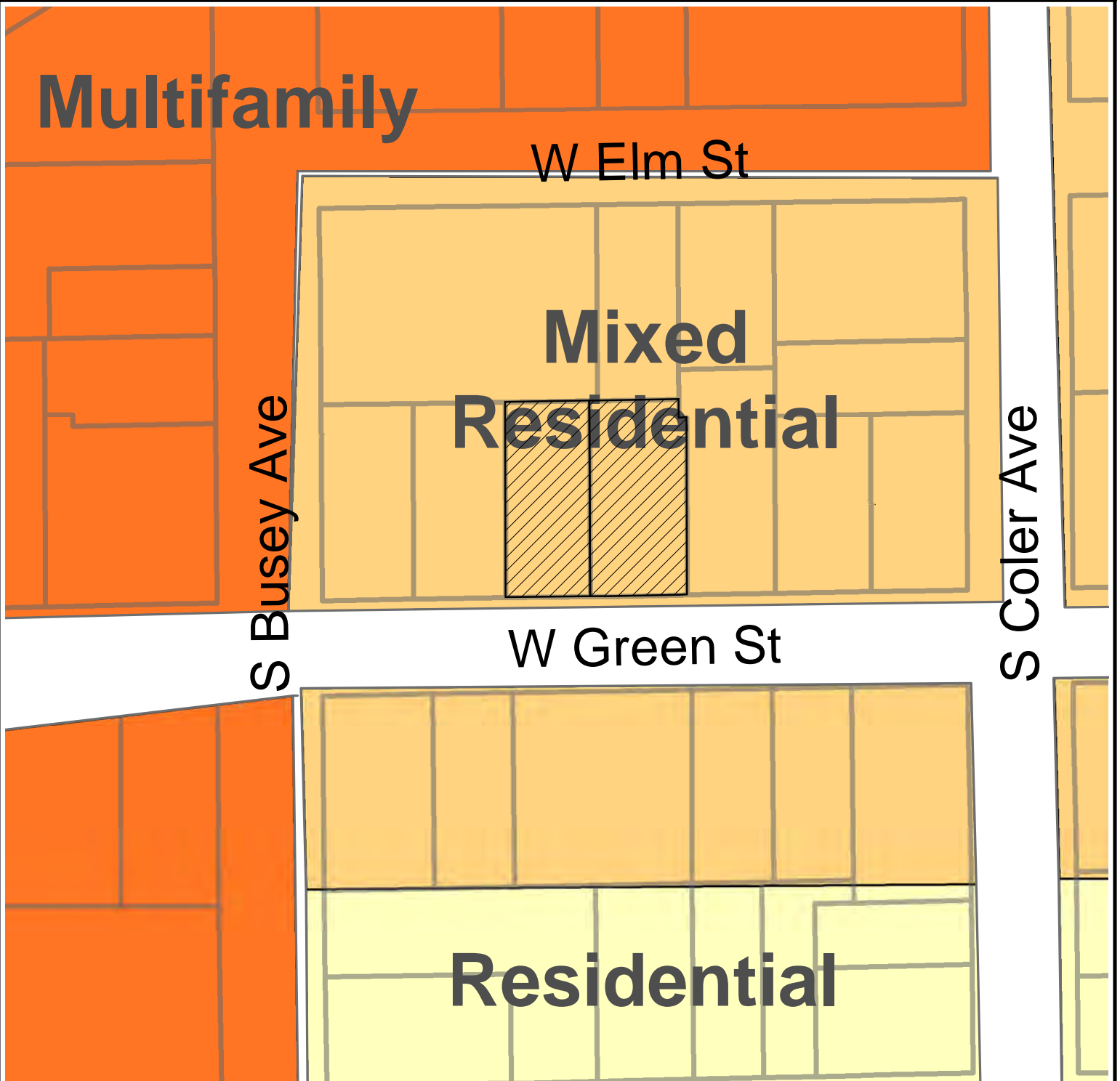


Case: ZBA-2016-MAJ-02, ZBA-2016-MAJ-03, ZBA-2016-MAJ-04  
 Subject: Variance for Front Yard and Side Yard Setbacks  
 Location: 708 and 710 West Green Street  
 Petitioners: Andrew Fell



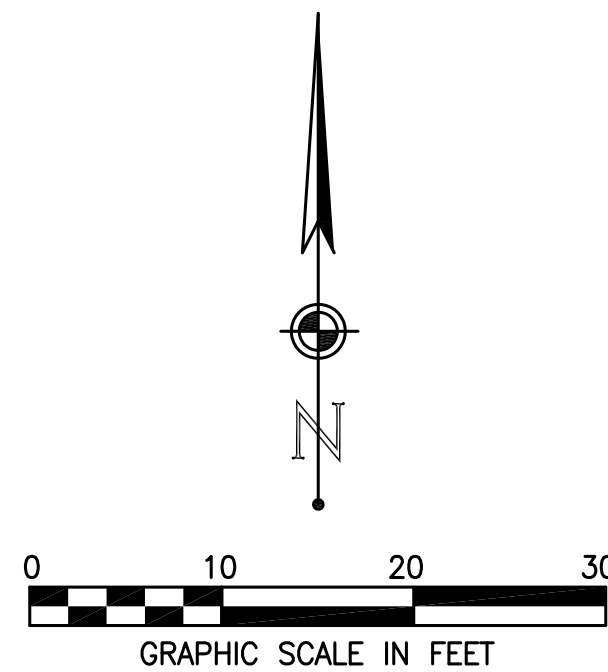
- MOR
- R3
- R4
- R5
- R6

# Exhibit C: Future Land Use Map



Case: ZBA-2016-MAJ-02, ZBA-2016-MAJ-03, ZBA-2016-MAJ-04  
Subject: Variance for Front Yard and Side Yard Setbacks  
Location: 708 and 710 West Green Street  
Petitioners: Andrew Fell

- Residential
- Mixed Residential
- Multi-Family Residential
- Subject Property

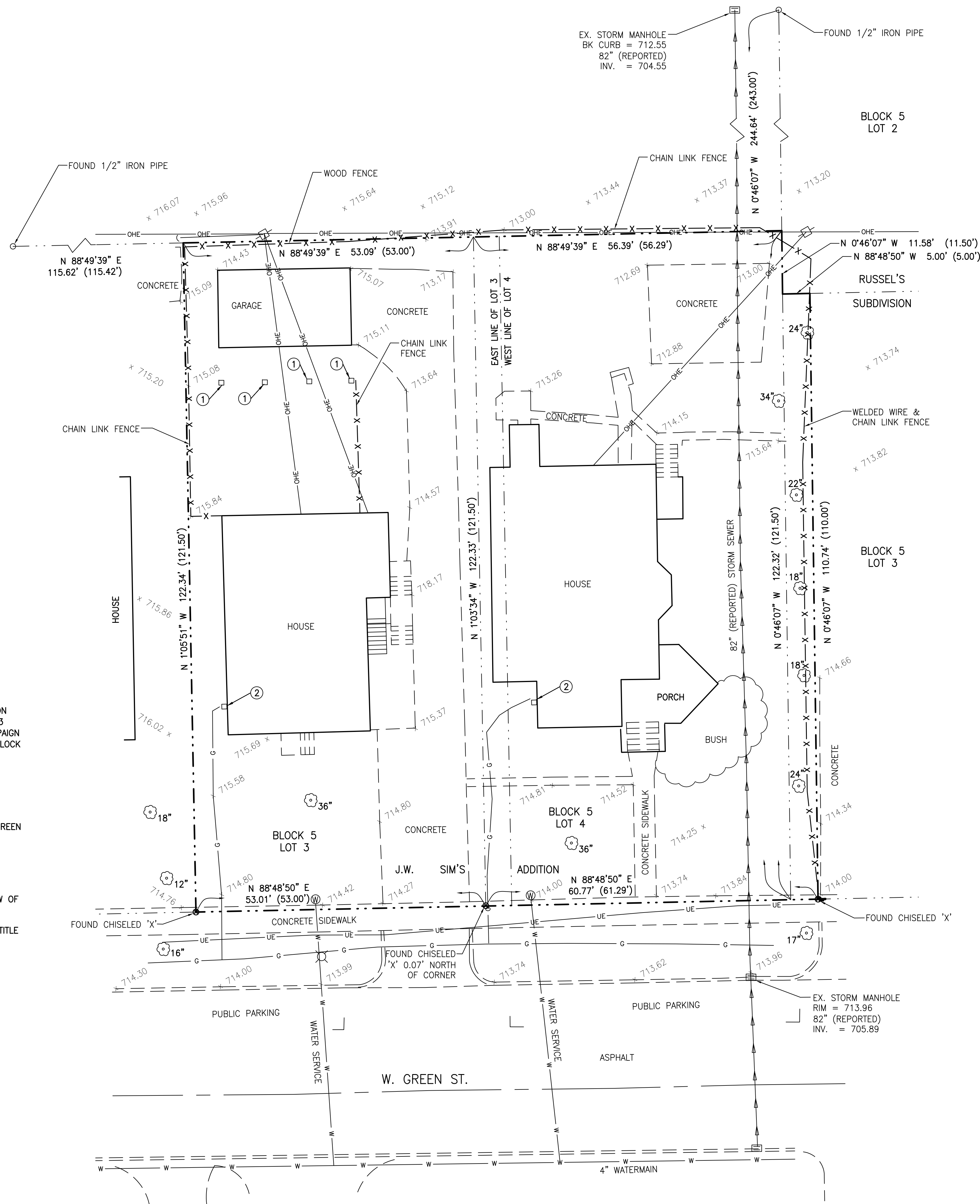


**SHEET LEGEND**

---	BOUNDARY OF TRACT
---	PROPERTY LINE
---	EXISTING CENTERLINE
OHE	EXISTING OVERHEAD ELECTRIC
---	EXISTING STORM SEWER
W	EXISTING WATERMAIN / WATER SERVICE
UE	EXISTING UNDERGROUND ELECTRIC
G	EXISTING GAS LINE
X-X-X-X-X	EXISTING FENCE
⊙	EXISTING DECIDUOUS TREE W/ DIAMETER
○	IRON PIPE / PIN FOUND
⊠	EXISTING STORM INLET / MANHOLE
⊕	EXISTING GUY WIRE
⊙	EXISTING LIGHT POLE
⊕	EXISTING POWER POLE
(100')	RECORD DIMENSION
⊙	EXISTING SPOT ELEVATION
⊙	EXISTING WATER VALVE

**NOTES:**

- LEGAL DESCRIPTION: THE WEST 53 FEET OF LOT 53 OF LOT 3 IN BLOCK 5 OF J.W. SIM'S ADDITION TO THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS (PARCEL 1). LOT 3 (EXCEPT THE WEST 53 THEROF) AND ALL OF LOT 4 IN BLOCK 5 OF J.W. SIM'S ADDITION TO THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, ALSO THE WEST 5 FEET OF LOT 3 OF H.M. RUSSELL'S SUBDIVISION OF LOT 5 IN BLOCK 5 OF J. W. SIM'S ADDITION TO URBANA, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS. (PARCEL 2)
- BEARINGS SHOWN ON THE PLAT ARE ON AN ASSUMED LOCAL DATUM.
- THE OVERALL TRACT OF LAND AS SHOWN ON THE SURVEY ENCOMPASSES 0.319 ACRES, MORE OR LESS.
- THE ADDRESS FOR THE PROPERTY IS: 710 W. GREEN ST., URBANA, IL (PARCEL 1) AND 708 W. GREEN ST., URBANA, IL (PARCEL 2).
- THE CURRENT ZONING FOR THIS PROPERTY IS MOR (MIXED OFFICE RESIDENTIAL).
- THE FIELD WORK FOR THIS SURVEY WAS COMPLETED ON MARCH 2016.
- THE SANITARY SEWER LOCATIONS COULD NOT BE DETERMINED FROM THE FIELD SURVEY OR REVIEW OF CITY OF URBANA MAPPING.
- NO EASEMENTS AFFECTING THE PROPERTY WERE IDENTIFIED ON ATTORNEYS' TITLE GUARANTY FUND TITLE COMMITMENT NO. 150022801182. NO INDEPENDENT REVIEW OF EXISTING EASEMENTS AFFECTING THE PARCEL WAS COMPLETED.



**KEYNOTES**

①	3.5" x 3.5" WOOD POST
②	GAS METER

**REVISIONS**

NO.	DATE	DESCRIPTION

**BKB ENGINEERING**  
 301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820  
 CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

TOPOGRAPHIC / BOUNDARY SURVEY  
 708 & 710 W. GREEN ST.  
 URBANA, ILLINOIS

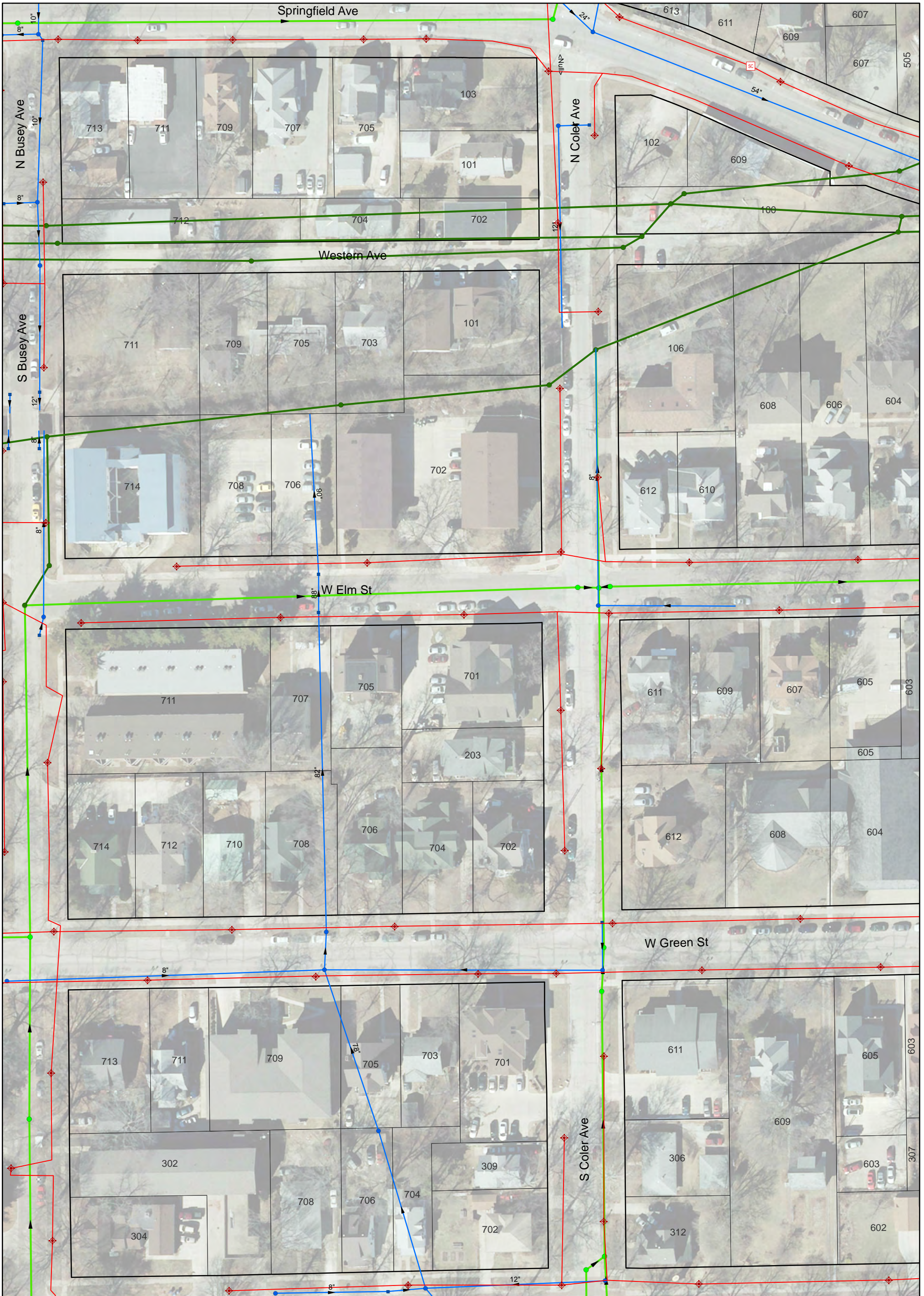
PROJECT: 40-1603
DESIGN BY: BKB
DRAWN BY: BKB
DATE: 4/6/16
SHEET: 1



# Exhibit E – Site Photos







**Utility Map: SWC Coler Av & Elm St  
Urbana, IL**

*The locations shown are only approximations and are based on the most recent utility maps provided to the City of Urbana Public Works Engineering Division. Aerial photo: 2014.*

**Legend**

- ▶ Urbana Sanitary Sewer
- U-CSD Sanitary Sewer
- - - U-CSD Pressurized Main
- ▶ Urbana Storm Sewer
- Urbana Street Lighting







# Application for Zoning Appeals

# ZONING BOARD OF APPEALS

## APPLICATION FEE ~ \$150.00

The Applicants are responsible for paying the cost of legal publication fees as well. Estimated costs for these fees usually run between \$75.00 to \$225.00. The applicant is billed separately by the News-Gazette.

### DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed \_\_\_\_\_ ZBA Case No. \_\_\_\_\_

Fee Paid - Check No. \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

APPEAL is taken from the enforcing officer's decision, a copy of which is attached, for a reversal or modification of said decision in conformity with the discretionary powers of the board to permit the following use or construction proposed \_\_\_\_\_ on the property described below, and in conformity with the plans on the application.

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Andrew Fell Phone: 217-363-2890  
Address (street/city/state/zip code): 515 N. HICKORY, SUITE 101, CHAMPAIGN, IL 61820  
Email Address: andrewfell@comcast.net  
Property interest of Applicant(s) (Owner, Contract Buyer, etc.):

#### 2. OWNER INFORMATION

Name of Owner(s): Dr Sahail Chaudhry Phone: 217-377-0232  
Address (street/city/state/zip code): 4411 Trotshire Circle, Champaign, IL 61822  
Email Address: schaudry05@gmail.com  
Is this property owned by a Land Trust?  Yes  No  
If yes, please attach a list of all individuals holding an interest in said Trust

#### 3. PROPERTY INFORMATION

Location of Subject Site: 708 W. Green Street, 710 W. GREEN STREET  
PIN # of Location: 92-21-17-106-019 (708) 92-217106011 (710)  
Lot Size: 55.79' x 121.5'



Current Zoning Designation: MDR

Current Land Use (vacant, residence, grocery, factory, etc): Vacant Rental House

Proposed Land Use: 6 Unit Apartment Building

Legal Description (If additional space is needed, please submit on separate sheet of paper):

SEE ATTACHED - PARCEL 2

#### 4. CONSULTANT INFORMATION

Name of Architect(s): Andrew Fell Architecture

Phone: 217-363-2850

Address (street/city/state/zip code): 515 N. Hickory, Suite 101, Champaign, IL 61820

Email Address: andrewfell@comcast.net

Name of Engineers(s): BKB Engineering

Phone:

Address (street/city/state/zip code): 301 N. Neil, Suite 400, Champaign, IL 61820

Email Address: bbradshaw@bkbeng.com

Name of Surveyor(s): BKB Engineering

Phone: 217 531-2921

Address (street/city/state/zip code):

Email Address:

Name of Professional Site Planner(s):

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Attorney(s):

Phone:

Address (street/city/state/zip code):

Email Address:

#### 5. SUMMARY OF PARTIES' POSITION IN THIS APPEAL:

The specific decision appealed from is:

SEE ATTACHED

Current Zoning Designation:

Current Land Use (*vacant, residence, grocery, factory, etc:*

Proposed Land Use:

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

#### 4. CONSULTANT INFORMATION

**Name of Architect(s):**

Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Engineers(s):**

Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Surveyor(s):**

Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Professional Site Planner(s):**

Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Attorney(s):**

Phone:

Address (*street/city/state/zip code*):

Email Address:

#### 5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

Explain why the variance will not alter the essential character of the neighborhood.

Explain why the variance will not cause a nuisance to adjacent property.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

***NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.***

***By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.***

5. REASONS FOR VARIATION

*Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.*

The properties and 708 and 710 West Green were purchased for the purposes of removing the existing converted residences and constructing two small apartment buildings. The initial intent was to construct two buildings as mirror images of each other and utilize the existing shared drive between 708 and 710 West Green. These new buildings were to be constructed by rights under the requirements of the MOR District.

After the sales were completed, we embarked on the design of the buildings. The initial step was to get the properties surveyed. The survey uncovered the existence of an 84" brick arch storm sewer running down the east side of 708 West Green. This storm sewer is approximately 11 feet off the east property line – to the center of the sewer. This storm sewer has no easement of any kind, so it did not show up on any title work completed as part of the sale of the lot. The Owner had no way of knowing of its existence until the civil engineer 'discovered' it. Presumably the seller and all previous owners of this property had no knowledge of its existence either.

In conversations with City staff, we will not be allowed to construct any portion of the building within 10 feet of the edge of this sewer line. This effectively increases our side yard setback from 7' to approximately 24'-6". This along with the setback on the west side of the lot reduces the buildable width of the lot to only 23'-6".

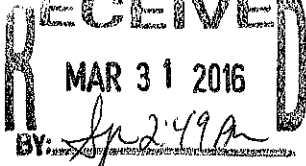
The front yard setback is a minimum of 15', or the average of the lots along the block face, to a maximum of 25'. While we have not established the exact average setback of the block, it is approximately 30'-11 3/4" as field measured on site (see below), resulting in a required setback of 25'. Additionally we are to provide on site parking which will consume a minimum of 47.5' of lot depth.

To mitigate the encroachment of the storm sewer, we are asking to reduce the west side yard setback on 708 West Green to a minimum of 5', and reduce the front yard setback on both 708 and 710 West Green to the minimum requirement of 15'. We are requesting the reduction of the front yard setback on both properties so that we can create a more cohesive pair of buildings and allow them to relate to each other in a more aesthetic manner.

Even with these minor concessions, this lot will be a difficult design problem.

Set backs – 700 block of West Green Street

702	38'-0"	36.5	
704	34'-10"	37.5	
706	29'-10"	29.5	
708	31'-0"	15	
710	31'-6"	15	
712	28'-0"	22.6	
714	23'-9"	19.5	
Average =	30'-11 3/4"	25.09	



**CERTIFICATION BY THE APPLICANT**

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

L.T.M.  
Applicant's Signature

3.25.16  
Date

**PLEASE RETURN THIS FORM ONCE COMPLETED TO:**

City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367

The decision appealed from was inconsistent with the following sections of the Zoning Ordinance of the City of Urbana, Illinois. **(IDENTIFY EACH SECTION BY NUMBER AND QUOTE THE RELEVANT LANGUAGE OF EACH.)**


I believe the decision appealed from was inconsistent with the above described section(s) for the following specific reason(s): **(BRIEFLY STATE THE SPECIFIC FACTS AND ARGUMENTS IN SUPPORT OF YOUR POSITION.)**

***NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.***

***By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.***

**CERTIFICATION BY THE APPLICANT**

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

  
\_\_\_\_\_  
Applicant's Signature

3.24.16  
Date

**PLEASE RETURN THIS FORM ONCE COMPLETED TO:**

City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367