



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: Marcus Ricci, Planner II

DATE: September 14, 2018

SUBJECT: **ZBA-2018-C-06:** A request for a Conditional Use Permit by Lance & Lesen Schideman, to allow a Duplex Dwelling at 610 West Oregon Street in the R-2, Single-Family Residential Zoning District.

Introduction

Lance and Lesen Schideman, the property owners of 610 West Oregon Street, are requesting a Conditional Use Permit (CUP) to recognize the currently legally-nonconforming duplex dwelling as a legally-conforming conditional use. The structure was determined to be a legally-established duplex in 1987. Granting the CUP would remove the nonconforming status and allow expansion of the living area of the structure into the existing attic. Section V-1.A. of the Urbana Zoning Ordinance permits a Duplex Dwelling in the R-2, Single-Family Zoning District with a Conditional Use Permit.

The Urbana Zoning Board of Appeals must review the CUP application and hold a public hearing. It may vote to approve, approve with the conditions, or deny the application.

Background

The subject property is an existing two-story, two-family dwelling unit of approximately 2,270 square feet living area. It has been used as a duplex dwelling since as early as 1940, when it was listed in the Champaign-Urbana City Directory as a “duplex.” In 1987, city staff determined that the property was a legally-established duplex with the lower unit comprised of the first floor and basement, and the upper unit comprised of the second floor and attic. There is no evidence the attic has ever been finished living space. The applicants want to finish the attic to create additional living space to more comfortably accommodate the potential residents of the upstairs dwelling unit.

Land Use and Zoning

The subject property contains a two-family dwelling unit (duplex) and a detached two-car garage, and is located on the north side of West Oregon Street between Coler Avenue and Orchard Street (Exhibit A). The subject property and the surrounding blocks are all zoned R-2 (Exhibit B). The primary use of the nine-block area is as single-family homes; there are a significant number of duplexes and apartment buildings. The table below lists the subject and surrounding properties’ current zoning and land use.

Location	Zoning	Existing Land Use	Future Land Use
Subject Site	R-2, Single-Family Residential	Single-family dwelling	Residential
North	R-2, Single-Family Residential	Single-family dwelling; few duplexes and apartment buildings	Residential
South	R-2, Single-Family Residential	Single-family dwelling; few duplexes and apartment buildings	Residential
East	R-2, Single-Family Residential	Single-family dwelling; few duplexes and apartment buildings	Residential
West	R-2, Single-Family Residential	Single-family dwelling; few duplexes and apartment buildings	Residential

Discussion

The owners are requesting a Conditional Use Permit (CUP) to allow a duplex dwelling on their property. The CUP procedures are meant to ensure that the proposed use is consistent with the intentions of the R-2 zoning district. Although the existing structure was determined to be a legally-established duplex in 1987, the R-2 Zoning District allows duplexes only with a CUP; otherwise, a duplex is treated as a nonconforming use. Under the Urbana Zoning Ordinance, nonconforming uses – such as the subject property – are not permitted to be “extended or expanded into any other portion of the building, beyond that part of the building in such use” (Section X-2.A.). If the requested CUP is granted, the duplex use status would be changed from nonconforming to conforming, allowing the applicants to finish the attic.

The existing lot meets all of the development regulations to be the site of a duplex dwelling including a minimum lot width of 60 feet and minimum lot area of 6,000 square feet (Section VI-3.B.). The subject lot is 64.5’ wide and is 7,800 square feet in area.

The existing structure will continue to meet the Zoning Ordinance’s other development criteria. It contains approximately 2,266 sf of living area (1,217 sf on the first floor and 1,049 sf on the second floor). The additional approximately 554 net sf of proposed living area in the finished attic would increase the Floor-Area Ratio from 0.29 to 0.36, less than the FAR maximum of 0.40. The lot contains 2,173 sf of open space. The proposed 554 sf of proposed attic living area would decrease the Open Space Ratio to 0.77, more than the OSR minimum of 0.40. The proposed expansion would not alter the existing building height or yards (Exhibit C, Appendix A). The required off-street parking for four vehicles – two vehicles for each dwelling unit – is met by the existing driveway (four cars) and garage (two cars).

In response to the concerns expressed at the neighborhood meeting, city staff discussed potential conditions that could be placed on the CUP to address the concerns regarding increased occupancy and parking, and considered the following options: limiting the number of cars permitted to park either on the site or on the street, limiting the occupancy, and/or limiting the number of bedrooms. Regarding limiting parking, there is currently no mechanism to restrict the number of on-street parking permits that a resident can purchase. Regarding limiting occupancy, although a Certificate of Occupancy and/or CUP could specify the maximum number of residents permitted in a dwelling unit, it could be difficult to enforce that condition due to the logistics of determining residents versus visitors, and how many are at the house at any given time and for what duration and frequency. Regarding limiting the number of bedrooms, this could be accomplished by specifying the number of

bedrooms for the upper dwelling unit in both the Certificate of Occupancy as well as in the CUP; enforcement could be through the review of the building plans submitted for the required building permit, inspection of the completed work prior to issuing the Certificate of Occupancy, and during the scheduled systematic inspections conducted by the Building Safety Housing Inspectors for the Rental Registration Program. Violation of the number of bedrooms could result in the revocation of the Certificate of Occupancy and/or the Conditional Use Permit. Staff concluded that limiting the number of bedrooms for the upper dwelling unit would be the most likely to be effective.

Requirements for a Conditional Use Permit

According to Section VII-2 of the Urbana Zoning Ordinance, an application for a Conditional Use Permit (CUP) shall demonstrate the following requirements. City staff analysis follows each criteria.

1. That the proposed use is conducive to the public convenience at that location.

The requested CUP is conducive to the public convenience because the requested change in designation from a *legally non-conforming* duplex to a *conditionally-permitted* duplex is simply intended to formally recognize the long-standing use of the property as a duplex dwelling, which has been recognized by the City of Urbana dating as far back as 1940. The change in designation is required for any expansion of the living area, which would accommodate current and future residents. The change in designation from nonconforming to conforming would not change the use of the property and, therefore, would not affect neighborhood traffic or the public convenience. The requested expansion is minimal and is contained within the existing footprint of the building.

2. 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.

The proposed expansion of the existing duplex dwelling unit will be designed, located, and operated so as not to be unreasonably injurious or detrimental to the R-2 zoning district or to the public welfare. If the CUP is granted, the structure would continue to be operated as a duplex, as it has been operated for decades. Both the structure's footprint and maximum occupancy will remain unchanged. Because one of the applicants' family is planning to occupy the upper unit and act as property manager, they want to increase its amenities by adding a bathroom and one or two bedrooms that could also serve as extra living spaces (Exhibit C). Exterior work will be limited to replacing an exterior light and installing a dormer (Exhibit C).

3. 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.

The proposed expansion of the existing duplex dwelling unit conforms to the applicable regulations and preserves the character of the R-2 zoning district. The only significant exterior change is the installation of a dormer, which will not result in a significant change to the essential character of the structure or the R-2 district in which it is located, which contains several other duplexes as well as apartment buildings. It is in a neighborhood that contains other duplexes and rental dwellings. By residing in the structure as a resident property manager, the applicants hope to both enjoy and protect the character of the neighborhood, as residents rather than simply as property managers. The

proposed structural expansion will conform to all standards adopted by the Urbana Building Safety Division as well as the requirements of the Urbana Zoning Ordinance (FAR, OSR, etc.) for the R-2 district. The proposal would conform to the general purpose and intent of the R-2, Single-Family Residence zoning district, which is stated by the Zoning Ordinance (Section IV-2.J.) to provide: "...areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings."

Consideration

According to Zoning Ordinance § XII-2, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the Conditional Use Permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require the screening of such use by means of fences walls or vegetation;
3. Stipulate a required minimum lot size;
4. Regulate vehicular access and volume;
5. Require conformance to health, safety, and sanitation requirements as necessary;
6. Increase the required yards; and
7. Any other conditions deemed necessary to affect the purposes of this Ordinance.

Public Outreach and Comment

In addition to personal meetings and communication via the West Urbana Neighborhood Association (WUNA) listserv, the applicants invited members of the listserv and neighborhood to participate in a public meeting on September 12, 2018, at 7:30 p.m., at the Urbana Free Library; seven people attended. The applicants explained their wish to personally manage the house as a rental property with one of their children living there as the property manager. They stated that they wished to improve the house to allow room for a total of three renters plus the property manager to live in the upstairs dwelling unit, each with their own bedroom.

The primary concern expressed by many of the attendees included any increase in occupancy, even if those increases are permitted under the current status as a duplex.¹ The applicants responded by asking if reducing the number of upstairs bedrooms to one would reduce the concerns about occupancy increases; several attendees responded that any expansion would likely increase occupancy because it

¹ Section V-11.C. of the Urbana Zoning Ordinance limits occupancy to: "no more than one household, as defined herein, and no more than three additional persons not related to said household: single-family, duplex..."

would be difficult to enforce that only the bedroom would be used as a sleeping area. Some attendees mentioned that investment in the residential area was encouraging.

Other concerns included a potential increase in the number of cars parked on-street. City staff explained that, while there are approximately 20 on-street parking spaces available along the double-block of West Oregon from Coler Street to McCullough Street, only two on-street parking permits have been issued for that area.

As of Friday, September 14, 2018, city staff have received one letter of opposition to the proposed CUP application and three letters of support for the CUP application. Contrary to statements expressed in the letter of opposition, the proposed renovations do not require a change in zoning classification or a variance.

Note: City staff later refined the on-street parking analysis and found there are 11 on-street parking spaces on West Oregon Street between Coler and Orchard Streets. . There is only one on-street parking permit issued for the block of Oregon Street between Coler and Orchard Streets.

Summary of Findings

1. The applicants request a Conditional Use Permit for the existing duplex at 610 West Oregon Street in the R-2, Single-Family Residential zoning district from legally nonconforming to conditionally permitted, to allow for expansion of the living area into the existing attic. The Urbana Zoning Ordinance allows a duplex dwelling unit in the R-2 district with a CUP.
2. The existing two-story structure includes 2,266 square feet of living space on the first and second floors. The proposed expansion into the attic would add approximately 554 square feet of living area without increasing the structure's overall footprint and to a large degree, its bulk.
3. The proposed structure would be compliant with all Zoning Ordinance requirements for height, setbacks, Floor-Area Ratio, Open Space Ratio, and off-street parking.
4. The proposed use is conducive to the public convenience because the requested change in designation from a *legally non-conforming* duplex to a *conditionally-permitted* duplex would not change the use of the property and, therefore, would not affect neighborhood traffic or the public convenience.
5. The proposed use would not be a detriment to the R-2 district because the structure would continue to be operated as a duplex, as it has been operated for decades, with no change to the building footprint or maximum occupancy.
6. The proposed use is consistent with the applicable regulations and standards of, and preserves the essential character of, the R-2 district in which it shall be located, as the only significant exterior modification will be the addition of a dormer will comply to all standards of the Urbana Zoning Ordinance and Building Safety Regulations, and will not result in a significant change to the character of the R-2 district.
7. A meeting for neighbors was held on September 12, 2018. Issues raised included the potential for

an increase in occupancy and the number of cars parking on-street.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2018-C-06:

1. **Grant** the conditional use as submitted; or
2. **Deny** the conditional use as submitted; or
3. **Grant the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.

Recommendation

Based on the evidence 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 proposed conditional use in Case ZBA-2018-C-06 for the reasons articulated above. Should the Zoning Board of Appeals approve the proposed use, Staff recommends that the use shall be subject to the following conditions:

1. Modifications to the existing structure generally conform with the building plan and elevation in Exhibit D entitled “610 W Oregon Proposed 3rd Floor Plan” and “Primary West Elevations,” submitted with this application.
2. The new structure conforms with all applicable zoning and building safety codes in the City.

If the Zoning Board of Appeals wishes to place an additional condition to address concerns regarding occupancy, staff recommends the following modified condition:

1. Modifications to the existing structure generally conform with the building plan and elevation in Exhibit D entitled “610 W Oregon Proposed 3rd Floor Plan” and “Primary West Elevations,” submitted with this application and revised to indicate a maximum of three bedrooms for the upper dwelling unit.

The specifics of this recommendation may change during the course of formal review of ZBA Case No. 2018-C-06.

Attachments:	Exhibit A:	Location & Aerial Map
	Exhibit B:	Zoning Map
	Exhibit C:	Conditional Use Permit Application, including 3 rd Floor Plan and West Elevations
	Exhibit D:	Site Photos
	Exhibit E:	Correspondence

cc: Lance and Lesen Schideman, Owners/Applicants

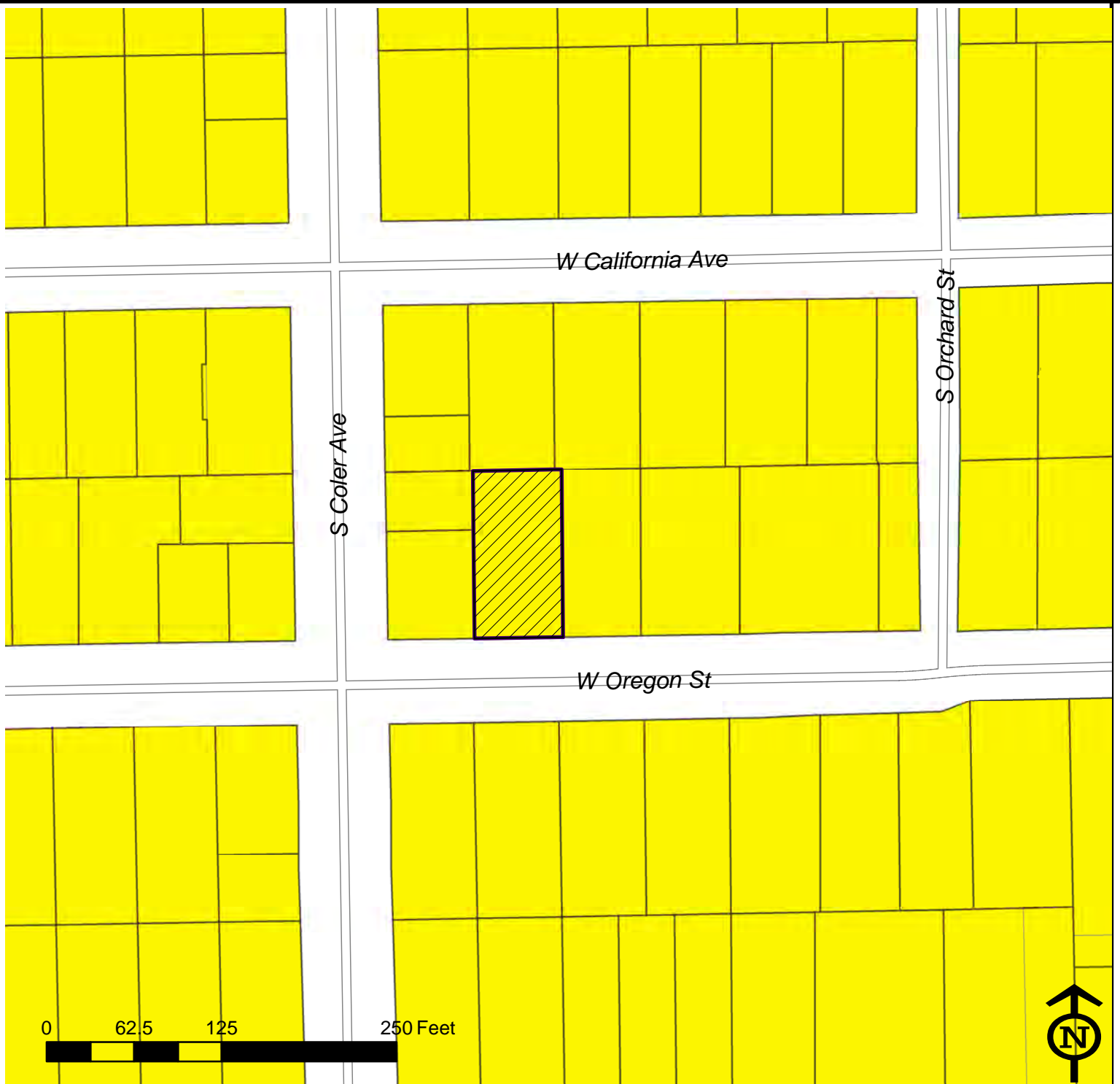
Exhibit A: Location & Existing Land Use Map





Case: ZBA-2018-C-06
 Subject: Conditional Use Permit for Duplex Dwelling
 Location: 610 West Oregon Street
 Petitioner: Lance & Lesen Schideman

 Subject Property

Exhibit B: Zoning Map



Case: ZBA-2018-C-06
Subject: Conditional Use Permit for Duplex Dwelling
Location: 610 West Oregon Street
Petitioner: Lance & Lesen Schideman

 Subject Property
 R2



Application for
Conditional Use Permit

ZONING BOARD
OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed *initial app. 8/20/2018*

ZBA - 2018 - C - do

Fee Paid - Check No. *2079*

Amount *\$175.00*

Date *8/20/2018*

ZBA Case No.

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A CONDITIONAL USE PERMIT is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following use or construction purpose:

610 W Oregon to be designated a Legally Permitted Conforming Duplex on the property described below, and in conformity with the plans in the permit application.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Lance and Lesen Schideman

Phone: 217-766-8554

Address (street/city/state/zip code): 610 W Oregon, Urbana, IL, 61801

Email Address: lancelesen@hotmail.com

Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owner

2. OWNER INFORMATION

Name of Owner(s): Luke, Lance, Lesen Schideman

Phone: 217-766-8554

Address (street/city/state/zip code): 610 W Oregon, Urbana, IL, 61801

Email Address: lancelesen@hotmail.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: 610 W Oregon Street, Urbana

Exhibit C: Application for Conditional Use Permit

PIN # of Location: 92-21-17-160-011

Lot Size: 7,799 sf

Current Zoning Designation: Legally Non-Conforming Duplex

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

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

The south one-half of lot 23 in Campbell and Kelly's addition to Urbana as per Plat recorded in deed record "0" at page 392, situated in Champaign County, Illinois

4. CONSULTANT INFORMATION

Name of Architect(s):

Phone:

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

Email Address:

Name of Engineers(s): Lance Schideman, PE

Phone: 217-390-7070

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

Email Address: schidema@illinois.edu

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 CONDITIONAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

The requested change in designation from a legally non-conforming duplex to a conditionally permitted duplex is intended to formally recognize the long-standing use of the property as duplex, which has been documented and recognized by the City of Urbana dating back to before 1986. We are not requesting any change in the use of the property nor in the permitted occupancy. The change in designation is desired to facilitate interior improvements to the house to make it more suitable as an owner-occupied home. This would not affect neighborhood traffic and no change to the public convenience would occur as a result of the change in designation.

Exhibit C: Application for Conditional Use Permit

Explain how 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 or detrimental to the public welfare.

The house is currently operated as a duplex, as it has been operated for decades, and it will continue to be operated as a duplex with the requested change of designation. It is located in a neighborhood that includes other duplexes and multi-family units mixed in with single-family homes. With the proper designation as a conditionally permitted duplex, we will be allowed to undertake interior improvements to the house to make it more suitable as an owner-occupied home. Our hope is to finish the attic and make it a more usable space. This includes adding a bathroom and 2 living spaces. Almost all of the work will be done indoors, limiting disruptions to the neighbors. Work will also include replacing an existing obtrusive outdoor light, which was requested by a neighbor. We will not be increasing the footprint of the structure, changing the character of the home or increasing the occupancy limitations of the unit. Our desire is to improve the home, resulting in a property that adds value to the community.

Explain how 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 may be modified by Section VII-3 of the Urbana Zoning Ordinance, 1979).

The home, which we purchased in 2018, has been a duplex for many decades prior to our ownership, which has been documented by the City of Urbana. The requested change in designation will not result in any significant changes to the essential character of the district and the home. It is in a neighborhood that contains other duplexes and rental dwellings. The previous owner did not occupy the property and used a property management company to manage the property for them. In contrast, we would like to improve the interior for personal use and manage the home as a neighbor. Nothing we are proposing changes the use of the home or is out of step with the neighborhood. The location of the home is zoned R-2, which allows for duplexes meeting the applicable development standards. A review of those standards as it relates to the subject property is provided in the attached Appendix A.

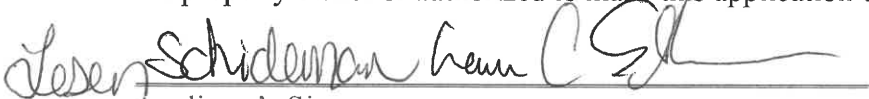
NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.


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.

Exhibit C: Application for Conditional Use Permit

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


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

Exhibit C: Application for Conditional Use Permit

Appendix A:

Comparison of Relevant R-2 Development Regulations in the Current Urbana Zoning Ordinance (Republished November 2015) with the Characteristics of the Property at 610 W Oregon St., Urbana, IL

1. Minimum Lot Area- As described on pages 78-80 of the current Urbana Zoning Ordinance, the minimum lot size required for a duplex platted and recorded before 1970 is 6,000 sf. As shown in the attached drawings, the subject property has dimensions 119.0 ft by 65.54 ft and a lot size of 7,799 sf, which meets the applicable regulations.
2. Minimum or Average Lot Area- As described on pages 78-80 of the current Urbana Zoning Ordinance, the minimum or average lot width required for a duplex platted and recorded before 1970 is 60 ft. As shown in the attached drawings, the subject property has a width of 65.54 ft, which meets the applicable regulations.
3. Maximum Height of Principal Structure- As described on page 78 of the current Urbana Zoning Ordinance, the maximum height allowed for a residential principal structure is 35 ft. As shown in the attached picture, the subject property is a typical residential structure built with two inhabitable floors above ground plus an attic in the sloped hip roof section above the inhabitable floors. This structure has a height of 32 ft using the prescribed measurement technique from the average ground grade to the mean of the eaves and the roof ridge, which meets the applicable regulations.
4. Maximum Floor Area Ratio- As described on page 78 of the current Urbana Zoning Ordinance, the maximum floor area ratio allowed for a residential principal structure is 0.40. As shown in the attached drawings, the subject property has a gross floor area of 2,266 sf, which consists of 1,217 sf on the first floor and the 1,049 sf on the second floor. Given the total lot area of 7,799 the current floor area ratio is 0.29, which meets the applicable regulations. Up to 853 sf of inhabitable space can be added in the attic and still meet the applicable floor area ratio regulations.
5. Minimum Open Space Ratio- As described on page 78 of the current Urbana Zoning Ordinance, the minimum open space ratio allowed for a residential principal structure is 0.40. As shown in the attached drawings, the subject property has an open space area of 2,173 sf (0.05 ac), and the gross floor area is 2,266 sf. Thus, the current open space ratio for the subject property is 0.96, which is substantially greater than minimum required by the applicable regulations. If in the future, the attic is finished with the maximum of 853 sf of inhabitable space as limited by the floor area ratio, the open space ratio would become 0.70, which is still substantially greater than minimum required by the applicable regulations.
6. Required Yards- As described on pages 56-66 and 78-79 of the current Urbana Zoning Ordinance, the minimum required yard depths are 15 ft in the front, 5 feet on the side, and 10 ft in the rear. In addition, the front yard depth must be greater than the average of all front yards on the block. As shown on the attached drawings, the minimum yard depths from the face of the principal residential structure to the lot lines of the subject property using data provided by the Champaign County GIS consortium website are approximately 9 ft for the front yard, 4 ft for the east side yard,

Exhibit C: Application for Conditional Use Permit

19 ft for the west side yard, and 63-ft for the rear yard. Note that there is an open elevated porch structure on the southeast corner of the subject property that extends 2.3 ft further towards the east lot line than the than the principal residential structure. Also, the average front yard depth for all the front yards on the block is approximately 12 ft from the face of the residential principal structure to the lot lines using data provided by the Champaign County GIS consortium website. Note that the Champaign County GIS consortium data does not provide exact distances from structures shown on aerial images to property lines. For instance, the measured distance from the front of principal residential structure to the front sidewalk is 14 ft, which would commonly demark the front yard depth, but the Champaign County GIS consortium data suggest a front yard depth of only 9 ft. Even so, it is clear that the west side yard and the rear yard are substantially greater than minimum required by the applicable regulations. In addition, the detached garage structure in the northwest corner of the subject property clearly meets the applicable minimum setback requirement of 18 in from the property line. However, it is likely that the front yard and east side yard may not meet the applicable minimum yard depth regulations, and a variance will be requested for those two items.

Drawings and Figures Provided with Appendix A

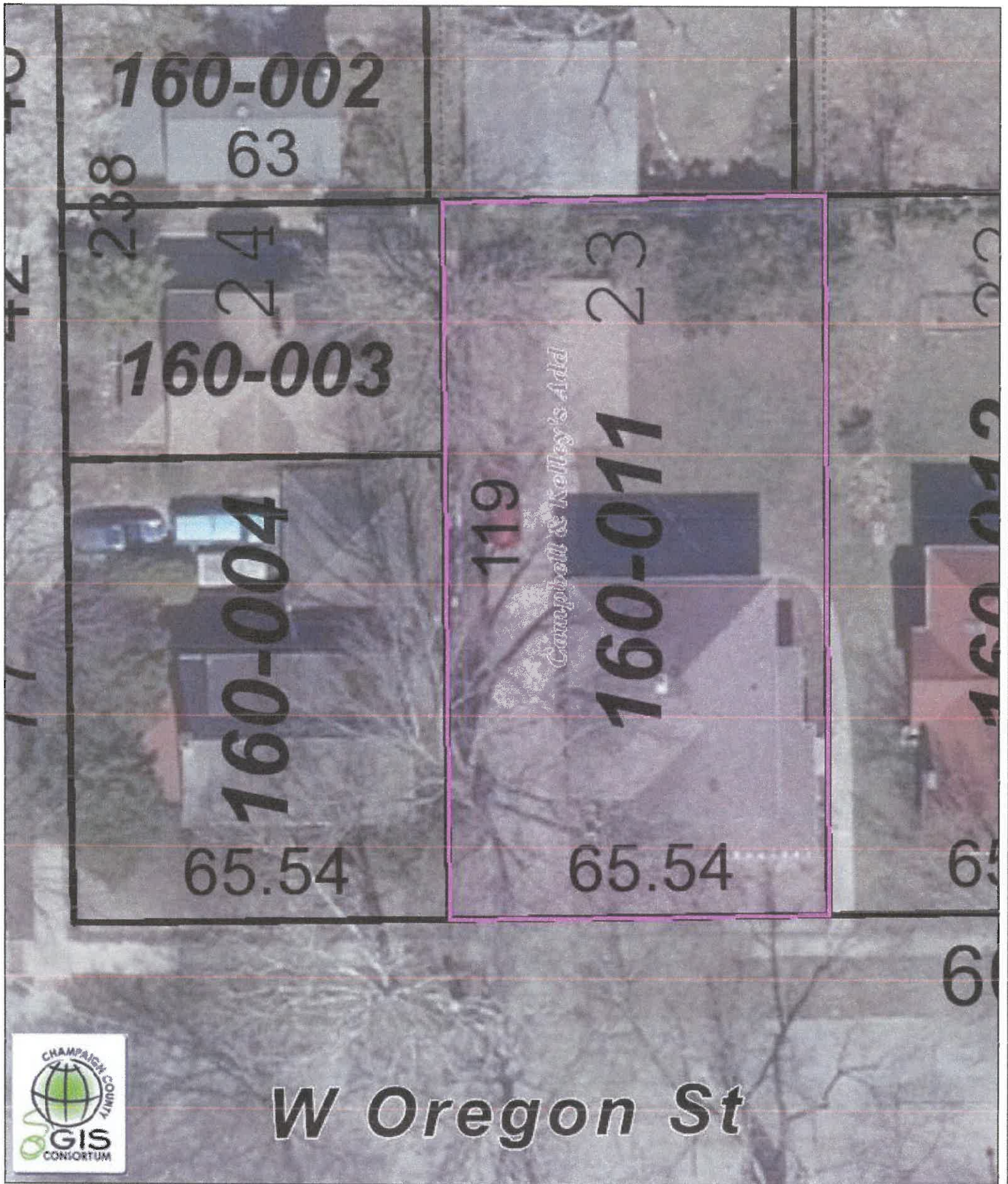
- A. GIS webmap of the neighborhood with the subject property highlighted in pink
- B. GIS webmap close-up of the subject property highlighted in pink with adjacent properties
- C. Picture of the subject property showing basic structure of 2 above-ground floors plus attic
- D. Floorplan sketch of the two above-ground floors of the subject property
- E. GIS webmap siteplan of the subject property showing the open area shaded in light green
- F. GIS webmap siteplan of the subject property showing the yard depths in bright green

GIS Webmap Public Interface Champaign County, Illinois



This map was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGIS member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this map is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this map and information contained herein. The use of this map constitutes acknowledgement of this disclaimer.

GIS Webmap Public Interface Champaign County, Illinois



W Oregon St

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10
Feet



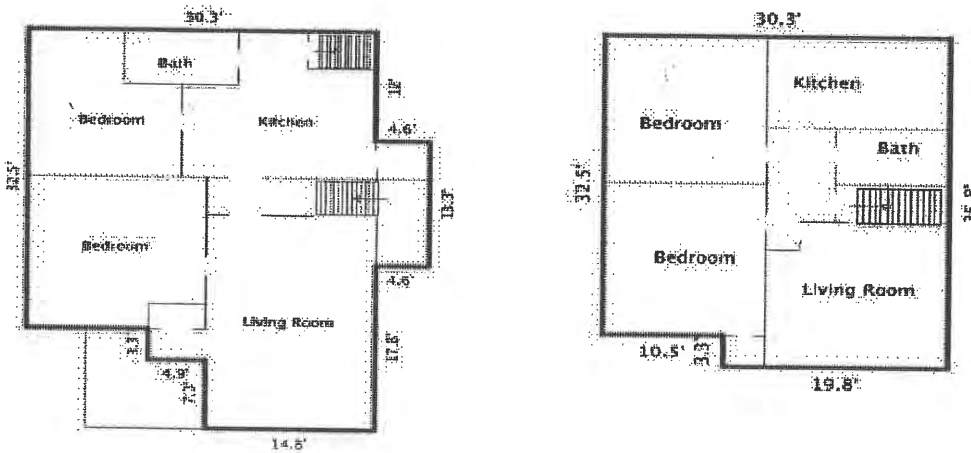
Exhibit C: Application for Conditional Use Permit



Exhibit C: Application for Conditional Use Permit

FLOORPLAN SKETCH

Borrower: Luke A. Schideman/Lance C. Schideman
 Property Address: 610 West Oregon St.
 City: Urbana State: IL Zip: 61801
 Lender: PNC Bank N.A. File No.: 610WOregon-2 Case No.: 7/18J



Sketch by: Arco Holdings

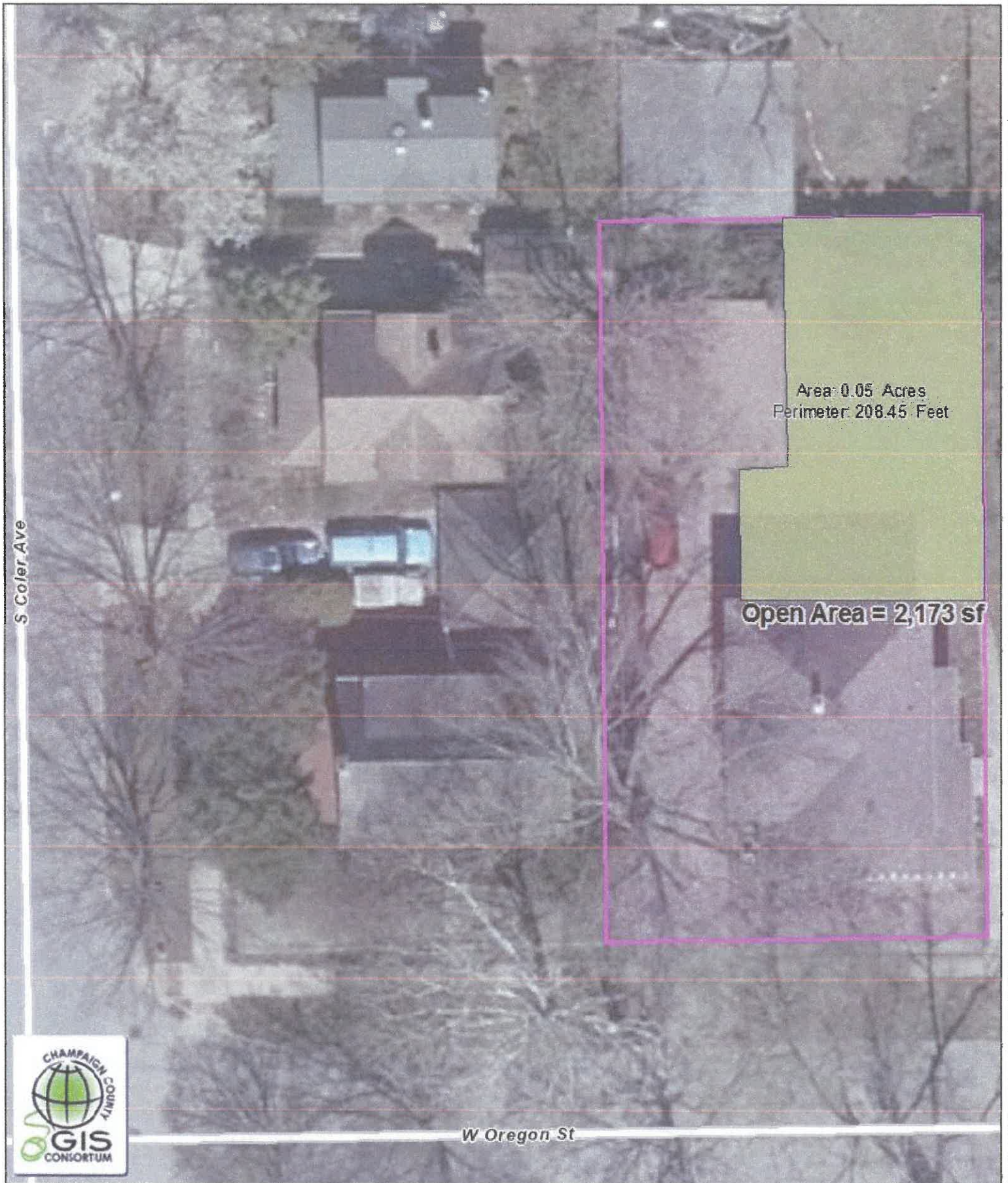
Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GBA1	First Floor	1217.1	1217.1
GBA2	Second Floor	1048.9	1048.9
Net BUILDING Area (rounded)		2266	

BUILDING AREA BREAKDOWN			
Breakdown		Subtotals	
First Floor			
7.3	x	30.3	219.3
12.0	x	30.3	363.0
13.3	x	34.8	461.5
7.3	x	14.8	107.5
3.3	x	19.8	65.8
Second Floor			
30.3	x	32.5	983.1
3.3	x	19.8	65.8
7 Items	(rounded)		2266



GIS Webmap Public Interface Champaign County, Illinois



Area: 0.05 Acres
Perimeter: 208.45 Feet

Open Area = 2,173 sf



W Oregon St

10 Feet



This map application was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGIS member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this application is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this application and information contained herein. The use of this application constitutes acknowledgement of this disclaimer.

GIS Webmap Public Interface Champaign County, Illinois



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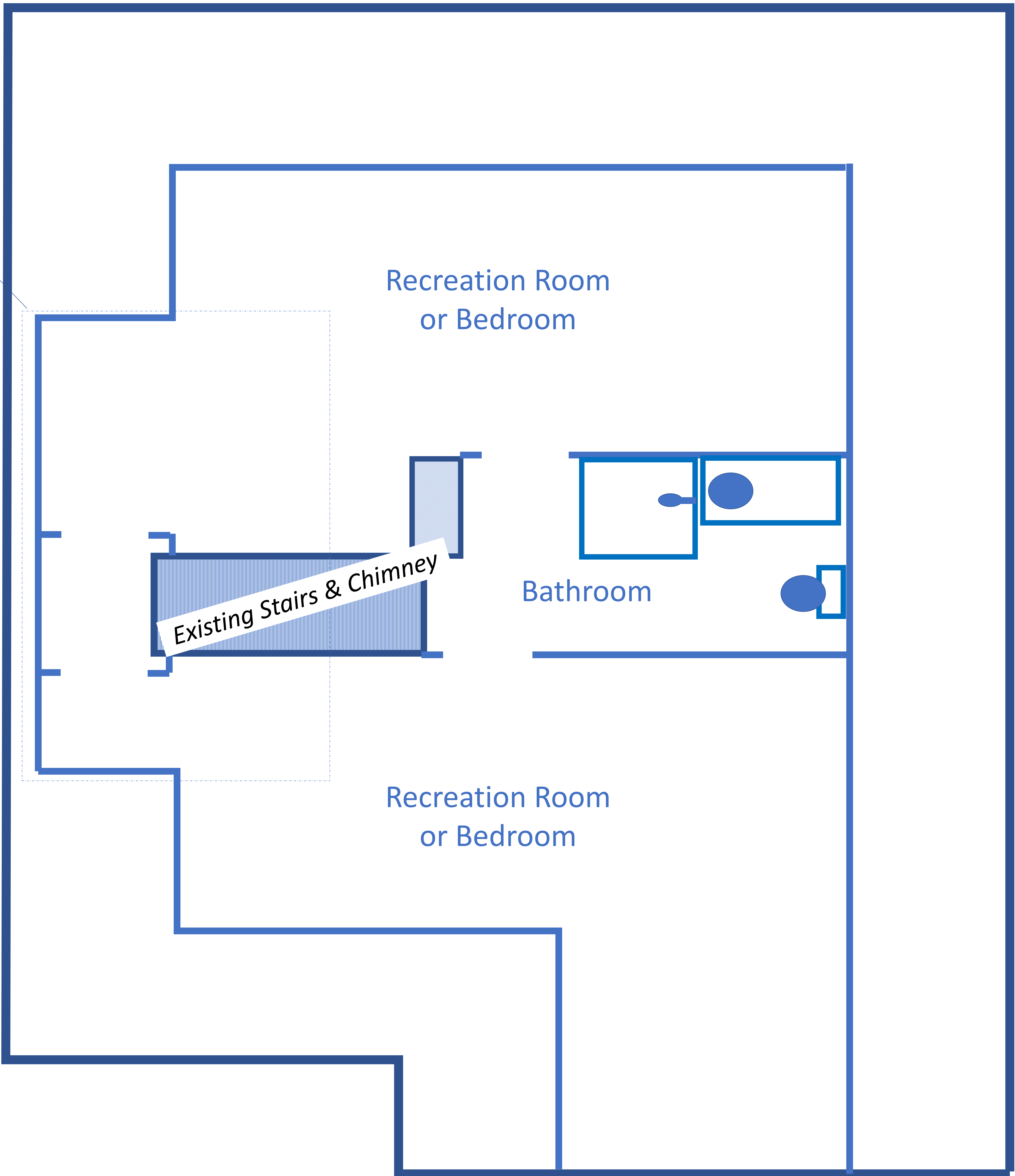
10
Feet



610 W Oregon

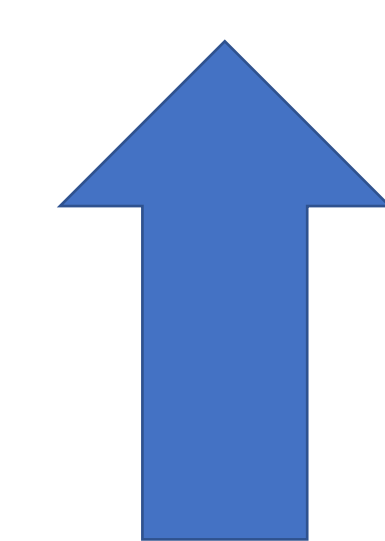
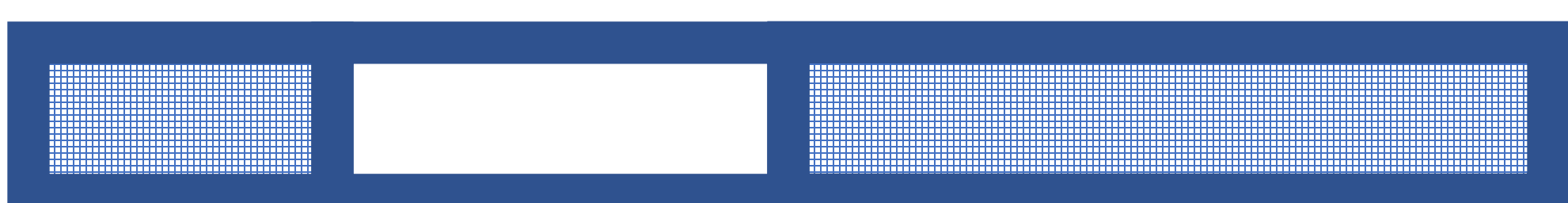
Proposed 3rd Floor Plan

Shed
Dormer
Outline



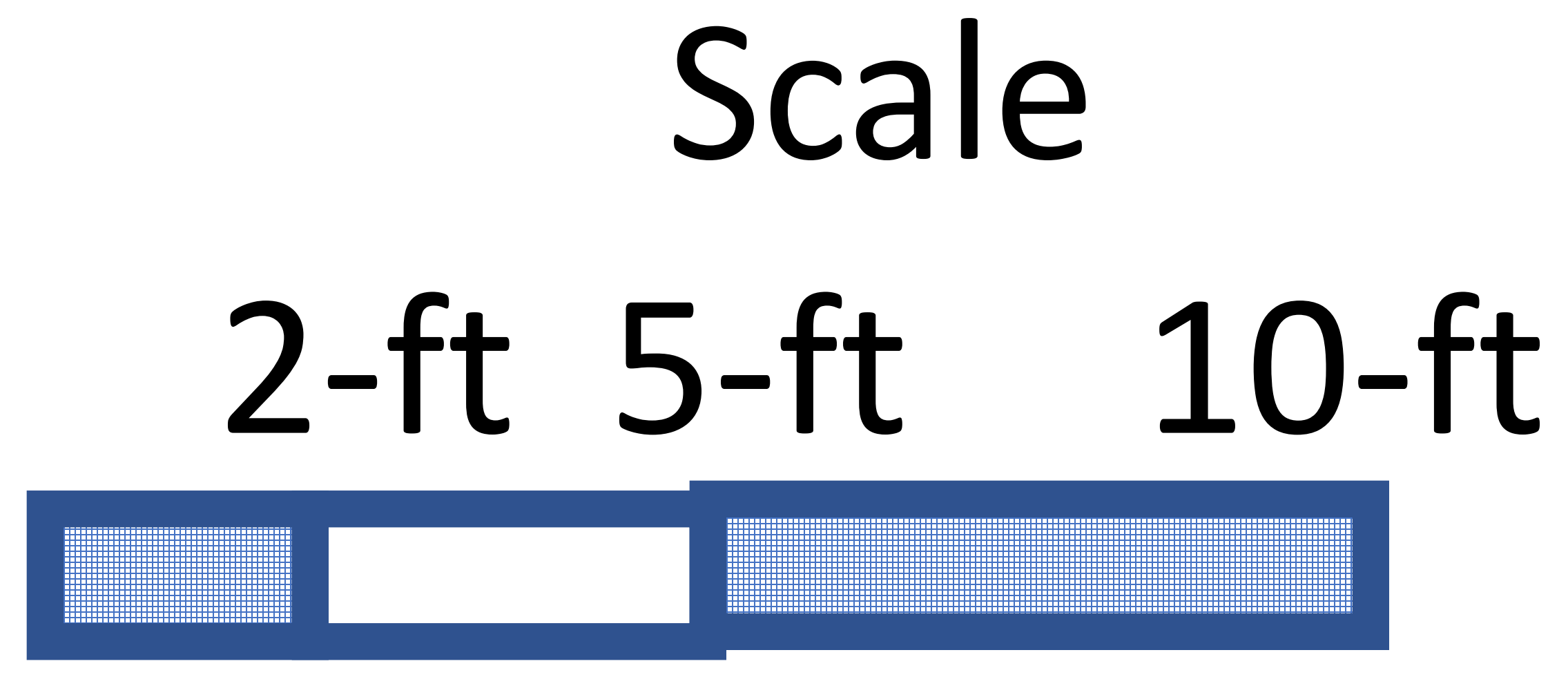
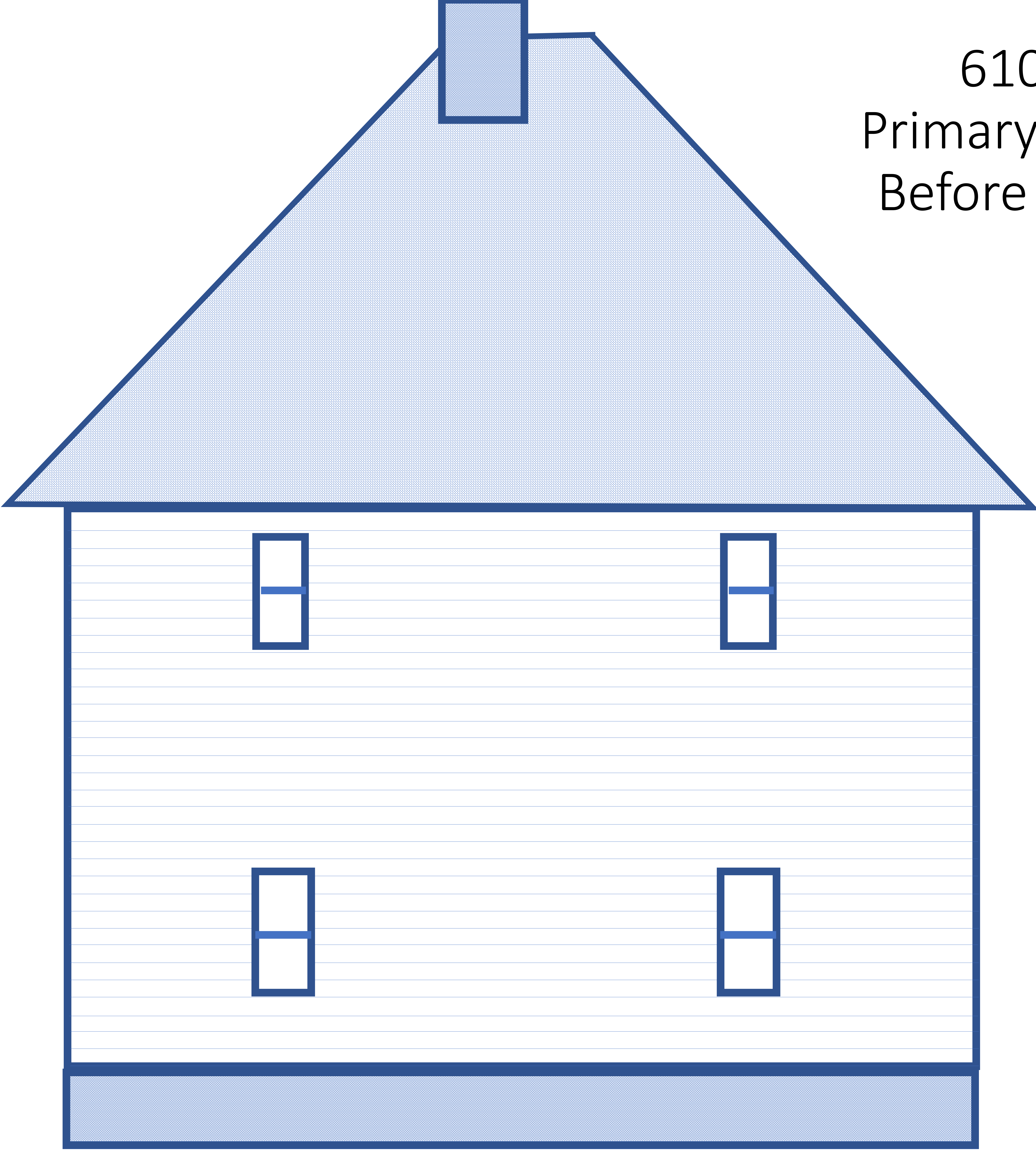
Scale

2-ft 5-ft 10-ft

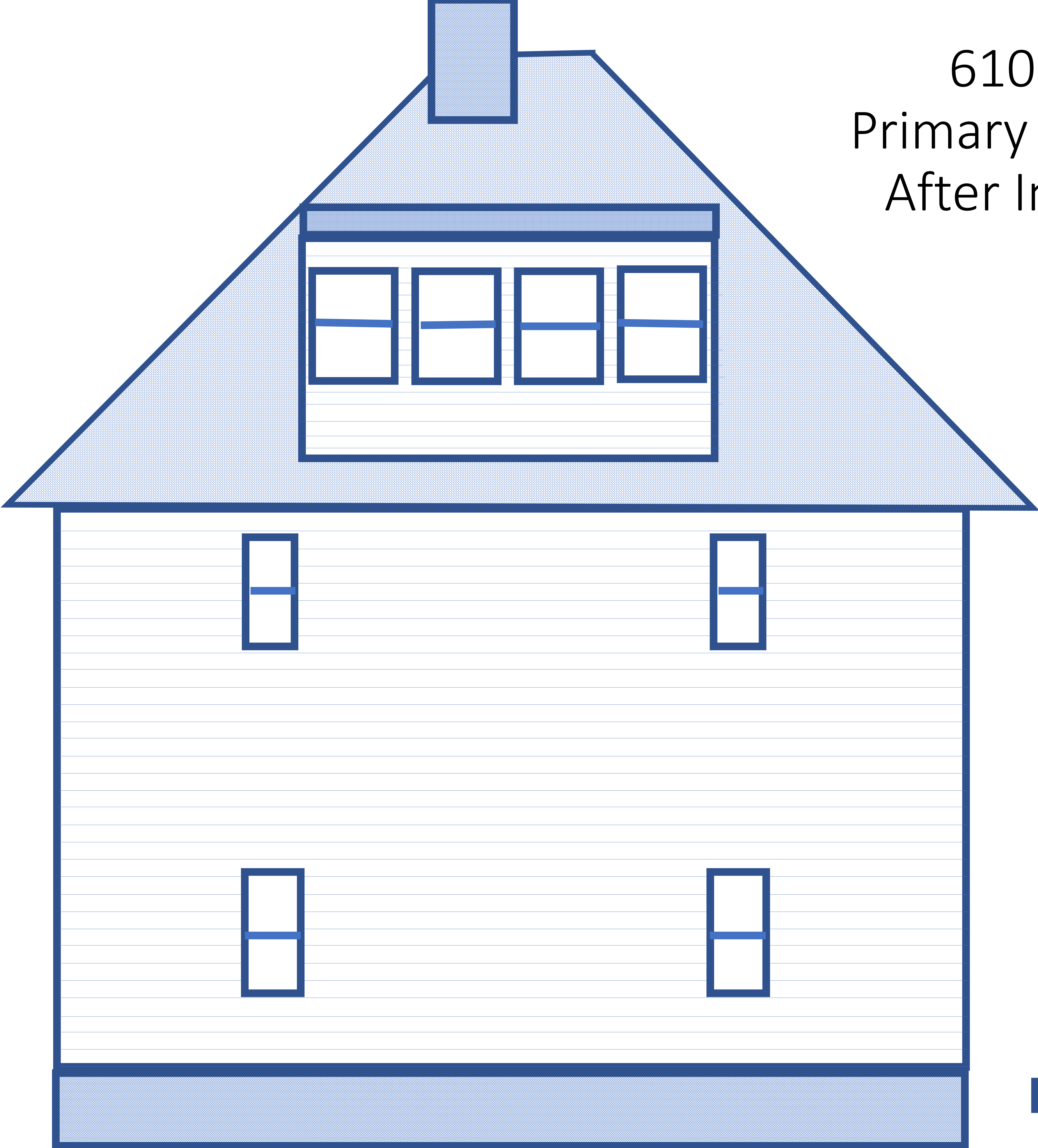


North

610 W Oregon
Primary West Elevation
Before Improvements



610 W Oregon
Primary West Elevation
After Improvements



Scale

2-ft 5-ft 10-ft

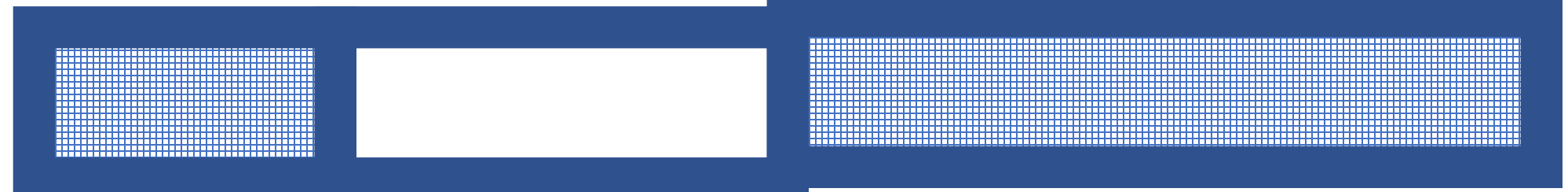


Exhibit D – Site Photos



610 West Oregon – from southwest



610 West Oregon – from southeast



610 West Oregon – from northwest



610 West Oregon – from south

Exhibit E: Correspondence

Name

Address

- Letters in opposition:
 - Jan Kalmar within one block

- Letters in support:
 - Glenn Berman Washington @ Coler
 - Jennifer Gentry Urbana resident, WUN property owner
 - Deborah Katz-Downie 209 West Delaware
 - Ana Martin Urbana
 - Steve Sherman 610 West Oregon
 - Steve Walk 611 West Illinois
 - Jonah Weisskopf WUN property owner, resident & realtor

From: Jan Kalmar
To: cho_matthew@hotmail.com; mclaughlin.ashlee@gmail.com; adam@rusch.me; [Ricci, Marcus](#); [Garcia, Kevin](#); [Andel, Teri](#)
Subject: 610 W Oregon appeal
Date: Tuesday, September 11, 2018 12:49:23 PM

Hello Zoning Board Members,

Thank you for helping our dear town stay wonderful. I am writing asking you to please deny the appeal for a conditional zoning permit for 610 W Oregon St. I've been a resident of Urbana for over 30 years and have witnessed what happens when a variance, like this one, is granted. Neighbors either move, like 608 W Oregon is doing, or decide to pack more renters into their homes. I have chosen to stay in Urbana, despite the taxes, for it's character. We are closing on a house one block away from this property and would be very disappointed if this passes. Our friend wrote the following which sums it up better.

Several of us in the neighborhood, however, have concerns about potential consequences of an exemption. The improvements they plan to make involve adding two bedrooms and a bath (not just merely finishing the attic) thereby necessitating a change in zoning designation. Technically and legally 8 people can currently be housed there, but with 4 existing bedrooms, the number rarely exceeds 4 or 5. Our fragile neighborhood has tried hard to reduce density and preserve our residential character, and it's not clear what the long term consequences a change of zoning will bring.

Thank you for you consideration,

Jan Kalmar
723 S Broadway Ave, soon to be 608 W Nevada St.

From: Glenn Berman
To: [Ricci, Marcus](mailto:Ricci_Marcus)
Cc: schidelu@illinois.edu
Subject: FW: [wuna-list] Letter from 610 W Oregon
Date: Friday, September 14, 2018 11:39:32 AM

Marcus,

Below is a copy of an email I sent to Luke in support of his project. I am a resident of the neighborhood on Washington at Coler, have been following the emails about the project on the neighborhood listserv and I fully support the improvements/changes Luke wants to make to the property. Please note my support for the record.

Thanks

Glenn Berman
611 W. Washington

From: Glenn Berman <glennberman@gmail.com>
Sent: Friday, September 14, 2018 7:59 AM
To: schidelu@illinois.edu
Subject: RE: [wuna-list] Letter from 610 W Oregon

Hi Luke,

I commend you for your openness, transparency and concern for the quality of life in the neighborhood. A welcome change of pace in this day and age.

I live over on Washington at Coler and have been in the neighborhood for about 40 years. I am in full support of your original plans and encourage you to stay the course and not alter your plans because of the concerns of a handful of people. No matter how many bedrooms you may have current Urbana ordinances allow no more than 4 unrelated people to live in each side of the duplex.

There is nothing in your proposal that I think is unreasonable or detrimental to the neighborhood.

Good luck. Hope all turns out well.

Glenn Berman

From: wuna-list@googlegroups.com <wuna-list@googlegroups.com> **On Behalf Of** Schideman, Luke Anders
Sent: Thursday, September 13, 2018 8:24 PM
To: wuna-list@googlegroups.com
Subject: [wuna-list] Letter from 610 W Oregon

Hello, Neighbors! This is Luke from 610 W Oregon. I wanted to share a short letter from me and my parents.

Thank you to those of you who took the time to attend our neighborhood meeting last night. We explained in more detail our plans for the conditional use permit, took

questions and learned more about what people were thinking. If you were unable to attend and had any further comments or questions, feel free to reach out to us. After receiving further community input, we wanted to let you know what we are thinking as of today as we move forward. From our perspective, we have worked hard at listening to the conversation of the neighborhood and their suggestions, support and concerns. From the very beginning, we were in communication with Urbana Community Development because we wanted to invest for the long-term in the wonderful home we were purchasing, and we wanted to do it the right way. We feel that finishing the attic space will add value to the home, community, property tax base, and make it a better living space for those living there. We proposed adding 2 living spaces and a bathroom within the existing attic because it seemed to us the best use of the available space and it fits within the zoning limits for building square footage.

On the other hand, we do not take lightly the concerns of our neighbors, some of whom feel that finishing the attic would mean too many people would live there. One mentioned to us that they would be much more supportive if we would consider adding one room instead of two. We would be willing to finish the attic with that added condition to our conditional use permit if it meant that we would have broader support from the neighborhood.

If you feel that it seems appropriate that we can continue with either our original plans or a modified plan to finish our attic with one additional living space and a bathroom, then please let us know so that we can reflect your support as we go through the Zoning Board of Appeals process. We truly want to be good neighbors and good stewards of our home.

Sincerely,
Luke Schideman (schidelu@illinois.edu)
Lesen and Lance Schideman (lancelesen@hotmail.com)

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You received this message because you are subscribed to the Google Groups "wuna-list" group.

To unsubscribe from this group and stop receiving emails from it, send an email to wuna-list+unsubscribe@googlegroups.com.

Visit this group at <https://groups.google.com/group/wuna-list>.

For more options, visit <https://groups.google.com/d/optout>.

From: Jennifer Gentry
To: [Ricci, Marcus](#)
Subject: Fwd: 610 W Oregon Street
Date: Friday, September 14, 2018 1:28:14 PM

Hello Mr Ricci,

I grew up in Urbana and care about our city very much. I still live here and have several investment properties in the West Urbana neighborhood area (407 W Green, 506 & 508 W Stoughton).

I am writing this email in support of the Conditional Use Permit Application for 610 W. Oregon Street. I know Lesen Schideman (one of the owner's) and she is a responsible person who will make sure the property is taken care of and will do the right thing for the neighborhood.

Thank you,

Jennifer Gentry

From: Deborah Katz-Downie
To: [Ricci, Marcus](#)
Cc: [Schideman, Luke Anders](#); schidelu@illinois.edu; lancelesen@hotmail.com
Subject: Re: 610 W Oregon Conditional Use Permit
Date: Thursday, September 13, 2018 10:07:23 PM

Dear Mr. Ricci,

I am a resident at 209 W Delaware Ave, Urbana and I am a member of WUNA. I have followed the story of the application for a Conditional Use Permit for 610 W Oregon by the current owners, the Schediman family on the WUNA email list. I am impressed and encouraged by the steps that the family has taken to explain their rationale, meet neighbors to discuss their concerns, listen to their concerns and amend their application for refinishing their attic to one room with one bathroom. I think that this is a better proposal for their Conditional Use Permit and would accept their application.

Sincerely yours,

Deborah Katz-Downie

209 W Delaware Ave.

From: Ana Martin
To: [Ricci, Marcus](#)
Subject: Attic at 610 W Oregon
Date: Friday, September 14, 2018 12:10:17 PM

Mr. Ricci,

It's my understanding that the owners of 610 W Oregon would like to improve their home by finishing their attic with 2 rooms and a bathroom. As a resident of Urbana for several years, I think that this would benefit the neighborhood and I fully support their project.

Ana Martin

206 W. Washington St. Apt 9
Urbana, IL 61801

From: Steve Sherman
To: [Ricci, Marcus](#)
Subject: Re: Received RE: yes, and materials RE: Letter today, regarding 610 W. Oregon
Date: Friday, September 14, 2018 2:13:10 PM

RE: Conditional Use Permit Application for 610 W. Oregon
Members of the Zoning Board of Appeals:

Hello. My name is Stephen Sherman. This letter concerns the conditional use permit filed by Luke, Lesen, and Lance Schideman for 610 W. Oregon. I also live at 610 W. Oregon, on the 2-BR ground-floor unit, with my fiancée Claire. I am writing to express my support for their application for a conditional use permitting a duplex at this address, per the terms of the R2 zoning designation.

I have known the Schidemans only since moving into my new home in August, and I am writing this letter per my own free will. I am also writing as someone who previously worked in long-range planning (albeit in a different city, specifically Tulsa, OK) and as someone with experience in these matters. I have never been the resident of a home that was at the center of a zoning debate, and as a (former) planner (and a person currently earning a PhD in the subject at UIUC) I find it mildly fascinating to be on the "other side". So, I consulted the comprehensive plan, the zoning application, and the discussion on the WUNA listserv, and find that I support the Schideman's application.

Most objections to the conditional use permit reflect residents' concern about overcrowded (and dilapidated) rental housing in West Urbana. Much of this poorly-kept rental housing is west of Coler. As my home/the property in question is only one home east of the Coler intersection, I can understand why residents would be nervous such a zoning change at this specific location. We're at "the line." Furthermore, there are an inordinate amount of homes for sale on this block. People may be nervous about their homes' sale price should their neighbor be a rental property.

The concerns both seem to reflect the home's density, and quality of the upkeep. I would like to address these specific issues.

First, regarding density. These additional bedrooms would not add to the neighborhood's density in any inordinate fashion. While it is true there are relatively more multi-family rentals west of Coler, the stretch of Oregon between Coler and Race Streets also contains many older

multifamily units. The same can be said about the same stretch of California and Nevada Streets. Off the top of my head I can think of 3 older brick multi-family units, along with a few older converted duplexes, along these stretches (and much farther than Coler St from where we are). The population of 610 W. Oregon, even after the 2BR addition, will be less than these units. Therefore, the density of this unit would essentially be in character of the neighborhood's older, pre-existing mix of single-family and small-scale rental units. Its conditional use also fits with the broader Residential future land-use category from the comprehensive plan.

Secondly, there may exist a fear about the Schideman's being absentee or negligent landlords, the sort of which unfortunately can be found in West Urbana. However, that *is not* the Schidemans, at all. They are very diligent, communicative landlords. They have fixed closet doors, air conditioning, and one malfunctioning toilet since my moving here last month; they answer e-mails and texts quickly, and give us due notice in the event they need to enter our home for maintenance reasons. The quality and extent of maintenance, landscaping, and overall attentiveness (as evidence by their diligent outreach for this zoning application) to 610 W. Oregon reflects the fact that this is an owner-occupied home. They want to maintain the property, and maintain good relations with the neighborhood, because they plan on being here for a while. We greatly enjoy having the Schidemans as landlords and neighbors, and generally living in a home that works well because of their massive efforts.

For these reasons, I find that the anxieties about this conditional use permit, while understandable given the neighborhood's context at this location, should not prevent the Schideman's conditional use permit's passage. It both fits the character of the neighborhood's density, and is under the care of diligent, hard-working, and kind landlords. I support its passage.

Thank you for your time,
Stephen A. Sherman
PhD Candidate, Regional Planning
University of Illinois at Urbana-Champaign

From: Wald, Stephen M
To: [Ricci, Marcus](#)
Subject: Support 610 W Oregon
Date: Thursday, September 13, 2018 10:27:45 PM

Marcus,

I am Steve Wald, 611 W Illinois St. I believe we have met once or twice, for years I was on the Sustainability Advisory Commission. I support the application of our neighbors to improve their duplex property at 610 W Oregon Street. I appreciate private investment in our neighborhood's aging housing stock. I am unconcerned with "density" based objections because I have lived in Portland, the east Bay Area, and a, just back from a year in Valencia, Spain. I believe increased density in our inner neighborhoods (respecting the character and scale of existing housing) contributes to our quality of life, walking/biking transportation modes, and economic vitality of downtown.

I am unable to attend public hearings on this matter but please include these comments in your decision. If you have any questions or wish to discuss, I can be reached at 510-219-2600. Thank you.

Steve Wald

Sent from my iPad

From: Jonah Weisskopf
To: [Ricci, Marcus](#)
Subject: In support of 610 West Oregon
Date: Friday, September 14, 2018 1:25:04 PM

Hello Marcus and to whom it may concern,

As a property owner, resident, and realtor in West Urbana I am strongly in support of the request made by the owners of 610 West Oregon. I believe that we should be encouraging home owner and small time landlords to put money into their properties by being flexible with zoning. When people invest into their buildings it raises the taxable value of the building AND it improves the safety and quality of the space. Far to often safety and tax base are not understood by residents who use fear of the "fragile residential character" of WUNA to argue against any and all exceptions to zoning changes.

Please vote yes and help raise the assessable tax base of Urbana and improve the vitality of our buildings.

Thanks

Jonah Weisskopf