

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE

WHEREAS after due notice, a public hearing was held by the Urbana Plan Commission on April 19, 1979 in case #1067, and

WHEREAS the Urbana Plan Commission has recommended amending the text of the Urbana Zoning Ordinance in the manner reflected herein,

BE IT ORDAINED by the Urbana City Council that:

- 1) Section 34.79 of the Urbana Zoning Ordinance is hereby repealed in its entirety upon the taking effect of this ordinance;
- 2) A new Section 34.79 is hereby enacted, as follows:

Section 34.79 Jurisdiction:

The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the administrative official charged with the enforcement of this Ordinance. The Board may reverse or affirm, wholly or partly, or may modify or amend the order, requirement, decision or determination appealed from to the extent and in the manner that the Board may decide to be fitting and proper in the premises.

The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this Ordinance. Where there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Ordinance the Board may authorize a variation in the application of the regulations of this Ordinance in harmony with their general purpose and intent, in the following instances:

- A. To permit a variance, not to exceed twenty-five percent (25%) of the depth of a front yard or the width of a side yard otherwise required by this Ordinance, or to reduce the requirements of Section 34.51C of this Ordinance.
- B. To permit a variance from the rear yard requirement to allow a reduction of a rear yard to as little as 7 feet 6 inches, except that on corner lots where buildings front or face on the long dimension of a lot, and on triangular, irregular and oddly shaped lots, the Board is hereby authorized to vary the rear yard requirements to as little as five feet (5').
- C. The Zoning Board of Appeals of the City of Urbana, Illinois, also is hereby authorized, for multiple-family residential uses in light industrial areas, to vary or waive front and side yard requirements on corner lots for such front and side yards which are adjacent to one or more streets.
- D. To permit a building to exceed the height limit by not more than ten percent (10%) of the height limit established by this Ordinance.
- E. To permit the creation of a lot which has less area than required by this Ordinance, provided that this variance shall not exceed ten percent (10%) of the required lot area, and to permit the use of an existing lot which is so under-sized.

- F. To permit the creation of a lot which has less width than herein required by this Ordinance, provided that this variance shall not exceed fifteen percent (15%) of the required lot width, and to permit the use of an existing lot which is so narrow.
- G. To permit a reduction in a required side yard to as little as two feet (2'), in the case of structures existing on the effective date of this Ordinance.
- H. To permit a decrease of ten percent (10%) in lot area required per unit in all districts when involving efficiency or one-bedroom apartments.
- I. To permit a decrease in open space percentage of five percent (5%) for non-residential uses.
- J. To permit a decrease, not to exceed 25%, in the parking requirements otherwise applicable for the use and district in question.
- K. To permit an extension of not more than five (5) years to the time limit for the continuance of a mobile home development, as set forth in Section 34.9.0.3(D) of this Ordinance.
- L. To permit the issuance of a building permit or certificate of occupancy by the Zoning Administrator, pursuant to Section 34.70A of this Ordinance.
- M. To permit the lighting of parking areas for commercial and industrial uses later than thirty (30) minutes after the close of business, as provided in Section 34.51.B.4 of this Ordinance.
- N. To permit the construction or use of more than one (1) principal building or use per lot for multiple family residential development, hotels, institutions, offices, or commercial or industrial facilities, which do not qualify as a Planned Unit Development under Section 34.98 of this Ordinance.
- O. To permit a change in use or increase of intensity of the use of a building whose parking is inadequate, as pursuant to Section 34.70A and 34.79H of this Ordinance.
- P. To permit the use of a lot with different zoning than the principal use as parking space for such principal use when adjacent and adjoining to a commercial or multiple dwelling use.
- Q. To allow a sign to exceed the maximum height or area, or to reduce minimum setback for a sign as provided in Article XXVI, Sections 34.110, 34.111, 34.112, and by no more than fifteen percent (15%) of the specified requirement, in keeping with the legislative intent of Section 34.106.

In considering all proposed variations of this Ordinance the Board shall, before making any variation from this Ordinance in a specific case, first determine and make a finding of fact, that the proposed variation will not (a) impair an adequate supply of light and air to adjacent property, (b) increase the congestion in public streets, (c) increase the danger of fire or endanger the public safety, and (d) unreasonably diminish or impair established property values within the surrounding area.

The concurring vote of a majority of the Board Members present and voting, but not less than three (3), shall be necessary to reverse any order, requirement, decision, or determination of the administrative official charged with the enforcement of this Chapter, or to decide in favor of the applicant any matter upon which the Board is authorized by this Chapter to render a decision.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

That this Ordinance shall become effective ten (10) days after its passage and publication as required by law.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 21st day of May, 1979.

PASSED by the City Council this 21st day of May, 1979.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 1st day of June, 1979.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 8th day of June, 1979, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

ORDINANCE NO. 1879-102
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The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this Ordinance. Where there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Ordinance, the Board may authorize a variation in the application of the regulations of this Ordinance in harmony with their general purpose and intent, in the following instances:

A. To permit a variance, not to exceed twenty-five percent (25%) of the depth of a front yard or the width of a side yard otherwise required by this Ordinance, or to reduce the requirements of Section 34.51C of this Ordinance.

B. To permit a variance from the rear yard requirement to allow a reduction of a rear yard to as little as 7 feet 6 inches, except that on corner lots where buildings front or face on the long dimension of a lot, and on triangular, irregular and oddly shaped lots, the Board is hereby authorized to vary the rear yard requirements to as little as five feet (5').

C. The Zoning Board of Appeals of the City of Urbana, Illinois, also is hereby authorized, for multiple-family residential uses in light industrial areas, to vary or waive front and side yard requirements on corner lots for such front and side yards which are adjacent to one or more streets.

D. To permit a building to exceed the height limit by not more than ten percent (10%) of the light limit established by this Ordinance.

E. To permit the creation of a lot which has less area than required by this Ordinance, provided that this variance shall not exceed ten percent (10%) of the required lot area, and to permit the use of an existing lot which is so undersized.

F. To permit the creation of a lot which has less width than herein required by this Ordinance, provided that this variance shall not exceed fifteen percent (15%) of the required lot width, and to permit the use of an existing lot which is so narrow.

G. To permit a reduction in a required side yard to as little as two feet (2'), in the case of structures existing on the effective date of this Ordinance.

H. To permit a decrease of ten percent (10%) in lot area required per unit in all districts when involving efficiency or one-bedroom apartments.

I. To permit a decrease in open space percentage of five percent (5%) for non-residential uses.

J. To permit a decrease, not to exceed 25%, in the parking requirements otherwise applicable for the use and district in question.

K. To permit an extension of not more than five (5) years to the time limit for the continuance of a mobile home development, as set forth in Section 34.9.0.3(D) of this Ordinance.

CERTIFICATE OF PUBLICATION

IN

The News-Gazette

CITY OF URBANA
RECEIVE
JUN 11 1979

The undersigned, **THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED**, by M. S. Ovca, its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for _____ consecutive weeks in said newspaper, namely on the following dates: _____

June 8 , A. D. 1979

, A. D. 19

, A. D. 19

, A. D. 19

, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By M. S. Ovca

Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 57.60

No. _____

In the _____ Court
of Champaign County, Illinois.

CERTIFICATE OF PUBLICATION
IN
The News-Gazette

Attorneys.

FORM 51—1M—2-71

Invoice 6/8/79 \$144.00

FairCm	.80	14	1303	65
FairInd	1	6	215	31
FairInd	wi	..	12	25
Fedders		29	90	4
FedNM	1.28	5	1996	17
FedDBr	1.79	7	127	94
FinsBar	1	5	45	1
Electn	1.10	..	624	1