

ORDINANCE NO. 9091-20

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT**

WHEREAS, Rollings Communications of Illinois, Incorporated has submitted its petition for a Special Use Permit to allow a radio tower on property located at 400 North Broadway Avenue, Urbana, Illinois, legally described below, and zoned B-4 Central Business; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1360-SU-90; and

WHEREAS, after due publication in accordance with Section VII-6 entitled "Special Use Permit Procedures", the Urbana Plan Commission held a public hearing on the proposed Special Use on July 19, 1990; and

WHEREAS, the Urbana Plan Commission has recommended approval of the requested Special Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL, that:

Section 1. A Special Use Permit is hereby granted to the petitioner, Rollings Communications of Illinois, Incorporated, to establish a radio tower on said property being legally described as:

All of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, lying East of Broadway Avenue and Northwest of Cunningham Avenue (formerly Heater Road) except so much thereof as lies North of the South bank of the stream known as Boneyard Branch, otherwise described as Lot "H", Belle Barr Second Survey, being a part of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the

Southeast Quarter (SE 1/4) of said Section Eight (8), according to recorded plat thereof appearing of record in Book "M" of Plats in the Office of the Recorder of Deeds of Champaign County, Illinois, at Page 14, in Champaign County, Illinois,

AND

Commencing at the Southwest corner of Lot "H" of the Belle Barr Second Survey, which lies East of the existing East right-of-way line of Broadway Avenue, Northwest of Cunningham Avenue and South of the South bank of the Boneyard Creek, being part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, situated in Champaign County, Illinois; thence Southerly 31.27 feet along the East right-of-way line of Broadway Avenue; thence Northeasterly, parallel with the South line of said Lot "H", 285.02 feet thence Northwesterly 25.00 feet to the northeast corner of said Lot "H"; thence Southwesterly 266.23 feet along the South line of said Lot "H" to the point of beginning, situated in the City of Urbana, in Champaign County, Illinois.

Section 2. The following conditions are imposed upon the Special Use Permit herein granted:

- A. That the radio tower be a maximum of eighty (80) feet in height;
- B. That the radio tower and satellite dishes be placed approximately 125 feet east of the west property line in substantial conformance with the site plan attached as Exhibit "A";
- C. That the radio tower be painted a galvanized grey;
- D. That the Creekway Permit be issued only upon the city Council's approval of the Special Use Permit.
- D. The tower be entirely enclosed with a wire mesh fence of not less than six (6) feet in height.

Section 3. The following waivers are herein granted:

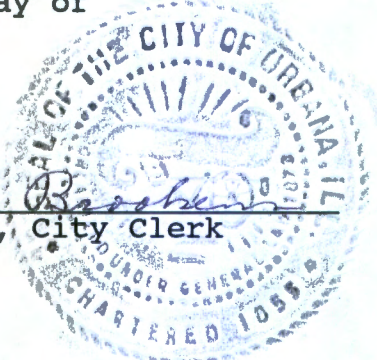
- A. The minimum lot size of one (1) acres;
- B. The minimum front, rear and side yard setbacks of fifty (50) feet;

Section 4. If the Special Use herein granted is not established within one year of the date of passage of this Ordinance, the Special Use shall lapse and be held for naught.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

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 4th day of September, 1990.

PASSED by the City Council on this 4th day of September, 1990.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 4th day of September, 1990.

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 News-Gazette on the 9th day of September, 1990 and a Certificate of Publication is attached hereto.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

c:\wp50\planning\1360.ord

