

AN ORDINANCE
APPROVING A GENERAL VARIANCE TO REDUCE THE MINIMUM REQUIRED
FRONT YARD SETBACK FROM 15 FEET TO 9 FEET
(713 W. Oregon -- Case No. ZBA-97-GV-1)

WHEREAS, the Zoning Ordinance provides for a general variance procedure to permit the Zoning Board of Appeals and the City Council to consider special situations where strict application of the Zoning Ordinance may cause hardships situations where other permitted variances are not adequate; and

WHEREAS, the owner of the subject property, Bette Anderson Rosset, has submitted a petition requesting a general variance to allow the construction of an addition to the side and rear of house, which sits on a corner lot, with a 9 foot setback rather than the required 15 foot setback; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA 97-GV-1; and

WHEREAS, after due publication in accordance with Section IX-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals (ZBA) held a public hearing on the proposed general variance on March 5, 1997; and

WHEREAS, after due and proper consideration, the City Council of the City of Urbana has determined that the general variance referenced herein conforms with the general variance procedures in accordance with Article XI, Section XI-3.C.2.d of the Urbana Zoning Ordinance; and

WHEREAS, the City Council agrees with the following findings of fact adopted by the ZBA in support of its recommendation to approve the application for a general variance:

1. The variance will be in harmony with the general purpose and intent of the Ordinance, and will not be unreasonably injurious or detrimental to the neighborhood, or otherwise injurious or detrimental to the public welfare of the following reasons:
 - a. One intent of the setback requirement is to insure an uninterrupted sight line along the entire length of a block face. The only other house on the same block face as the subject property is also non-conforming.
2. The variance requested will not serve as a special privilege, but will alleviate some demonstrable and unusual hardship that is the result of the following special conditions and circumstances relating to that land or structure involved, or to the use or occupancy

thereof, which are not generally applicable to other lands or structures in the same district:

- a. The east-west dimension is narrowed further by one of two average front yard setbacks.
 - b. The granting of the variance request would allow the petitioner to construction an addition onto the single family home which would not only increase the living space of the home but enable the petitioner to add a better support foundation to the historic home which they are restoring.
3. The proposed addition will be in harmony with the neighborhood.
- a. Other homes in this area have received similar variances.
 - b. The addition will extend no further than the existing chimney on the same side of the house.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that:

The general variance request by Bette Anderson Rosset in Case #ZBA-97-GV-1 is hereby approved to reduce the required front yard setback at 713 W. Oregon, Urbana, Illinois from 15 feet to 9 feet to allow the construction of an addition onto to the side and rear of the house, which is located on a corner lot, in the manner proposed in the application for the general variance in that case.

The general variance described above shall only apply to the property located at 713 W. Oregon, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION: Lots 18 and 19 and the North 28 feet of lot 20 of Hubbard Elmwood's Addition to the City of Urbana, commonly known as 713 W. Oregon.

PERMANENT PARCEL #: 92-21-17-157-001

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

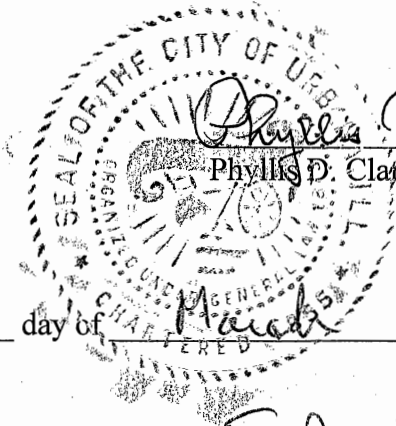
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 17th day of March, 1997.

PASSED by the City Council this 17th day of March, 1997.

AYES Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYES _____

ABSTAIN _____



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 24th day of March, 1997.

Tod Satterthwaite
Tod Satterthwaite, Mayor

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CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 17th day of March, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9697-109, entitled "AN ORDINANCE APPROVING A GENERAL VARIANCE TO REDUCE THE MINIMUM REQUIRED FRONT YARD SETBACK FROM 15 FEET TO 9 FEET (713 W. OREGON -- CASE NO. ZBA-97-GV-1)"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9697-109 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 14th day of April, 1997, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 14th, day of April, 1997.

(SEAL)



Phyllis D. Clark by
Phyllis D. Clark, City Clerk
Deborah J. Roberts, Deputy Clerk