

ORDINANCE NO. 1999-05-034

AN ORDINANCE APPROVING A GENERAL VARIANCE

(Reduction of the required front yard setback for the placement of a sign in the City's IN, Industrial Zoning District, from twenty-five feet to three feet six-inches / 1802 N. Lincoln Avenue - Case No. ZBA-99-GV-2)

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, Ms. Alfreda Shore of Shore Properties, the owner of the subject property, has submitted a petition requesting a general variance to allow the reduction of the required front yard setback along North Lincoln Avenue in the City's IN, Industrial Zoning District from twenty-five feet to three feet six inches; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA 99-GV-2; 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 April 29, 1999, and the ZBA by vote of two thirds of its members recommended to the City Council approval of the requested variance; 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 sign is in harmony with the general intent of the City of Urbana's Zoning Ordinance because the ordinance establishes comprehensive sign regulations with the intent to maintain and encourage business activity and development.
2. The petitioner has a hardship caused by the placement of the buildings on the lot that were built before annexation into the City of Urbana.
3. Because the building on the subject lot is legally nonconforming to the front setback, there is no other reasonable option but to place the sign in the required front yard.

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

The general variance request by Ms. Alfreda Shore of Shore Properties, in Case #ZBA-99-GV-2 is hereby approved to allow the reduction of the required front yard setback along North Lincoln Avenue on the lot located at 1802 N. Lincoln Avenue in the City's IN, Industrial Zoning District from twenty-five feet to three feet six inches, 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 1802 N. Lincoln Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION: 0.92 acres in the Southwest One-Quarter (SW ¼) of the Southwest One-Quarter (SW ¼) in Section 5, Township 19 North, Range 9 East, Third Principal Meridian, City of Urbana, Champaign County, Illinois

PERMANENT PARCEL #: 91-21-05-353-018.

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 Anays 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 May, 1999.

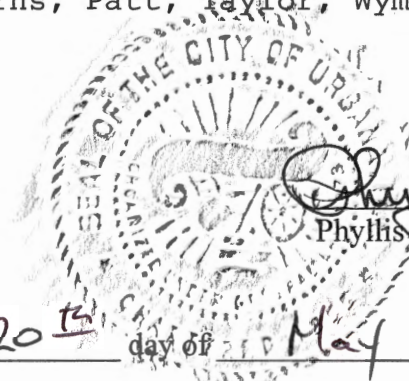
PASSED by the City Council this 17th day of May, 1999.

AYES Hayes, Huth, Kearns, Patt, Taylor, Wyman

NAYES \_\_\_\_\_

ABSTAIN \_\_\_\_\_

APPROVED by the Mayor this 20th day of May, 1999.

  
Phyllis D. Clark  
Phyllis D. Clark, City Clerk

Tod Satterthwaite  
Tod Satterthwaite, Mayor



## 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 May, 1999,  
the Corporate Authorities of the City of Urbana passed and approved Ordinance  
No. 1999-05-034, entitled:

"AN ORDINANCE APPROVING A GENERAL VARIANCE  
(REDUCTION OF THE REQUIRED FRONT YARD SETBACK  
FOR THE PLACEMENT OF A SIGN IN THE CITY'S IN,  
INDUSTRIAL ZONING DISTRICT, FROM TWENTY-FIVE  
FEET TO THREE FEET SIX INCHES / 1802 N. LINCOLN  
AVENUE - CASE NO. ZBA\_99-GV-2)"

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

The pamphlet form of Ordinance No. 1999-05-034 was  
prepared, and a copy of such Ordinance was posted in the Urbana City Building  
commencing on the 21st day of May, 1999, and continuing  
for at least ten (10) days thereafter. Copies of said Ordinance were also available for  
public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 21st day of May,  
1999.



Phyllis D. Clark  
City Clerk  
by Robert J. Robert  
Deputy Clerk