

ORDINANCE NO. 2000-08-099

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Increase in the allowed area for an institutional sign in the City's R-3, Single And Two-Family Residential Zoning District, from 20-square feet to 42-square feet at 2601 South Philo Road -- Case No. ZBA-00-MAJ-5)

WHEREAS, the Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the City Council to consider criteria for major variances where there are special circumstances or conditions with the parcel of land or the structure; and

WHEREAS, the owner of the subject property, Church of Christ, has submitted a petition requesting a major variance to allow an increase in the allowed area for an institutional sign from 20-square feet to 42-square feet; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA-00-MAJ-5; and

WHEREAS, after due publication in accordance with Section XI-10 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 August 10, 2000, and the ZBA by unanimous vote 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 major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-3.C.3.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 major variance:

1. There are special circumstances or special practical difficulties with reference to the parcel concerned in carrying out the strict application of the ordinance because the size of the parcel (nine acres) is sufficiently large so that a larger sign is justified in order to be effectively displayed to traffic of Philo Road. Also, the petitioner wishes to utilize the existing concrete base which was donated to the church. Since the base is 36 square feet in area, locating a 20-square foot sign on top would look disproportional.
2. The variance will not serve as a special privilege because although the site is zoned R-3, it is located in an area that is rapidly changing to commercial zoning. Further, the Meijer site across Philo Road has approval to erect signs significantly larger in area and taller in height.
3. The variance requested was not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.
4. The variance will not alter the essential character of the neighborhood because it is located on a nine-acre tract of land and the sign location is a significant distance from neighboring residential uses. Also, the sign will be significantly smaller than those approved for the Meijer Superstore across Philo Road.
5. The variance will not be a nuisance to neighboring properties because it will be located approximately 100 yards from any residential uses and it will not be illuminated. The sign will not be a nuisance to traveling motorists and should not cause any sight distance problems for traffic.

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

The major variance request by the Church of Christ, in Case #ZBA-00-MAJ-5 is hereby approved to allow the increase in the required area for an institutional sign from 20-square feet to 42-square feet in the R-3, Single and Two-Family Residential Zoning District, in the manner proposed in the application for the major variance in that case, and with the following condition of approval:

1. The proposed sign may only be illuminated by method of floodlights installed in the ground.

The major variance described above shall only apply to the property located at 2601 South Philo Road, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, except the East 150 feet of the South 150 feet thereof, containing 9.58 acres, more or less.

PERMANENT PARCEL #: 93-21-21-381-017

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).

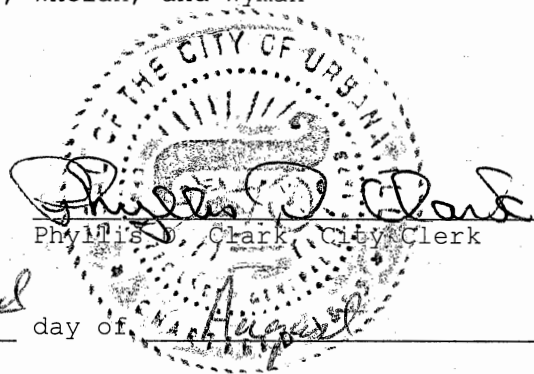
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 21st day of August, 2000.

PASSED by the City Council this 21st day of August, 2000.

AYES: Hayes, Kearns, Patt, Taylor, Whelan, and Wyman

NAYS:

ABSTAINS:



APPROVED by the Mayor this 22nd day of August,

Tod Satterthwaite
Tod Satterthwaite, Mayor