

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(To Allow Vehicles to Back Out Onto a Public Street at 202 North Coler Avenue  
in the R-4, Medium Density Multiple-Family Residential, Zoning  
District - Case No. ZBA-2008-MAJ-06 / Steve Bantz)**

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

WHEREAS, Steve Bantz has applied for a major variance to allow vehicles parked at a multi-family residence located at 202 North Coler Avenue to back out onto a public street; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case No. ZBA-2008-MAJ-06; 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 held a public hearing on the proposed major variance on June 11, 2008 and voted 4 ayes and 0 nays to recommend to the Corporate Authorities approval of the requested variance; and

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

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. The variance is made necessary by the practical difficulty of a small lot without space for vehicles to turn around.

2. The requested variance will not alter the character of the neighborhood or cause a nuisance to adjacent properties, as there are only five units in the building and there will be no change to the exterior of the building.

3. The proposed variance represents the minimum possible deviation from the Zoning Ordinance that will allow continued use of the property as a multi-family dwelling, should the garage again be used for parking.

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

Section 1. The major variance request by Steve Bantz, in Case No. ZBA-2008-MAJ-06, is hereby approved to allow vehicles to back out onto a public street for a multi-family residence at 202 North Coler Avenue, in the manner proposed in the application, subject to the following condition:

- 1) That the variance shall be effective only upon certification by the Zoning Administrator that the applicant has provided approved parking on the site.

The major variance described above shall only apply to the property located at 202 North Coler Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

LOT 30 OF MASTER IN CHANCERY'S SUBDIVISION OF THE SOUTH PART OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THE SOUTH HALF OF THE VACATED ALLEY LOCATED BETWEEN LOTS 5 AND 30 OF SAID MASTER IN CHANCERY SUBDIVISION, SITUATED IN THE CITY OF URBANA IN CHAMPAIGN COUNTY, ILLINOIS.

Permanent Index No. 91-21-08-363-010

Section 2. 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 Corporate Authorities of the City of Urbana, Illinois, at a regular meeting of said Authorities on the 4th day of August, 2008.

PASSED by the City Council this 4th day of August, 2008.

AYES: Barnes, Bowersox, Gehrig, Lewis, Roberts, Stevenson

NAYS: Smyth

ABSTAINS:

*Phillip D. Clark*  
Phillip D. Clark, City Clerk

APPROVED by the Mayor this 8th day of August, 2008.

