

ORDINANCE NO. 2010-09-078

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Increase in the Allowed Area and Total Number for Institutional Signs in the City's R-3, Single- and Two-Family Residential Zoning District, from 59.8 Square Feet to 74.8 Square Feet at 101 W. Windsor Road / Case No. ZBA-2010-MAJ-03)

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 a structure; and

WHEREAS, Clark-Lindsey Village, Inc., property owner, has submitted a petition for a major variance to allow a 15 square foot institutional monument sign on their Race Street frontage in the R-3, Single and Two-Family Residential Zoning District to identify the entrance to a new health facility on the site; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case No. ZBA-2010-MAJ-03; 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 August 18, 2010 and voted 5 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-4.B 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. Clark-Lindsey Village, located at 101 W. Windsor Road, is an institutional property in the R-3, Single and Two-Family Residential Zoning District.
2. Section IX-4. General Sign Allowances, states "In all residential zoning districts, institutions may display either one monument sign or one wall sign per street frontage with a maximum combined sign size of 25 square feet total."
3. Clark-Lindsey Village, Inc. is requesting a variance to install a monument sign along Race Street to identify the entrance to the Renewal Therapy Center which would increase the site's combined sign area to 74.8 square feet and the total number of signs to three.
4. The proposed sign would be 15 feet in area (5 feet wide by 3 feet tall) on a monument structure that is 4 feet wide and one foot tall.
5. The site is located in south Urbana and is zoned R-3, Single and Two-Family Residential.
6. The Urbana Comprehensive Plan identifies the area as Multi-Family Residential.
7. The retirement community's current signage is not sufficient for drivers on Race Street.
8. The proposed variance is desired due to special circumstances of a large site that is only allowed a total of 25 square feet of signage.
9. The proposed variance is not due to a situation created by the petitioner.
10. The proposed variance will not alter the character of the neighborhood, nor cause a nuisance to adjacent properties.
11. The proposed variance represents the minimum possible derivation from Zoning Ordinance requirements to install a sign that is visible from the Race Street.
12. At their August 18, 2010 meeting, the Zoning Board of Appeals voted unanimously to recommend that City Council approve major variance case ZBA-2010-MAJ-03.

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

Section 1. The major variance request by Clark-Lindsey Village, Inc., in Case No. ZBA-2010-MAJ-03, is hereby approved to allow a 15 square foot institutional sign which would increase the total area for all signs on the property up to 74.8 square feet and increase the total number of signs on the property to three, in the manner proposed in the application and subject to the following conditions:

1. That the sign area, height and monument size do not exceed the dimensions shown in the sign plan submitted with the application.
2. That the sign is located on the property as shown in the site plan submitted with the application.

The major variance described above shall only apply to the property located at 101 W Windsor Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION: Tract 7 of McCullough's Plat of Survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Meridian, recorded in Book "X" of Plats at Page 38 as Document 71R13121, situated in Champaign County, Illinois.

Parcel Identification Numbers: 91-21-29-200-008 and 93-21-29-200-009

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).

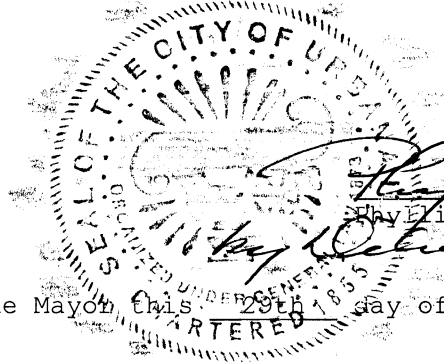
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 20th day of September, 2010

PASSED by the City Council this 20th day of September,
2010 .

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Therese D. Clark
Therese D. Clark, City Clerk

Robert J. Roberts
Deputy Clerk

APPROVED by the Mayor this 29th day of September,

2010 .

Laurel Lunt Prussing
Laurel Lunt Prussing, 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.

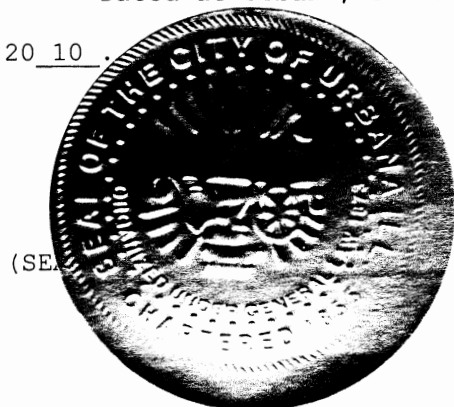
I certify that on the 20th day of September, 2010,
the Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 2010-09-078, entitled:

**"AN ORDINANCE APPROVING A MAJOR VARIANCE (INCREASE IN
THE ALLOWED AREA AND TOTAL NUMBER FOR INSTITUTIONAL
SIGNS IN THE CITY'S R-3, SINGLE- AND TWO-FAMILY
RESIDENTIAL ZONING DISTRICT, FROM 59.8 SQUARE FEET TO
74.8 SQUARE FEET AT 101 W. WINDSOR ROAD / CASE NO.
ZBA-2010-MAJ-03)"**

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

The pamphlet form of Ordinance No. 2010-09-078 was prepared,
and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 4th day of October, 2010, 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 4th day of October,
2010.



(SE)

Phyllis D. Clark
Phyllis D. Clark, City Clerk
Ky DeLoach Helget
Deputy Clerk