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Recording Cover Sheet

**AN ORDINANCE APPROVING A MAJOR
VARIANCE (408 WEST GREEN STREET / ZBA
CASE NO. 2018-MAJ-06) [ORDINANCE NO. 2018-06-
043]**

2019R02440
REC ON: 02/22/2019 01:20:18 PM
CHAMPAIGN COUNTY
MARK SHELDEN
REC FEE: 51.00
RHSPS Fee:
REV FEE:
PAGES 7
PLAT ACT: 0 PLAT PAGE:

*ORDINANCE
*MAP

Prepared for recording by:

Wendy M. Hundley, Deputy City Clerk

400 S. Vine St., Urbana, IL 61801



Return to:

Charles A. Smyth, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

ORDINANCE NO. 2018-06-043

AN ORDINANCE APPROVING A MAJOR VARIANCE

(408 West Green Street / ZBA Case No. 2018-MAJ-06)

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 a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

WHEREAS, Andrew Fell, on behalf of property owner Hao Jan Liu, has submitted a petition for a major variance to allow a basement to be constructed in a multi-family building which will increase the approved floor-area ratio from 0.70 to 0.96; and

WHEREAS, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on May 16, 2018, in ZBA Case No. 2018-MAJ-06; and

WHEREAS, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in *The News-Gazette*, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

WHEREAS, the Zoning Board of Appeals voted six (6) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance; and

WHEREAS, the City Council finds that the requested variance conforms with the major variance procedures in Article XI, Section XI-3(C)(2)(d) of the Urbana Zoning Ordinance; and

WHEREAS, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. Andrew Fell, on behalf of Hao Jan Liu, has applied for a variance to allow a basement to be constructed in a new multi-family building at 408 West Green Street.
2. The property is zoned MOR, Mixed Office Residential, and has a future land use designation of "Mixed Residential" in the Urbana Comprehensive Plan.

3. The MOR Development Review Board held a public hearing for site plan and design approval for a proposed multi-family building on January 25, 2018, that did not include a basement. The Board approved the plans as presented with no conditions.
4. The variance request would add a basement to the proposed building and would not alter the approved site plans or elevations in a significant way.
5. The variance request will not serve as a special privilege to the property owner.
6. The variance request was not the result of a situation knowingly created by the petitioner.
7. The variance request will not alter the essential character of the neighborhood.
8. The variance request will not cause a nuisance to adjacent property owners.
9. The variance request represents the minimum deviation from the requirements of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

In ZBA Case No. 2018-MAJ-06, the major variance requested by Andrew Fell, on behalf of Hao Jan Liu to allow a basement to be constructed in a multi-family building which will increase the approved floor-area ratio from 0.70 to 0.96 is hereby approved in the manner proposed in the application with the following condition:

- The basement unit is below grade as shown in the elevation dated April 10, 2018, and attached as Ordinance Attachment 1.

The major variance described above shall only apply to the property located at 408 West Green Street, more particularly described as follows:

Lot 21 in James T. Roe's Fourth Addition, as per Plat recorded April 17, 1854 in Deed Record "E", Page 461, situated in Champaign County, Illinois.

PIN: 92-21-17-132-011

Section 2.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

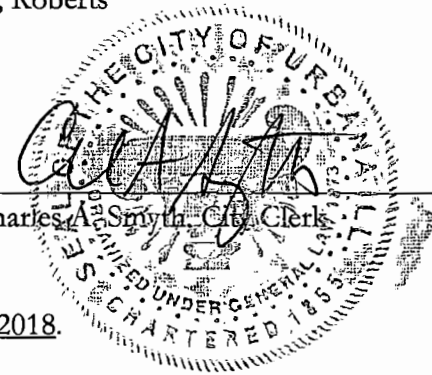
This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 4th day of June, 2018,

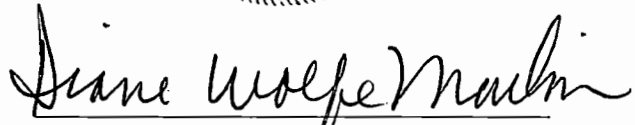
AYES: Brown, Hazen, Jakobsson, Miller, Roberts

NAYS:

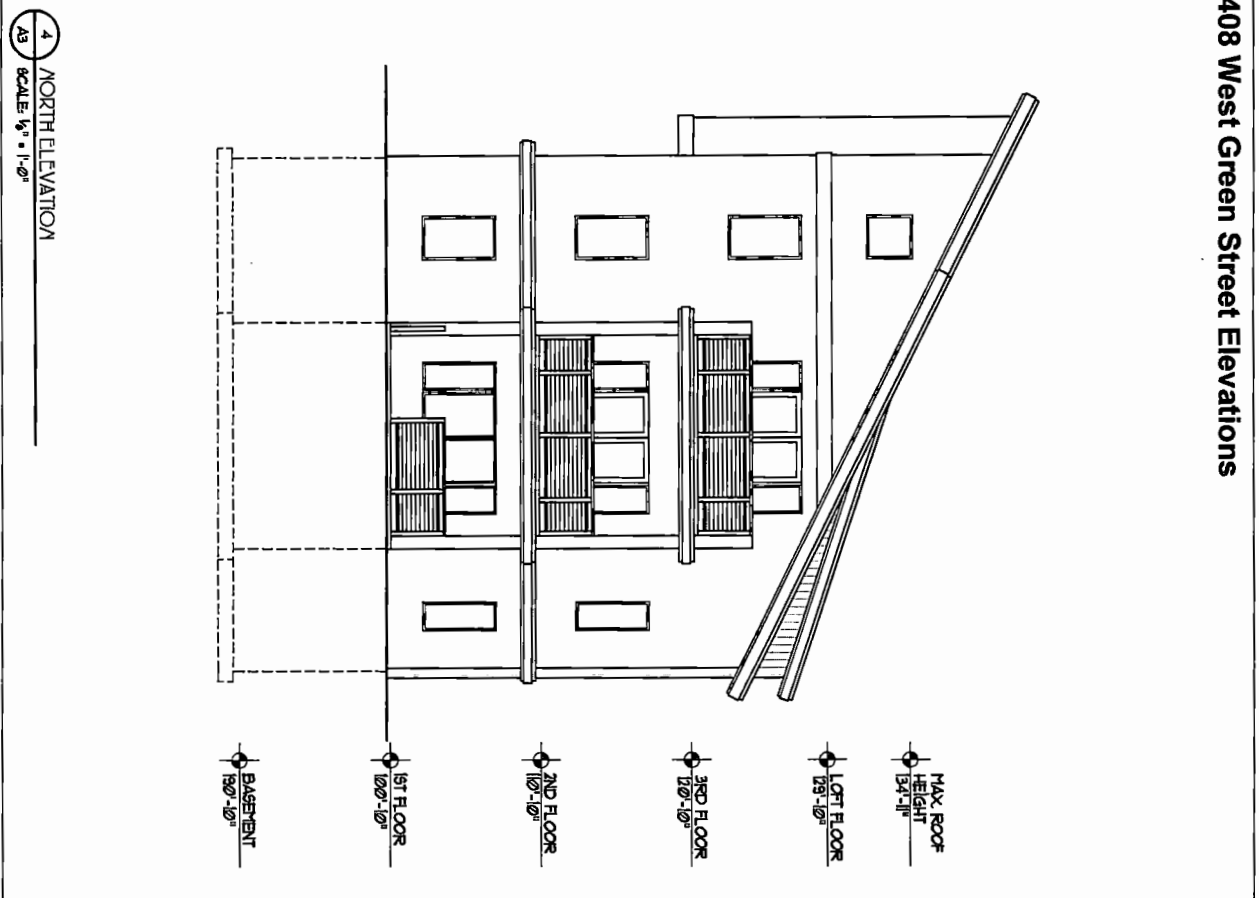
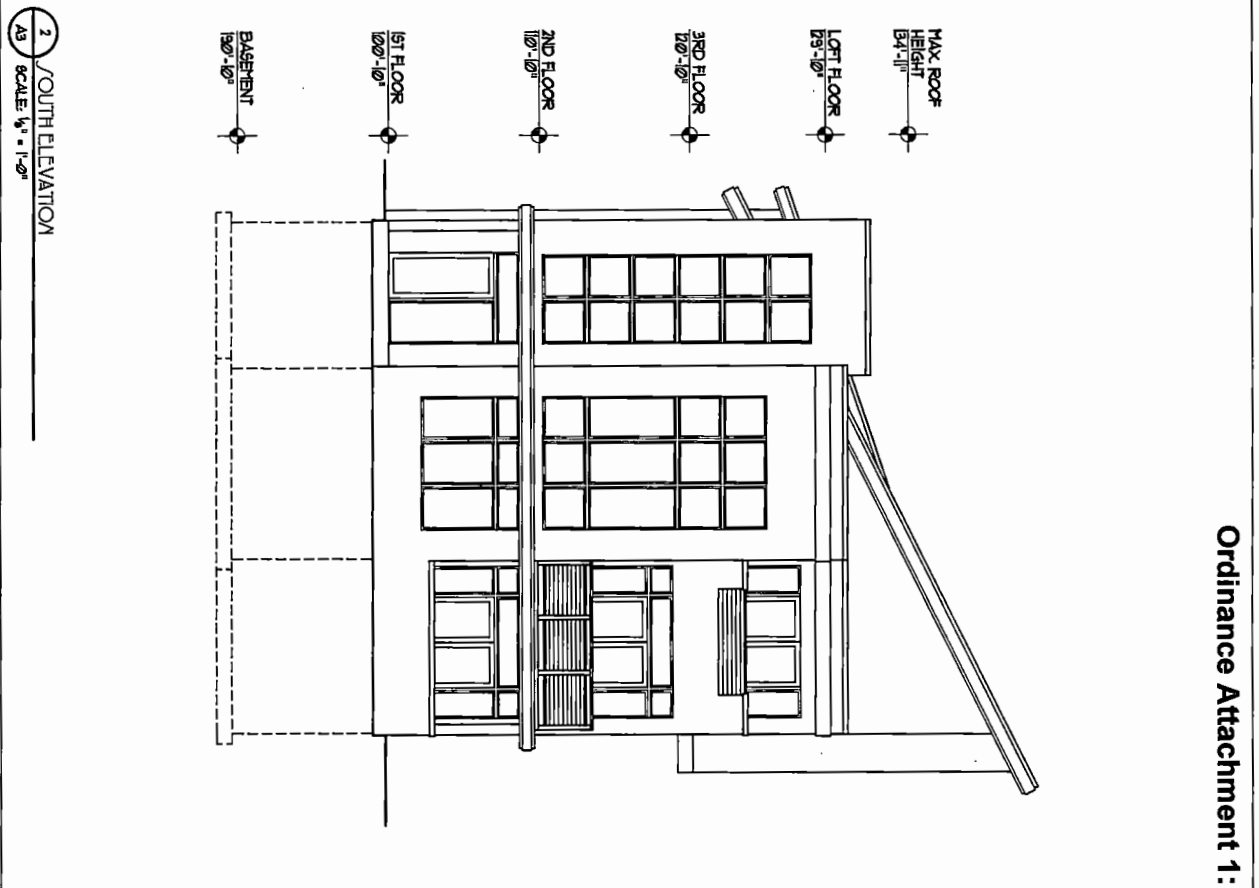
ABSTENTIONS:


Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 6th day of June, 2018.


Diane Wolfe Marlin, Mayor

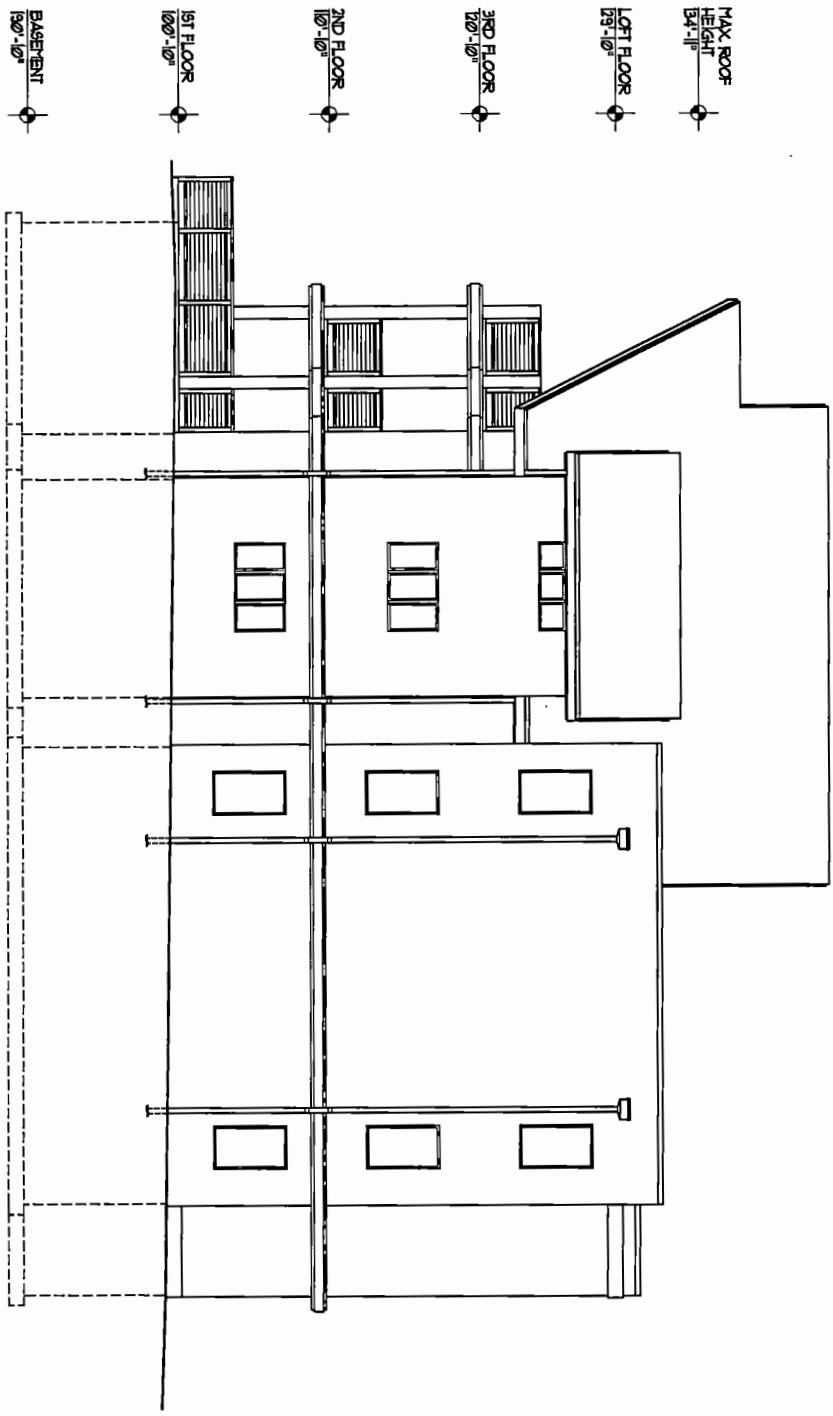
Ordinance Attachment 1: 408 West Green Street Elevations



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| A4 | 408 WEST GREEN NEW CONSTRUCTION | These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work. | ANDREW FELL ARCHITECTURE AND DESIGN 618 NORTH HICKORY STREET, SUITE 101 CHAMPAIGN, ILLINOIS 61820 PHONE: 217.353.0200 WWW.ANDREWFELL.COM EMAIL: andrewf@comcast.net | PROJECT # 17095 |
| | 408 WEST GREEN STREET URBANA, ILLINOIS 61801 | | DATE: 2018APR10 | REV/NOY: |

Ordinance Attachment 1: 408 West Green Street Elevations

2 WEST ELEVATION
 A4 SCALE 1/4" = 1'-0"



A5

408 WEST GREEN
 NEW CONSTRUCTION
 408 WEST GREEN STREET
 URBANA, ILLINOIS 61801

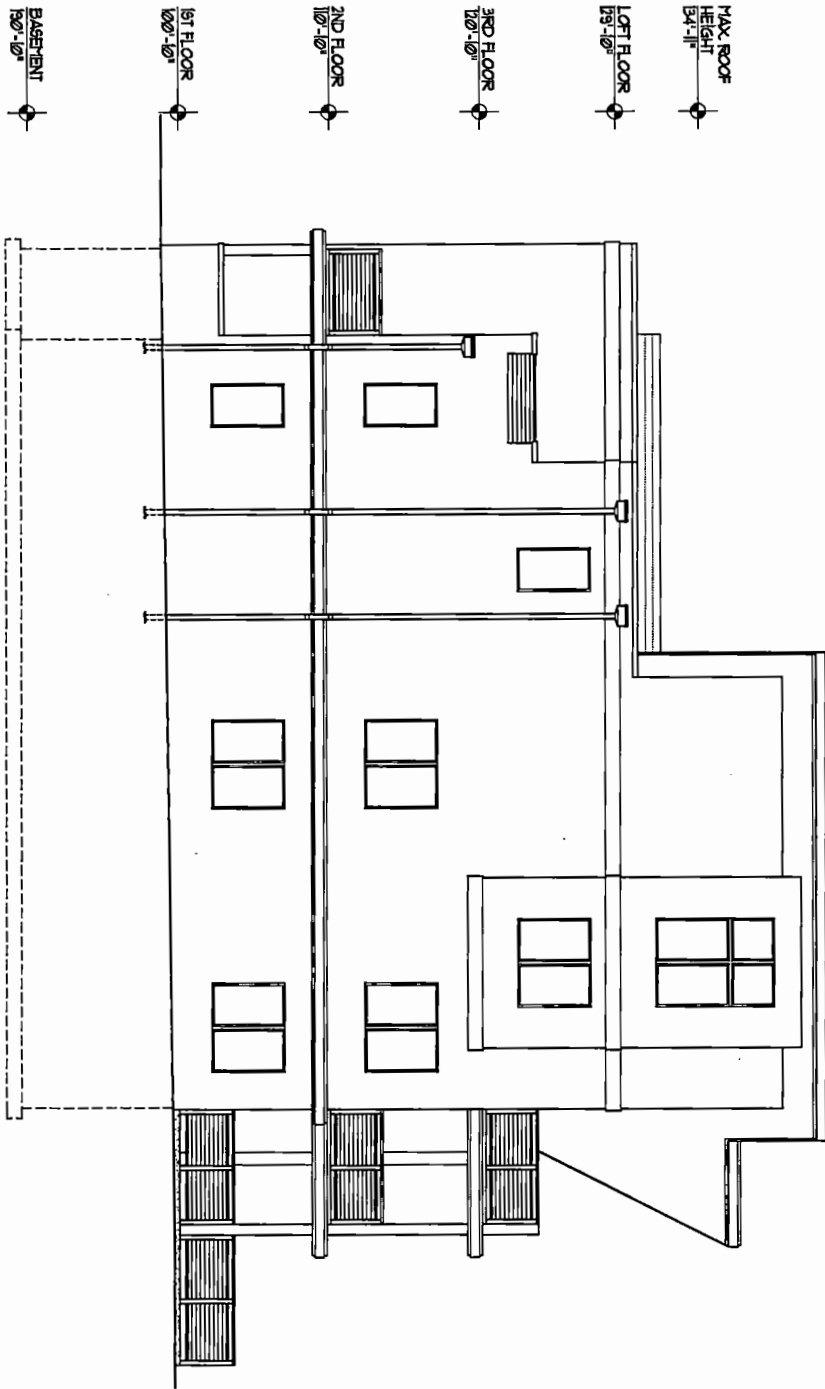
These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.

ANDREW FELL
 ARCHITECTURE AND DESIGN
 616 NORTH HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.283.8200
 WWW.ANDREWPELL.COM
 EMAIL: andrewfell@comcast.net

PROJECT # 17095
 DATE: 2016 APR 10
 REV/NOV:

Ordinance Attachment 1: 408 West Green Street Elevations

2 EAST ELEVATION
SCALE 1/4" = 1'-0"



| | | | | |
|----|---|--|--|------------------|
| A6 | 408 WEST GREEN NEW CONSTRUCTION | These drawings and specifications are the property and copyright of Andrew Fell Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work. | ANDREW FELL ARCHITECTURE AND DESIGN | PROJECT # 17095 |
| | 408 WEST GREEN STREET URBANA, ILLINOIS 61801 | | 616 NORTH HICKORY STREET, SUITE 101 CHAMPAIGN, ILLINOIS 61820 PHONE 217.285.2820 WWW.ANDREWFELL.COM EMAIL: andrewf@comcast.net | DATE: 2018.APRIL |
| | | | | REV/NOV: |



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 4th day of June 2018 the City Council of the City of Urbana passed and approved Ordinance No. 2018-06-043, entitled:

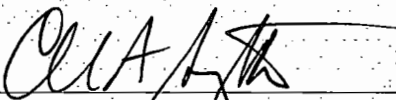
AN ORDINANCE APPROVING A MAJOR VARIANCE (408 WEST GREEN STREET / ZBA CASE NO. 2018-MAJ-06)

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

The pamphlet form of Ordinance No. 2018-06-043 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 6th day of June, 2018, 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 6th day of June, 2018.





Charles A. Smyth, City Clerk