



City of Urbana
400 South Vine Street
Urbana, IL 61801

2020R03967
REC ON: 03/12/2020 09:00:09 AM
CHAMPAIGN COUNTY
MARK SHELDEN
REC FEE: 52.00
RHSPS Fee: 9.00
REV FEE:
PAGES 6
PLAT ACT: PLAT PAGE:

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) SS

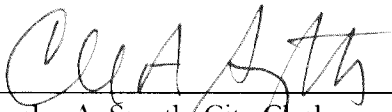
I, CHARLES A. SMYTH, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

AN ORDINANCE APPROVING A MAJOR VARIANCE (THE URBANA FREE LIBRARY PARKING LOT AT 305 S. RACE ST./ ZBA CASE NO. 2020-MAJ-01) [ORD. 2020-03-013].

approved by the City Council of the City of Urbana, Illinois, on the 9th day of March, AD, 2020, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 11th day of March, AD, 2020.





Charles A. Smyth, City Clerk



ORDINANCE NO. 2020-03-013

AN ORDINANCE APPROVING A MAJOR VARIANCE

(The Urbana Free Library Parking Lot at 305 S. Race St. / ZBA Case No. 2020-MAJ-01)

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, Celeste Choate, on behalf of the Urbana Free Library, has submitted a petition for a major variance to allow parking spaces that are less than the required length; and

WHEREAS, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on February 19, 2020, in ZBA Case No. 2020-MAJ-01; 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 four (4) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance with two conditions; 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. The property is zoned B-4, Central Business Zoning District.
2. Celeste Choate, on behalf of the Urbana Free Library, requests a Major Variance to allow a parking spaces that are less than the required length; and

3. The variance does not serve as a special privilege to the property owner; surface parking lots are allowed in B-4 districts, but the proposed configuration for this parking lot is a variation from the requirements of the Zoning Ordinance; and
4. The property owner did not deliberately create this situation, as the legal, non-conforming parking lot has operated as such prior to the Urbana Free Library's acquisition of the property; and
5. The variance will not alter the essential character of the neighborhood, as the requested variance is consistent with the property's current use; and
6. The variance will not create a nuisance, as it will allow the parking lot to be repaved and restriped as it exists now, under which no nuisances have been reported; and
7. The variance represent the minimum deviation necessary from the zoning ordinance, as the variance would allow parking spaces that are less than the required length.

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

Section 1.

In ZBA Case No. 2020-MAJ-01, the major variance requested by Celeste Choate, on behalf of the Urbana Free Library, to allow parking spaces that are less than the required length at 305 South Race Street in the B-4, Central Business Zoning District, is hereby approved in the manner proposed in the application with the following conditions: that the parking lot generally conforms to the site plan in Attachment A. Such attachments are attached hereto and incorporated herein by reference.

The major variance described above shall only apply to the property located at 305 South Race Street, more particularly described as follows:

Lot 12 and the North 10 feet of Lot 13 of James T. Roe's Addition to the City of Urbana, as per Plat recorded in Plat Book "D" at Page 111, together with the East Half of that park of the vacated alley lying immediately West thereof, EXCEPT that part dedicated to the People of the City of Urbana as Document 702829 filed October 7, 1963 in Book 739 at Page 552, situated in the City of Urbana, Champaign County, Illinois.

Commonly known as 305 South Race Street
P.I.N.: 92-21-17-211-005

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. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy with the Champaign County Office of the Recorder of Deeds and transmit one copy of the recorded Ordinance to the petitioner.

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 9th Day of March, 2020.

AYES: Brown, Colbrook, Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSTENTIONS:



Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 10th Day of March, 2020.




Diane Wolfe Marlin, Mayor

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WHEREAS, the Zoning Board of Appeals voted four (4) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance with two conditions; 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. The property is zoned B-4, Central Business Zoning District.
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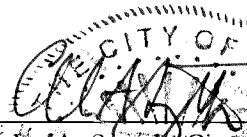
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PASSED BY THE CITY COUNCIL this 9th Day of March, 2020.

AYES: Brown, Colbrook, Hursey, Jakobsson, Miller, Roberts, Wu

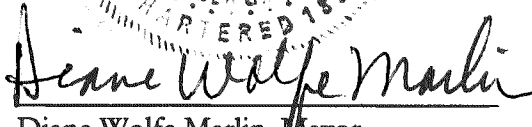
NAYS:

ABSTENTIONS:

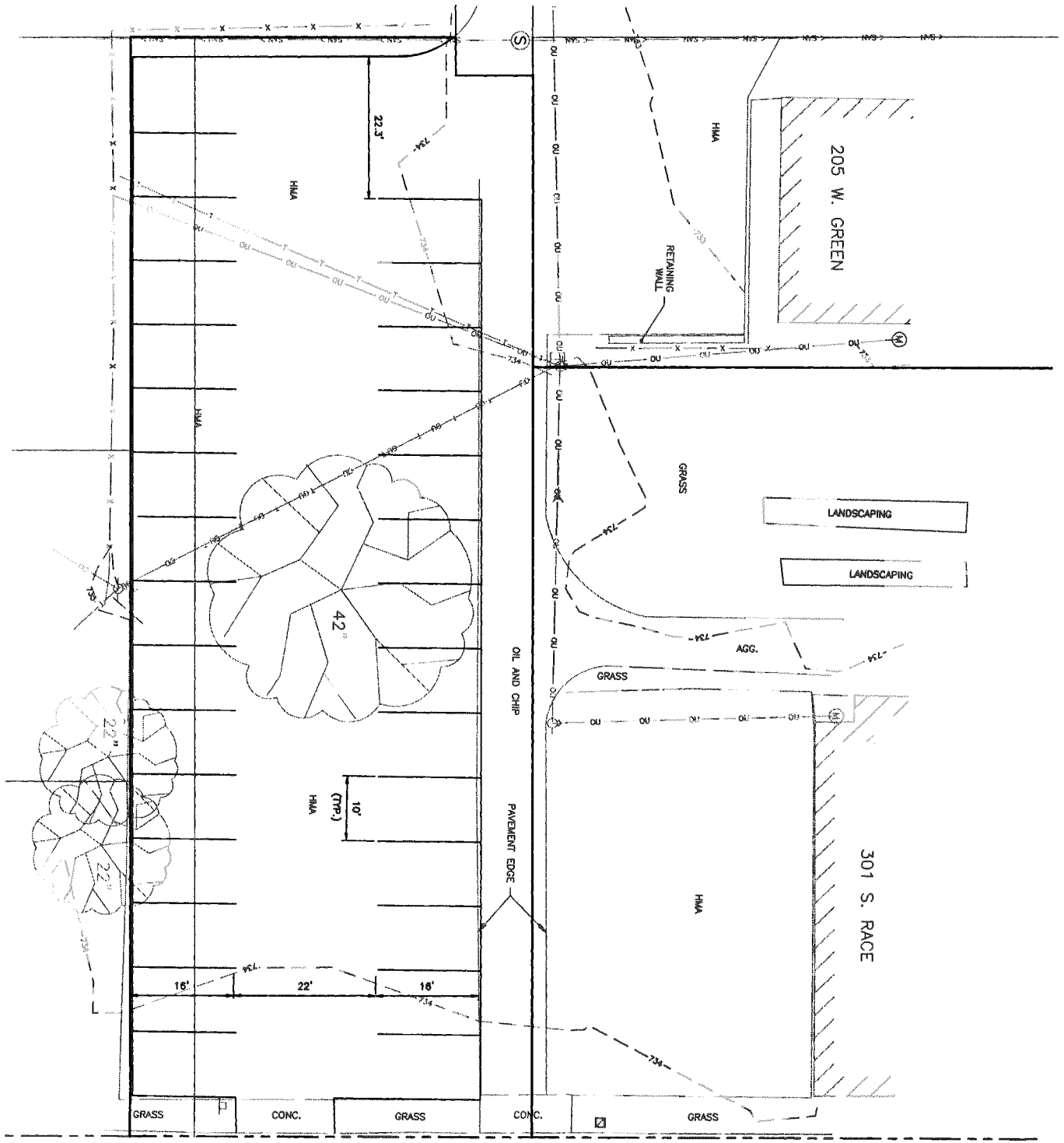


Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 10th Day of March, 2020.



Diane Wolfe Marlin, Mayor



SOUTH RACE ST.



Attachment A



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



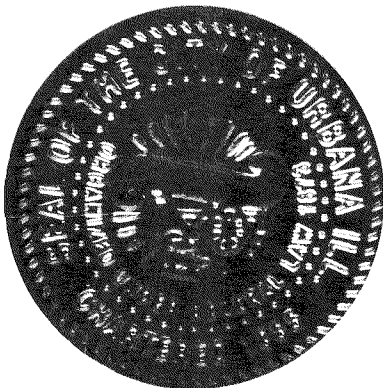
I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 9th day of March 2020 the City Council of the City of Urbana passed and approved Ordinance No. 2020-03-013, entitled:

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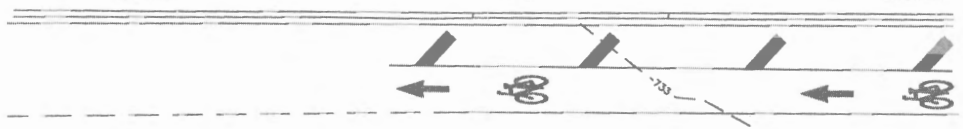
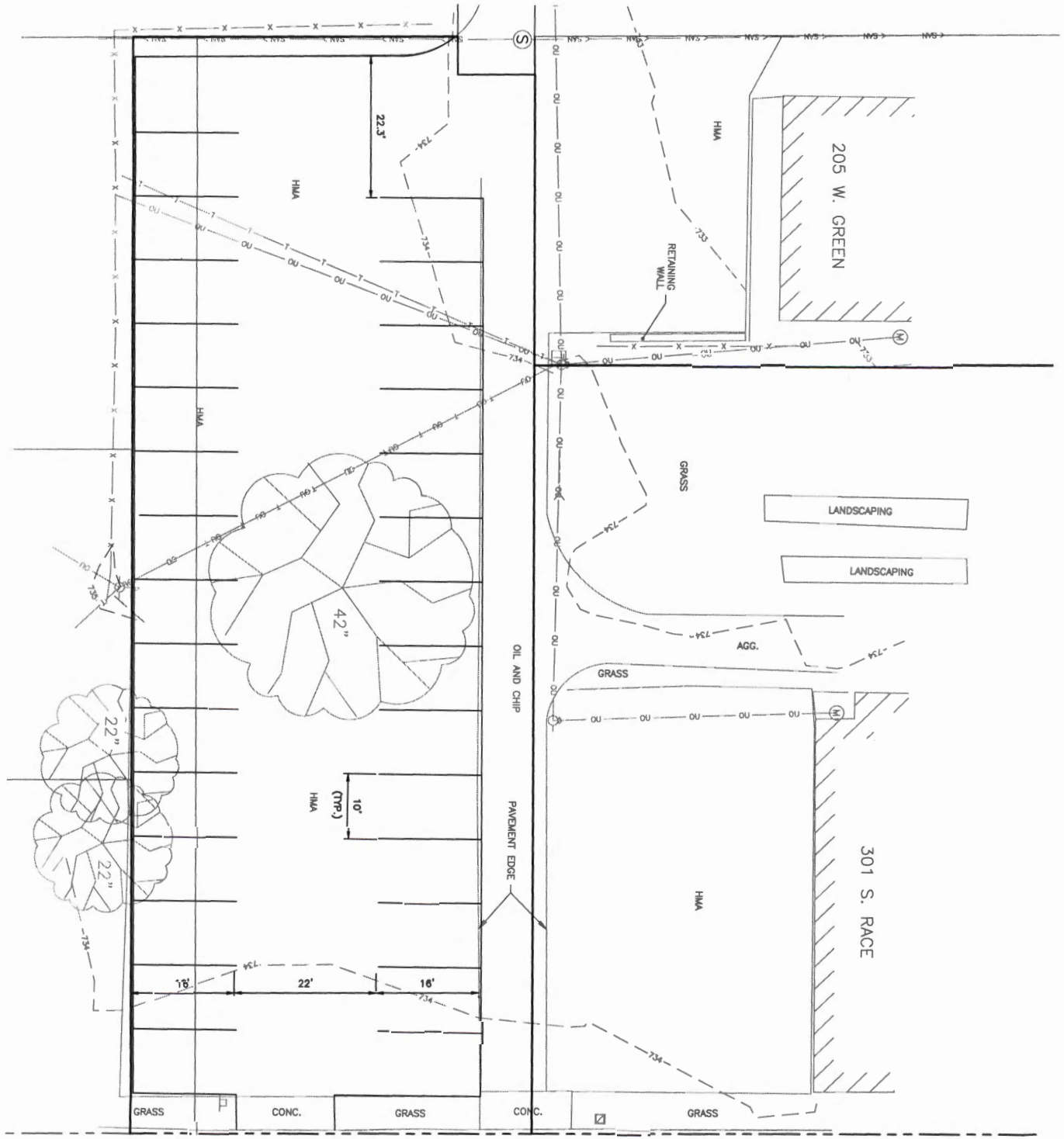
which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2020-03-013 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 11th day of March 2020, 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 11th day of March, 2020.



Charles A. Smyth, City Clerk



SOUTH RACE ST.





CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



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