



City of Urbana  
400 South Vine Street  
Urbana, IL 61801

**2020R23984**  
REC ON: 11/16/2020 11:38:56 AM  
CHAMPAIGN COUNTY  
**MARK SHELDEN**  
REC FEE: 52.00  
RHSPS Fee: 9.00  
REV FEE:  
PAGES 7  
PLAT ACT: PLAT PAGE:

### CLERK'S CERTIFICATE

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF CHAMPAIGN)       SS


I, PHYLLIS D. CLARK, 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 (1111 W. KENYON RD. / CASE ZBA-2020-MAJ-06 – VITALSKIN DERMATOLOGY) [ORD. 2020-11-061].**

approved by the City Council of the City of Urbana, Illinois, on the 9<sup>th</sup> day of November, 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 10<sup>th</sup> day of November, AD, 2020.



  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk



**ORDINANCE NO. 2020-11-061**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(1111 W. Kenyon Rd. / Case ZBA-2020-MAJ-06 – VitalSkin Dermatology)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

**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**, VitalSkin Physician Management, LLC, has petitioned the City for a major variance to reduce the minimum front yard from 15 feet to 1 foot to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on October 21, 2020, in ZBA Case No. 2020-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 five (5) ayes and one (1) nay to forward the case to the Urbana City Council with a recommendation to approve the requested variance with one condition; 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-3, General Business, Zoning District.
2. VitalSkin Physician Management, LLC, requests a major variance to reduce the minimum front yard requirement from 15 feet to 1 foot to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District.
3. The special circumstance of the site is that space available between the exceptionally wide right-of-way and the front of the building does not leave sufficient room for the desired parking configuration.
4. The proposed variance should grant relief from a situation not created by the petitioner, and would allow them to create a desirable parking configuration for the medical clinic near the logical building entrance for clinic patients.
5. The proposed variance should not alter the essential character of the neighborhood nor cause a nuisance to adjacent properties, as it would not bring parking significantly closer to the main road or alter the current view from the road, and should not increase traffic or noise.
6. The proposed variance does not represent the minimum deviation from the requirements of the Zoning Ordinance, as there are other parking configuration alternatives that would not require the proposed variance.

**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-06, the major variance requested by VitalSkin Physician Management, LLC, to reduce the minimum front yard requirement from 15 feet to 1 foot to allow parking in front of the building is hereby approved in the manner proposed in the application with the following condition: Construction must be in general conformance with the attached site plan, entitled “Site Plan - 1111 West Kenyon Road,” dated August 25, 2020 (Attachment 1).

**Legal Description:**

A Part of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian, in Champaign County, Illinois, described as follows:

Commencing at the intersection of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian and the South right-of-way line of F.A.I. 74, thence North 89 degrees 31 minutes 18 seconds East 30.00 feet to the True Point of Beginning; thence North 89 degrees 31 minutes 18 seconds East along the South right-of-way line of F.A.I. 74, 472.15 feet more or less to the Northwest corner of a tract of land owned by the Marathon Oil Company as recorded in the Office of the Recorder of Deeds of Champaign County in Book 758 at Page 382, Document No. 712606; thence South 0 degrees East along the West line of said tract, 876.80 feet to the Southwest Corner of the tract of land owned by the Marathon Oil Company; thence North 90 degrees West, 469.69 feet more or less to a point 30 feet East of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East; thence North 0 degrees 08 minutes 39 seconds West parallel to said West line of the East Half of the Southeast Quarter of Section 6, 872.68 feet to the place of beginning. Situated in Champaign County, Illinois.

P.I.N.: 91-21-06-426-001      Address: 1111 West Kenyon Road, Urbana, Illinois

**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 of this Ordinance with the Champaign County Office of Recorder of Deeds.

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 9<sup>th</sup> day of November, 2020.

AYES: Brown, Colbrook, Miller, Roberts, Wu

NAYS: Hursey

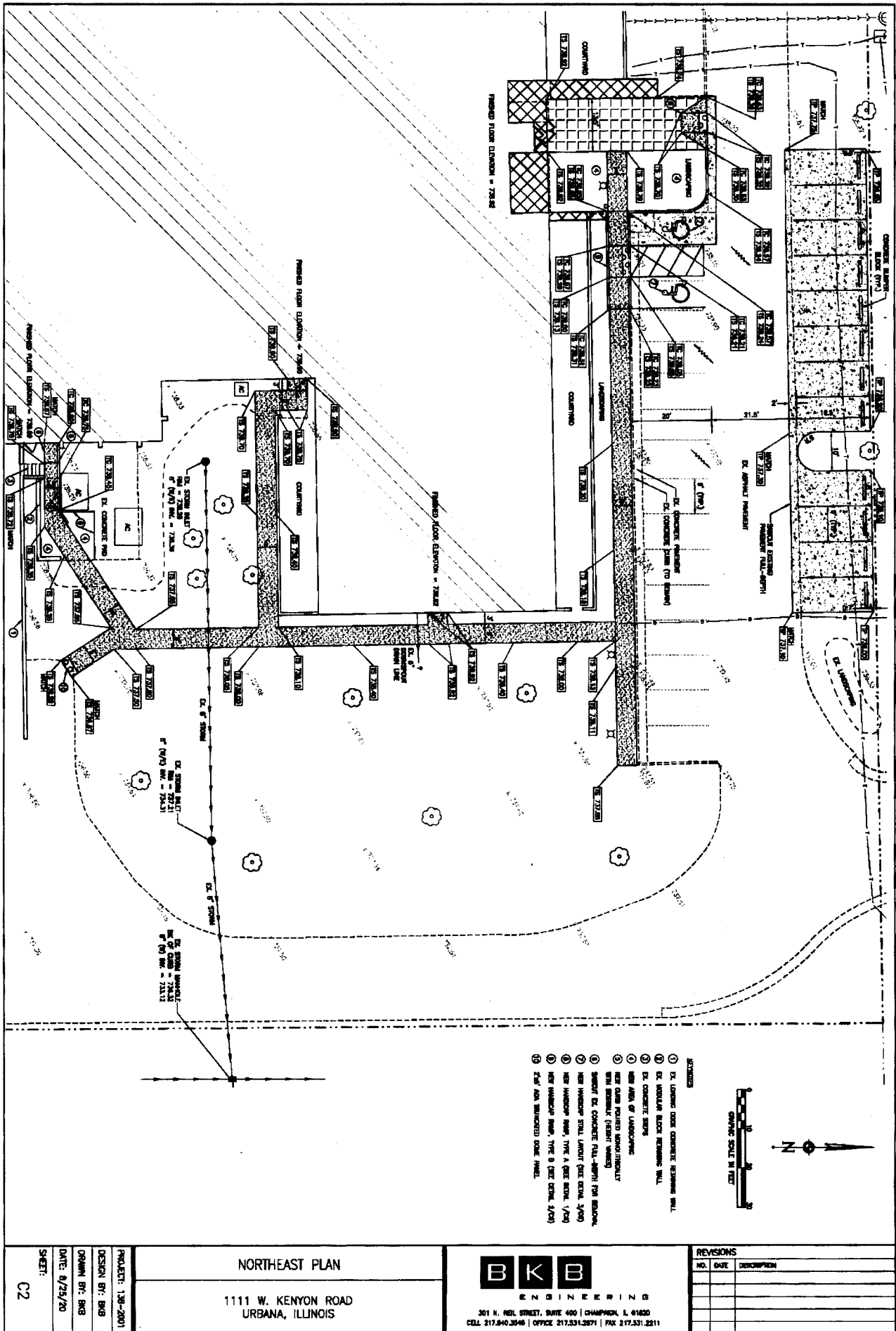
ABSTENTIONS:

  
*Phyllis D. Clark*  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this 10<sup>th</sup> day of November, 2020.

*Diane Wolfe Marlin*  
\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

# Attachment 1: Site Plan - 1111 West Kenyon Road





## 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 9<sup>th</sup> day of November 2020 the City Council of the City of Urbana passed and approved Ordinance No. 2020-11-061 entitled:

**AN ORDINANCE APPROVING A MAJOR VARIANCE (1111 W. KENYON RD. /  
CASE ZBA-2020-MAJ-06 – VITALSKIN DERMATOLOGY)**

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

The pamphlet form of Ordinance No. 2020-11-061 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 10<sup>th</sup> day of November 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 10<sup>th</sup> day of November, 2020.



  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk



City of Urbana  
400 South Vine Street  
Urbana, IL 61801

### CLERK'S CERTIFICATE

STATE OF ILLINOIS        )  
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COUNTY OF CHAMPAIGN)        SS


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Phyllis D. Clark, City Clerk





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**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**, VitalSkin Physician Management, LLC, has petitioned the City for a major variance to reduce the minimum front yard from 15 feet to 1 foot to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on October 21, 2020, in ZBA Case No. 2020-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 five (5) ayes and one (1) nay to forward the case to the Urbana City Council with a recommendation to approve the requested variance with one condition; 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

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6. The proposed variance does not represent the minimum deviation from the requirements of the Zoning Ordinance, as there are other parking configuration alternatives that would not require the proposed variance.

**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-06, the major variance requested by VitalSkin Physician Management, LLC, to reduce the minimum front yard requirement from 15 feet to 1 foot to allow parking in front of the building is hereby approved in the manner proposed in the application with the following condition: Construction must be in general conformance with the attached site plan, entitled “Site Plan - 1111 West Kenyon Road,” dated August 25, 2020 (Attachment 1).

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Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds.

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 9<sup>th</sup> day of November, 2020.

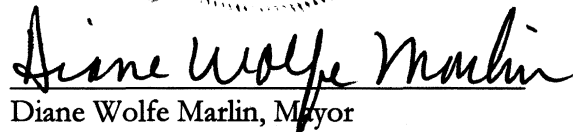
AYES: Brown, Colbrook, Miller, Roberts, Wu

NAYS: Hursey

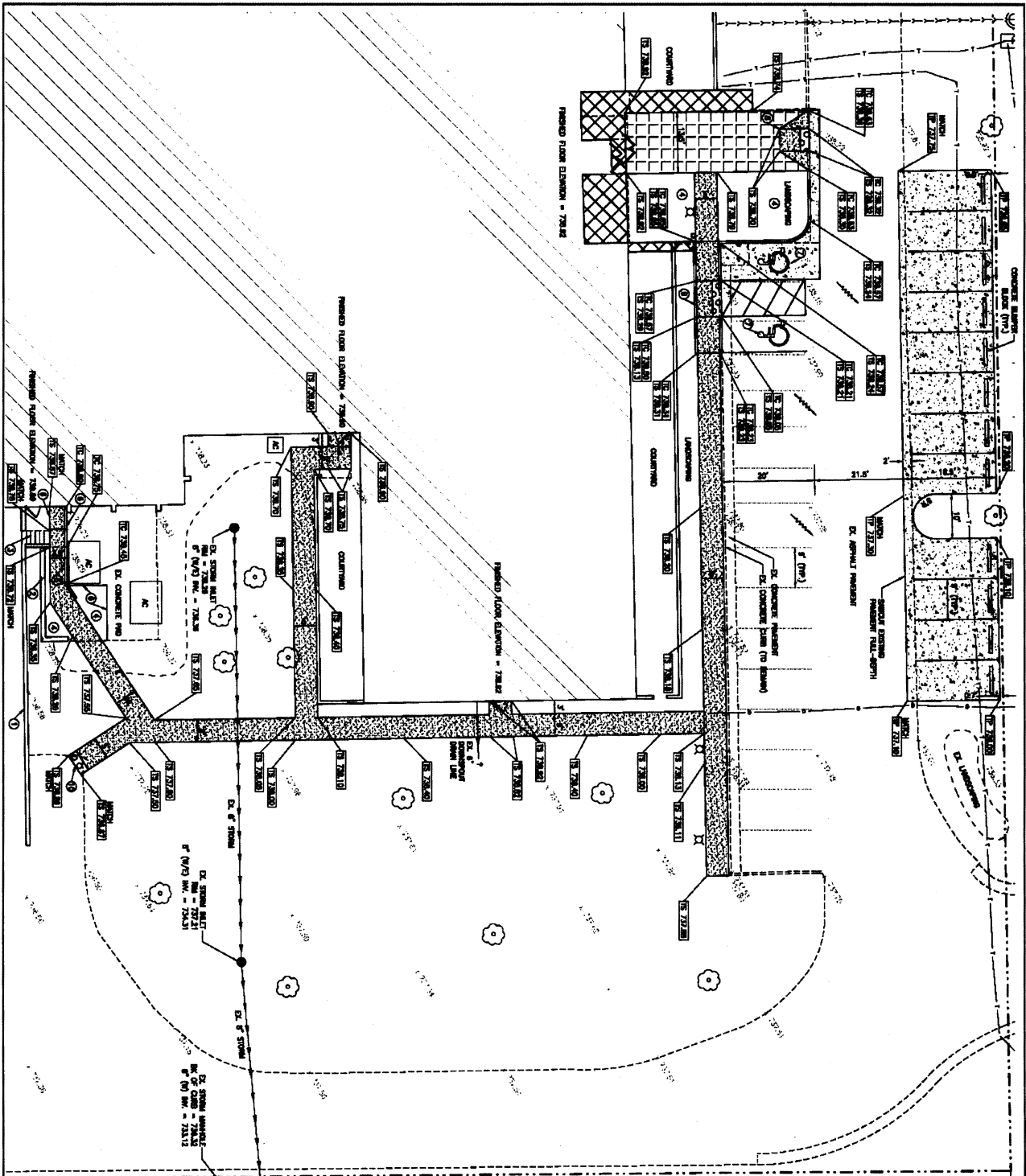
ABSTENTIONS:

  
Phyllis D. Clark  
Phyllis D. Clark, City Clerk

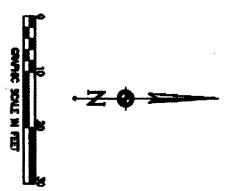
**APPROVED BY THE MAYOR** this 10<sup>th</sup> day of November, 2020.

  
Diane Wolfe Marlin, Mayor

# Attachment 1: Site Plan - 1111 West Kenyon Road



- LEGEND**
- ① EX. EXISTING SIDE CONCRETE RETAINING WALL
  - ② EX. EXISTING BLOCK RETAINING WALL
  - ③ EX. CONCRETE STOPS
  - ④ NEW AREA OF LANDSCAPING
  - ⑤ NEW CURB FINISHED UNIDIRECTIONALLY WITH GRANITE (SHOWN WHERE)
  - ⑥ EX. EXISTING SIDE CONCRETE FINISH
  - ⑦ NEW SIDEWALK STALL UNIDIR. (SEE DETAIL 5/100)
  - ⑧ NEW SIDEWALK FINISH, TYPE A (SEE DETAIL 1/100)
  - ⑨ NEW SIDEWALK FINISH, TYPE B (SEE DETAIL 5/100)
  - ⑩ 2"Ø VLN FINISHED SIDE WALK



REVISIONS		
NO.	DATE	DESCRIPTION

<p><b>NORTHEAST PLAN</b></p> <p>1111 W. KENYON ROAD URBANA, ILLINOIS</p>	<p><b>B K B</b></p> <p>ENGINEERING</p> <p>301 N. HILL STREET, SUITE 400   CHAMPAIGN, IL 61820 CELL: 217.840.3848   FAX: 217.531.2871   FAX: 217.531.2211</p>	<table border="1"> <tr> <td>PROJECT: 138-2001</td> </tr> <tr> <td>DESIGN BY: BMB</td> </tr> <tr> <td>DRAWN BY: BMB</td> </tr> <tr> <td>DATE: 8/25/20</td> </tr> <tr> <td>SHEET: C2</td> </tr> </table>	PROJECT: 138-2001	DESIGN BY: BMB	DRAWN BY: BMB	DATE: 8/25/20	SHEET: C2
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DESIGN BY: BMB							
DRAWN BY: BMB							
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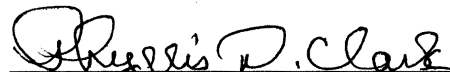
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The pamphlet form of Ordinance No. 2020-11-061 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 10<sup>th</sup> day of November 2020, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 10<sup>th</sup> day of November, 2020.



  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk