



City of Urbana
400 South Vine Street
Urbana, IL 61801

2021R05765
REC ON: 03/12/2021 01:17:18 PM
CHAMPAIGN COUNTY
MIKE INGRAM
REC FEE: 52.00
RHSPS Fee: 9.00
STATE TAX:
COUNTY TAX:
PLAT ACT:
PAGES 8

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 (1006 S. Wabash Ave. / ZBA Case No. 2021-MAJ-01) [ORD. 2021-03-010].

approved by the City Council of the City of Urbana, Illinois, on the 8th day of March, AD, 2021, 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 9th day of March, AD, 2021.



Phyllis D. Clark

Phyllis D. Clark, City Clerk



ORDINANCE NO. 2021-03-010

AN ORDINANCE APPROVING A MAJOR VARIANCE

(1006 S. Wabash Ave. / ZBA Case No. 2021-MAJ-01)

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, Deborah Berthold has submitted a petition for a major variance to allow a garage to encroach six inches into a required 18-inch setback at 1006 South Wabash Avenue; and

WHEREAS, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on February 18, 2021, in ZBA Case No. 2021-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 five (5) ayes and zero (0) nays 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 R-3, Single and Two-Family Residential Zoning District.
2. Deborah Berthold requests a major variance to allow a garage to be rebuilt 12 inches from the south property line at 1006 South Wabash Avenue.
3. The variance will not serve as a special privilege to the property owner, as the narrow lot configuration and location of the house and the mature tree in the backyard create a practical difficulty in rebuilding the garage 18 inches from the side property line.
4. The variance was not the result of a situation knowingly created by the applicant, as the garage has been on the property since before the applicant purchased it, and the lot was platted to be narrower than required today.
5. The variance will not alter the essential character of the neighborhood, as the garage will be rebuilt in generally the same location, and from the street, the garage would look essentially the same.
6. The variance will not cause a nuisance to adjacent property owners, as the garage will be rebuilt in its same location where it has not been a nuisance, with exterior walls that are 1-hour fire-resistance rated. The workshop space will be used for making stained glass and mosaics, which should not generate noise or cause a nuisance to the adjacent property.
7. The variance represents the minimum deviation necessary from the requirements of the Zoning Ordinance, as the garage will be rebuilt as far from the south property line as possible, while still retaining the mature tree.

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

Section 1.

In ZBA Case No. ZBA-2021-MAJ-01, the major variance requested by Deborah Berthold, to allow a garage to encroach six inches into a required 18-inch setback at 1006 South Wabash Avenue is hereby approved in the manner proposed in the application with the following conditions: that the garage 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 1006 South Wabash Avenue, more particularly described as follows:

Lot 84 of Martha C. Hubbard's Third Addition to the City of Urbana, as per plat recorded in Book "E" at page 201, in Champaign County, Illinois.

Commonly known 1006 South Wabash Avenue, Urbana, Illinois 61801
P.I.N.: 92-21-16-304-011

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. 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 8th day of March, 2021.

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

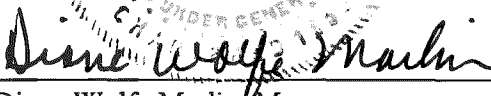
NAYS:

ABSTENTIONS:



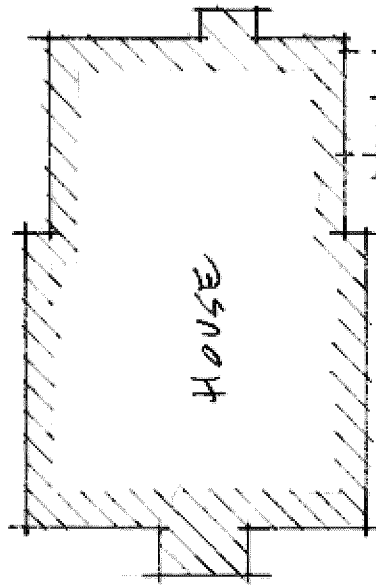
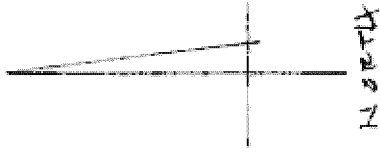
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 9th day of March, 2021.



Diane Wolfe Marlin, Mayor

VERBRA BETHOLD RESIDENCE
1006 S. WABASH AVE.
URBANA, ILLINOIS



FOOTPRINT OF
PROPOSED NEW
GARAGE/STUDIO
(12'-4" X 8'-6")

4'-6"

GRAVEL DRIVEWAY

2'-0"

2'-0"

EDGE OF CONC. DRIVEWAY

GARAGE

30 FEET

20

10

0

PROPOSED NEW GARAGE/WORKSHOP

JANUARY 12, 2021

WABASH AVE

Exhibit A - Location Map



Case No.
Subject
Address
Petitioner

ZBA-2021-MAJ-01
Berthold Garage
1006 S. Wabash Ave.
Deborah Berthold


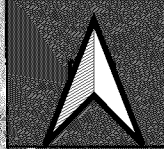
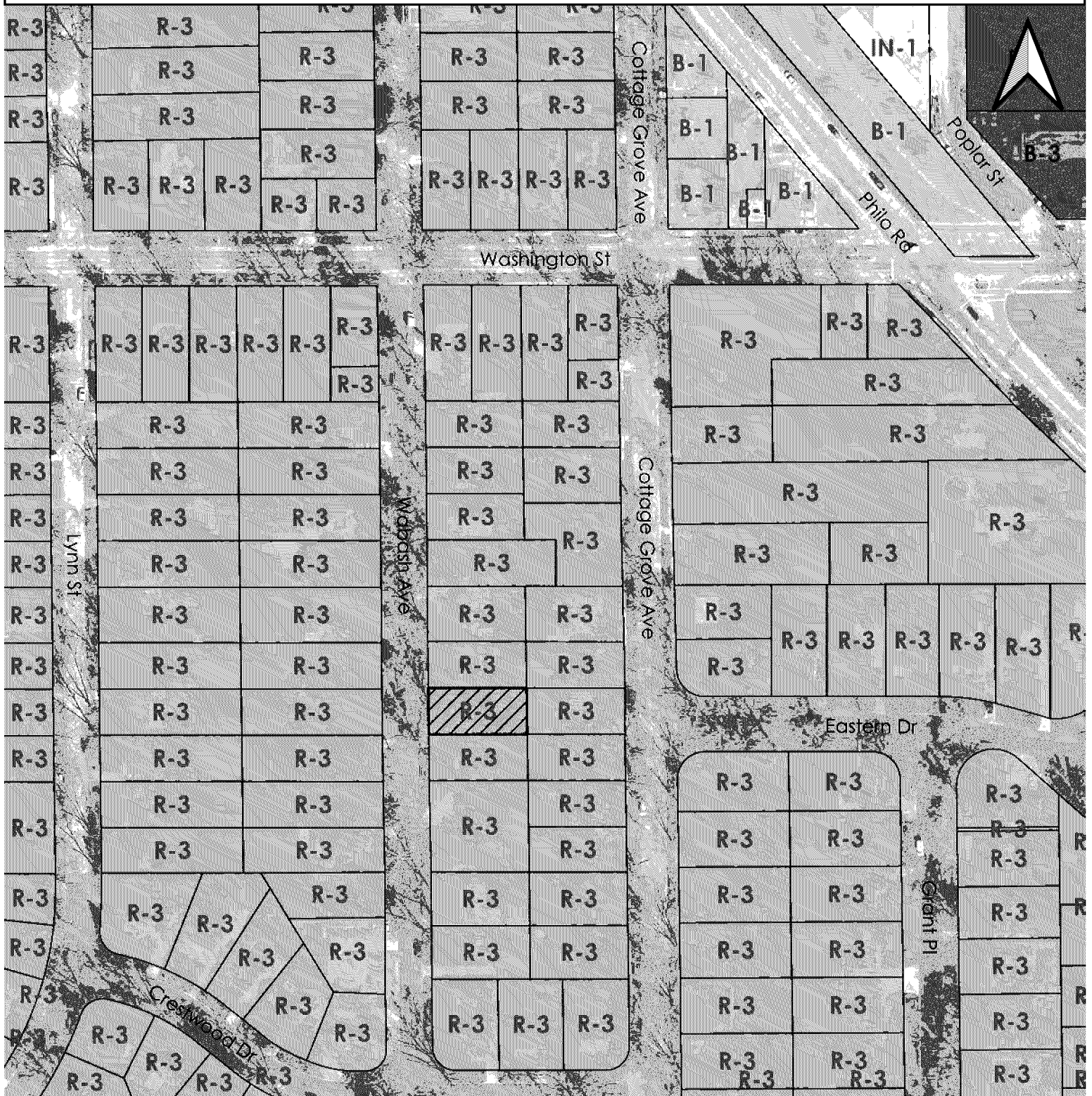
 Subject Property
2020 Aerial

Exhibit B - Zoning Map



Case No.
Subject
Address
Petitioner

ZBA-2021-MAJ-01
Berthold Garage
1006 S. Wabash Ave.
Deborah Berthold

- Parcels
- Subject Property
- Zoning
- B-1
 - B-3
 - IN-1



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



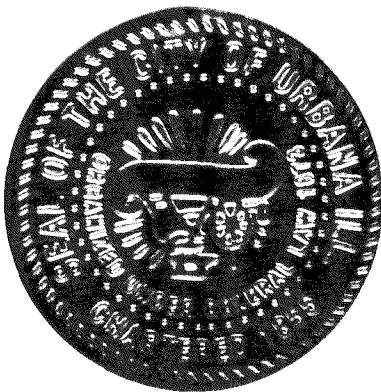
I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 8th day of March 2021 the City Council of the City of Urbana passed and approved Ordinance No. 2021-03-010 entitled:

AN ORDINANCE APPROVING A MAJOR VARIANCE (1006 S. Wabash Ave. / ZBA Case No. 2021-MAJ-01)

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

The pamphlet form of Ordinance No. 2021-03-010 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 9th day of March 2021, 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 9th day of March, 2021.




Phyllis D. Clark, City Clerk



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400 South Vine Street
Urbana, IL 61801

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COUNTY OF CHAMPAIGN) SS

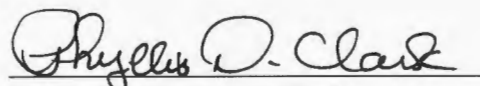
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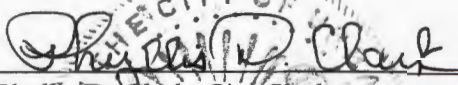
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AYES: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu

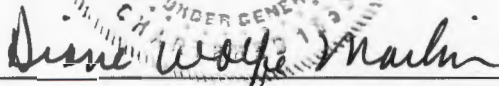
NAYS:

ABSTENTIONS:



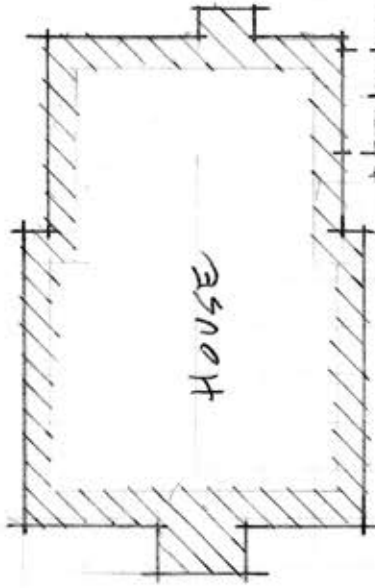
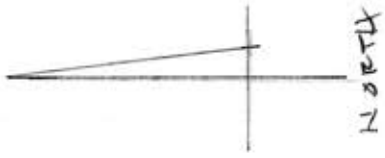
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 9th day of March, 2021.



Diane Wolfe Marlin, Mayor

PERORAH BERTHOLD RESIDENCE
1006 S. WABASH AVE.
URBANA, ILLINOIS



HOUSE

4'-6"

GRAVEL DRIVEWAY

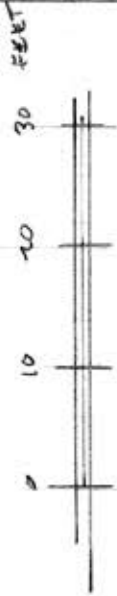
EXISTING GARAGE

2'-0"

EDGE OF CONC. DRIVEWAY

GARAGE

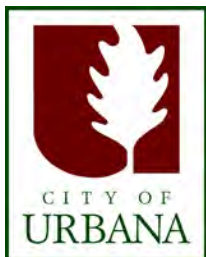
FOOTPRINT OF
PROPOSED NEW
GARAGE/STUDIO
(12'-4" X 35'-6")



PROPOSED NEW GARAGE/WORKSHOP
JANUARY 12, 2021


WABASH AVE.

Exhibit A - Location Map



Case No.
Subject
Address
Petitioner

ZBA-2021-MAJ-01
Berthold Garage
1006 S. Wabash Ave.
Deborah Berthold

 Subject Property
2020 Aerial

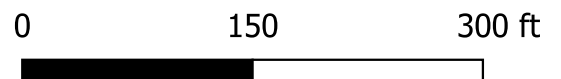
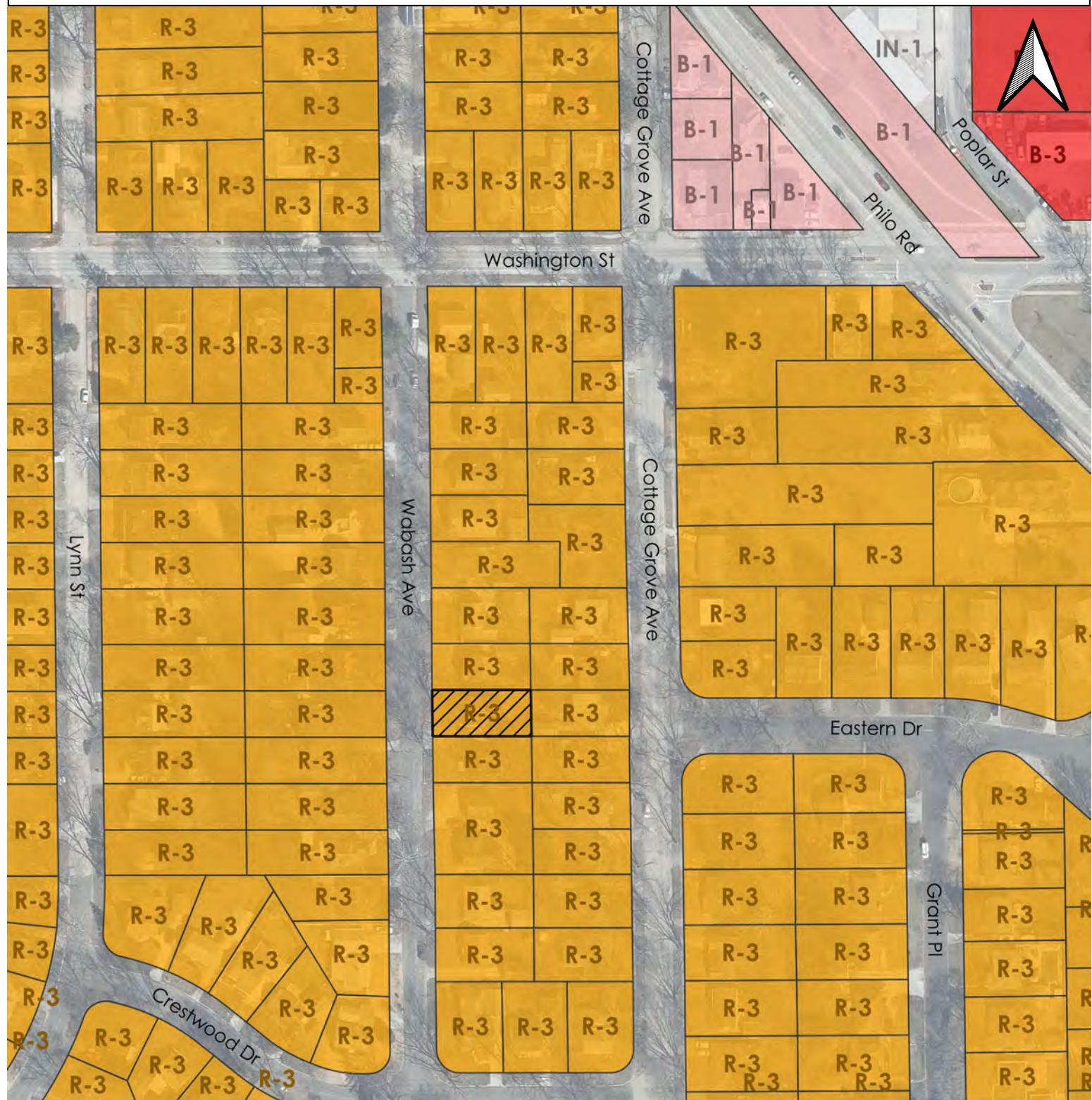







Exhibit B - Zoning Map



Case No.
Subject
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Petitioner

ZBA-2021-MAJ-01
Berthold Garage
1006 S. Wabash Ave.
Deborah Berthold

- Parcels
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 -  R-3





CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



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Dated at Urbana, Illinois, this 9th day of March, 2021.





Phyllis D. Clark, City Clerk