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# Recording Cover Sheet

**AN ORDINANCE APPROVING A MAJOR VARIANCE**  
(Porch at 907 East Washington Street / ZBA Case No. 2021-  
MAJ-06)

**2021R19819**  
REC ON: 08/17/2021 03:24:15 PM  
CHAMPAIGN COUNTY  
**MIKE INGRAM**  
REC FEE: 51.00  
RHSPS Fee:  
STATE TAX:  
COUNTY TAX:  
PLAT ACT:  
PAGES 6

Prepared for recording by:

Phyllis D. Clark, City Clerk

400 S. Vine St., Urbana, IL 61801

Return to:

Phyllis D. Clark, City Clerk  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801

**CLERK'S CERTIFICATE**

STATE OF ILLINOIS            )  
  )  SS  
COUNTY OF CHAMPAIGN    )

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  
(Porch at 907 East Washington Street / ZBA Case No. 2021-MAJ-06)**

Adopted by the City Council of the City of Urbana, Illinois, on the 9<sup>th</sup> day of August, 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 16<sup>th</sup> day of August, AD, 2021.



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

**ORDINANCE NO. 2021-08-034**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(Porch at 907 East Washington Street / ZBA Case No. 2021-MAJ-06)**

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

**WHEREAS**, David Huber has submitted a petition for a major variance to allow a porch to encroach 10 feet, 10 inches into a required 25-foot front yard at 907 East Washington Street; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on July 21, 2021, in ZBA Case No. 2021-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 four (4) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variances; 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. David Huber requests a major variance to allow a porch to encroach 10 feet, 10 inches into the required 25-foot front yard at 907 East Washington Street in the R-3, Single and Two-Family Residential zoning district.
2. The variance will not serve as a special privilege to the property owner, as the porch has been on the property, in the required front yard, since 1947, and other porches on the block encroach into the required front yard.
3. The variance was not the result of a situation knowingly created by the applicant, as the average front yard depth on the block determined the 25-foot front yard requirement, and the applicant bought the property earlier this year.
4. The variance will not alter the essential character of the neighborhood, as the house would essentially look the same as it does now, only with a wider front porch. Several other porches on the block encroach into the required front yard.
5. The variance will not cause a nuisance to adjacent property owners, as the porch would be widened to the edges of the house and would not encroach into either side yard.
6. The variance generally represents the minimum deviation necessary from the requirements of the Zoning Ordinance, as the porch would be widened but would maintain the existing 10 foot, 10 inch front yard encroachment.

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

**Section 1.**

In ZBA Case No. 2021-MAJ-06, the major variance requested by David Huber, to allow a porch to encroach 10 feet, 10 inches into a required 25-foot front yard at 907 East Washington Street, is hereby approved in the manner proposed in the application with the following condition: that the porch generally conforms to the site plan in Attachment A. The major variance described above shall only apply to the property located at 907 East Washington Street, more particularly described as follows:

Lot 93 of Martha C. Hubbard's Third Addition to the City of Urbana, being a portion of the Northwest Quarter of the Southwest Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois.

Commonly known as 907 East Washington Street, Urbana, Illinois 61801  
P.I.N.: 92-21-16-303-004

**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.

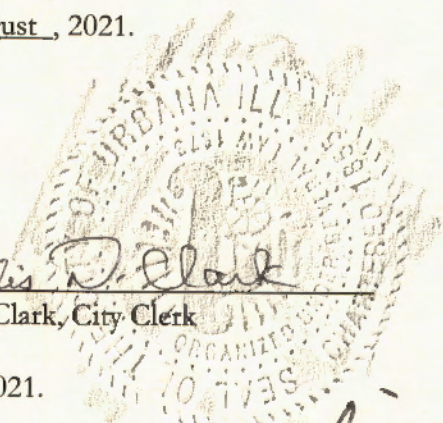
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this 9th day of August, 2021.

AYES: Wu, Evans, Hursey, Bishop, Wilken, Quisenberry

NAYS: None

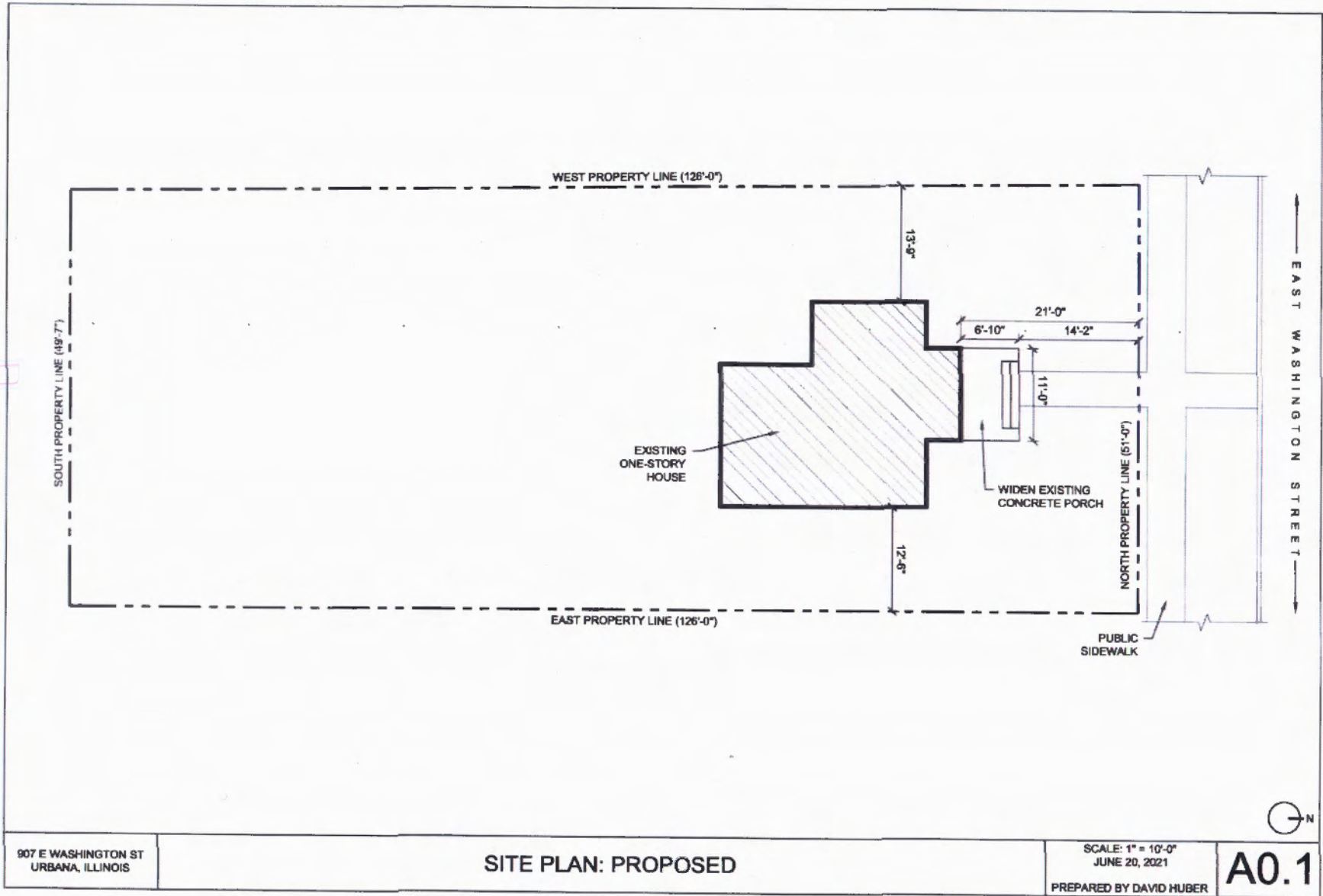
ABSTENTIONS: None

The seal of the City of Urbana, Illinois, is circular and features a central figure, possibly a person or a symbol, surrounded by the text "CITY OF URBANA ILLINOIS" and "ORGANIZED 1818".  
Phyllis D. Clark  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this 16<sup>th</sup> day of August, 2021.

Diane Wolfe Marlin  
Diane Wolfe Marlin, Mayor

Ordinance Attachment A



907 E WASHINGTON ST  
URBANA, ILLINOIS

SITE PLAN: PROPOSED

SCALE: 1" = 10'-0"  
JUNE 20, 2021  
PREPARED BY DAVID HUBER

A0.1



## 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 9<sup>th</sup> day of August 2021 the City Council of the City of Urbana passed and approved Ordinance No. 2021-08-034 entitled:

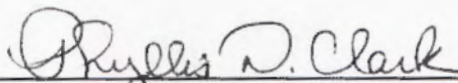
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(Porch at 907 East Washington Street / ZBA Case No. 2021-MAJ-06)**

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

The pamphlet form of Ordinance No. 2021-08-034 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 16<sup>th</sup> day of August 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 16<sup>th</sup> day of August, 2021.



  
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Phyllis D. Clark, City Clerk