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# Recording Cover Sheet

**AN ORDINANCE APPROVING A MAJOR VARIANCE**  
**(Porch Awning and Staircase at 604 S. Cedar St. / ZBA Case**  
**No. 2021-MAJ-05)**

**2021R19820**  
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 9

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    )

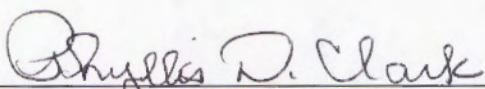
I, PHYLLIS D. CLARK, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an Ordinance entitled:

**AN ORDINANCE APPROVING A MAJOR VARIANCE  
(Porch Awning and Staircase at 604 S. Cedar St. / ZBA Case No. 2021-MAJ-05)**

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, City Clerk

**ORDINANCE NO. 2021-08-035**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(Porch Awning and Staircase at 604 S. Cedar St. / ZBA Case No. 2021-MAJ-05)**

**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 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 John and Linda Buzard has submitted a petition for a major variance to allow a replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar 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-05; 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. The property is zoned R-2, Single Family Residential Zoning District.
2. Andrew Fell on behalf of John and Linda Buzard has requested a major variance to allow replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar Street.
3. In its current condition, the property is legally nonconforming because the front of the house encroaches two feet, eight-and-a-half inches into the required 15-foot front yard. The variance will only slightly increase the existing encroachment and would allow the front awning and steps to be replaced with a more functional design still in keeping with the character of the neighborhood.
4. The variance request would not serve as a special privilege to the property owner if granted as similar issues with setback encroachments are not uncommon in this part of Urbana, where many of the houses were constructed prior to the enactment of the Zoning Ordinance.
5. The variance was not the result of a situation knowingly created by the applicant, as they purchased the house in its current condition.
6. The variance will not cause a nuisance to adjacent property owners, as the awning and front entry has not been a nuisance to them while it has been in the same general location and will be built in generally the same location.
7. The variance represents the minimum deviation from requirements in the Zoning Ordinance because they are being made to put in a landing and staircase that meet current building standards.

**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-05, the major variance requested by Andrew Fell on behalf of John and Linda Buzard allow a replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar Street, is hereby approved in the manner proposed in the application with

the following condition: that the construction generally conforms to the plans in Attachment A. The major variance described above shall only apply to the property located at 604 South Cedar Street, more particularly described as follows:

The South 50 feet of Lot 25 and the South 50 feet of the West 2 feet and 3 inches of Lot 26, all in a subdivision of Outlots 1, 2, 4, and 5 of James S. Busey's addition of outlots to Urbana, according to the plat recorded in Plat Book "E" at Page 218, situated in the City of Urbana, in Champaign County, Illinois.

Commonly known as 604 South Cedar Street, Urbana, Illinois 61801  
P.I.N.: 92-21-17-187-003

**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.

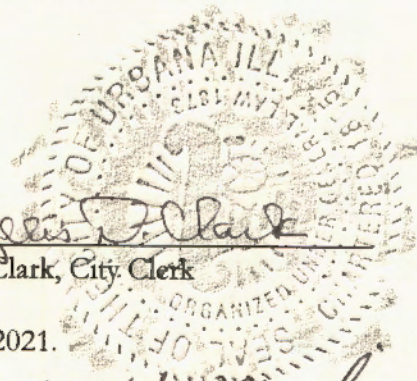
**PASSED BY THE CITY COUNCIL** this 9th day of August, 2021.

AYES: Wu, Evans, Hursey, Bishop, Wilken

NAYS: Quisenberry

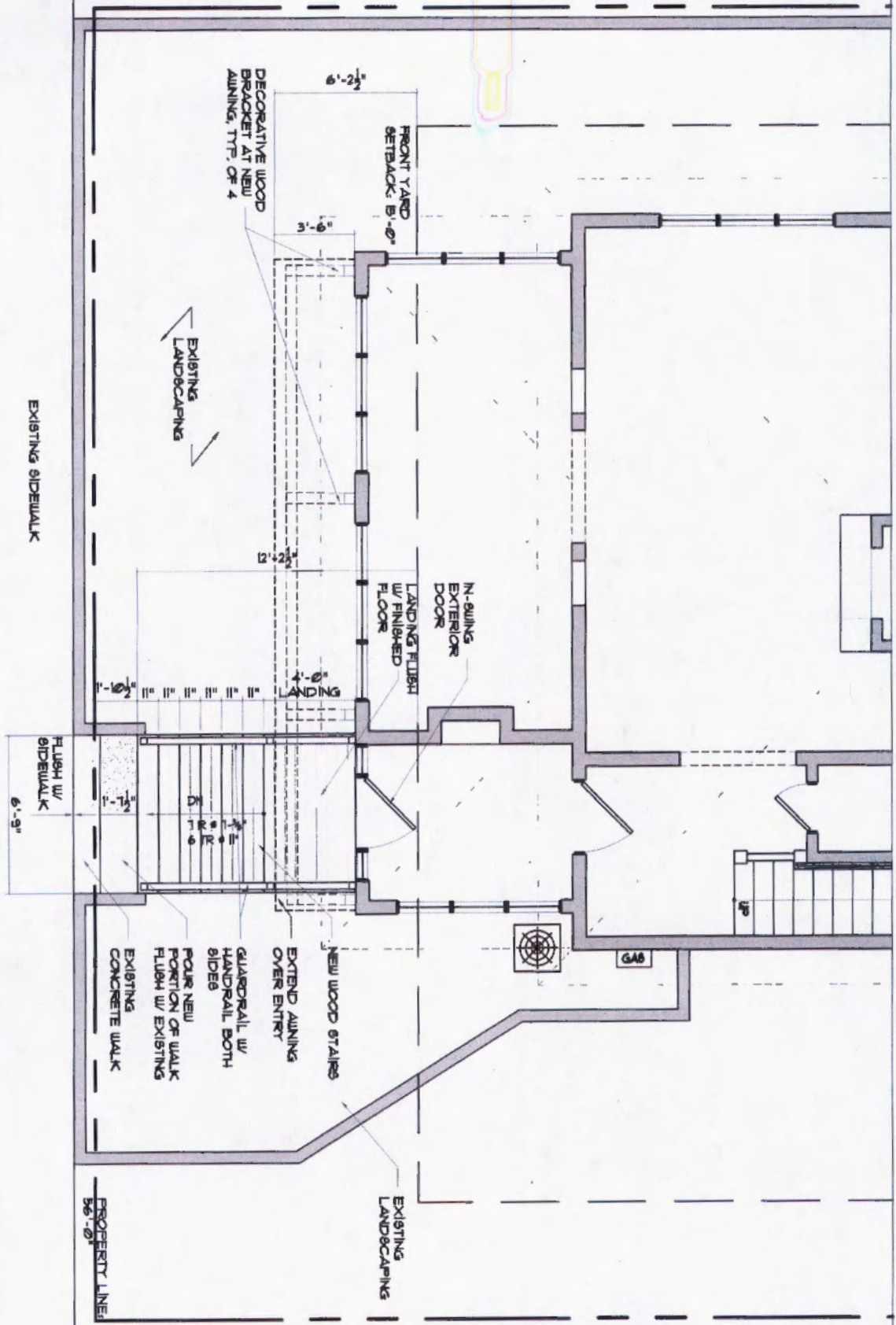
ABSTENTIONS: None

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

The seal of the City of Urbana, Illinois, is circular and features a central figure holding a scale and a sword. The text around the seal includes "CITY OF URBANA, ILLINOIS" and "ORGANIZED UNDER CHARTER OF 1837".  
*Phyllis D. Clark*  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

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

2 ENLARGED PROPOSED PLAN  
 1/8" SCALE 1/8" = 1'-0"  
 N



**BUZARD RESIDENCE**  
 EXTERIOR/STAIR & AWNING REPLACEMENT  
 604 SOUTH CEDAR ST.  
 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 104  
 CHAMPAIGN, ILLINOIS 61820  
 PHONE: 217.242.8800  
 WWW.ANDREWPELL.COM  
 EMAIL: andrew@andrewfell.com

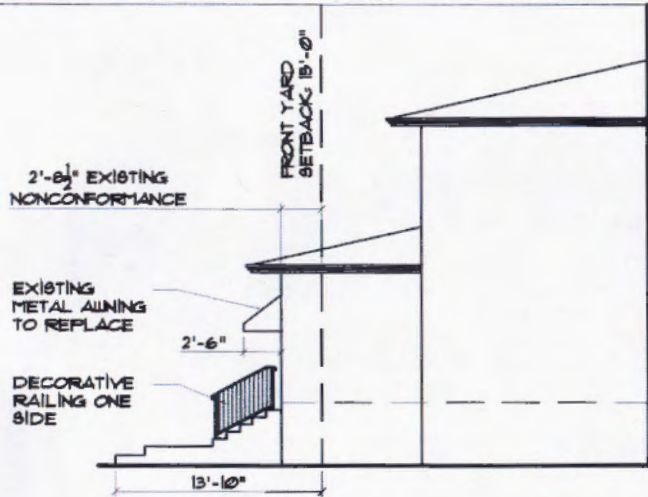
PROJECT # 20228  
 DATE: 2021.04.07  
 REVIEW:



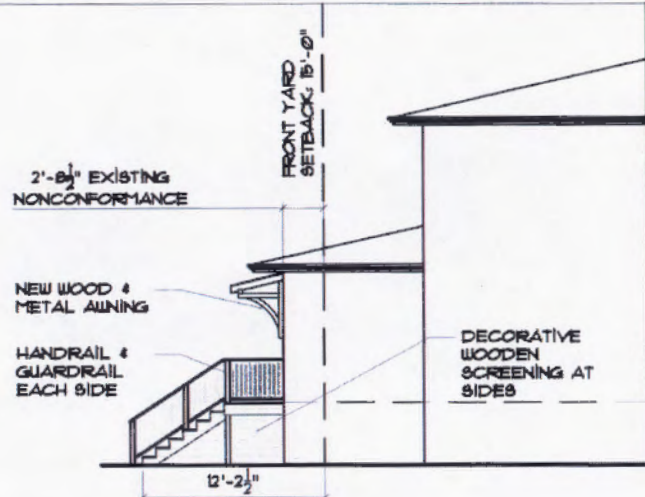
1 EXISTING ELEVATION AT CEDAR STREET  
A3 SCALE: 1/4" = 1'-0"



3 PROPOSED ELEVATION AT CEDAR STREET  
A3 SCALE: 1/4" = 1'-0"



2 SCHEMATIC EXISTING SIDE ELEVATION TO ILLUSTRATE EXISTING NON-COMPLIANCE  
A3 SCALE: 1/4" = 1'-0"



4 SCHEMATIC PROPOSED ELEVATION  
A3 SCALE: 1/4" = 1'-0"

PROJECT # 2025  
DATE: 2025.04.07  
REVISION:

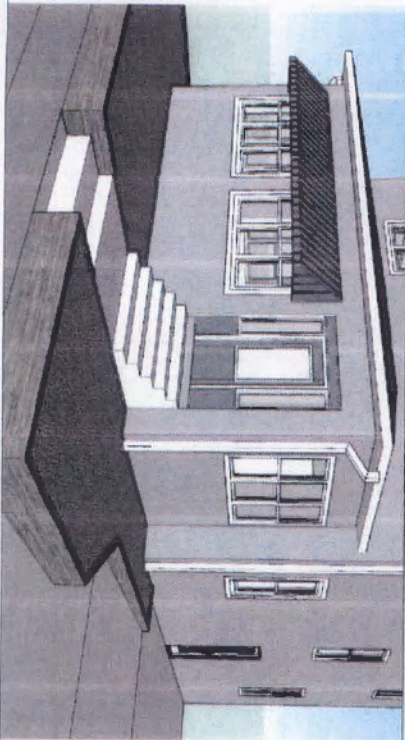
ANDREW FELL  
ARCHITECTURE AND DESIGN  
100 NORTH MONROE STREET, SUITE 100  
CHICAGO, ILLINOIS 60602  
PHONE: 312.462.1000  
WWW.ANDREWFELL.COM

These drawings and specifications are the property and copyright of Andrew Fell Architecture and shall remain the property of Andrew Fell Architecture and shall not be used for any other work without the written consent of Andrew Fell Architecture. Dimensions and materials shall be verified on site. The contractor shall be responsible for obtaining all necessary permits and for the accuracy of the information on the drawings and specifications.

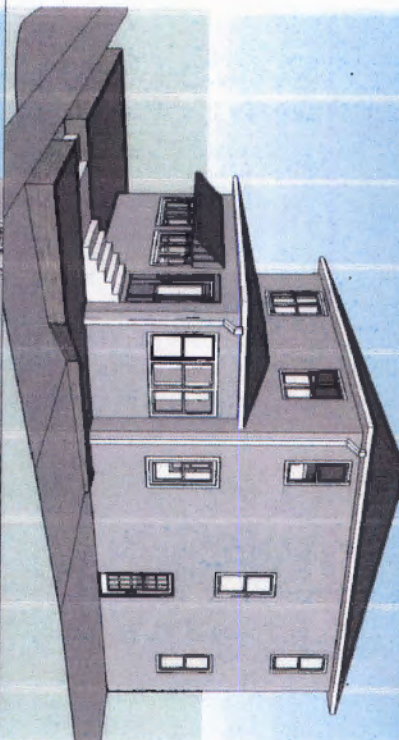
BUZARD RESIDENCE  
EXTERIOR STAIR & AWNING REPLACEMENT  
604 SOUTH CEDAR ST.  
URBANA, ILLINOIS 61801

A3

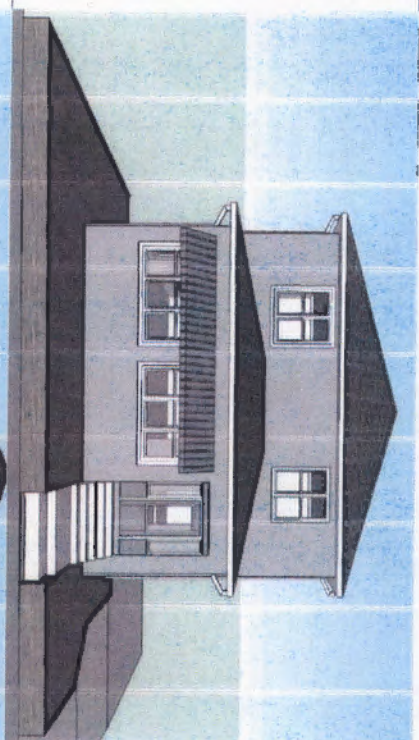
CLOSE UP AT EXISTING ENTRY



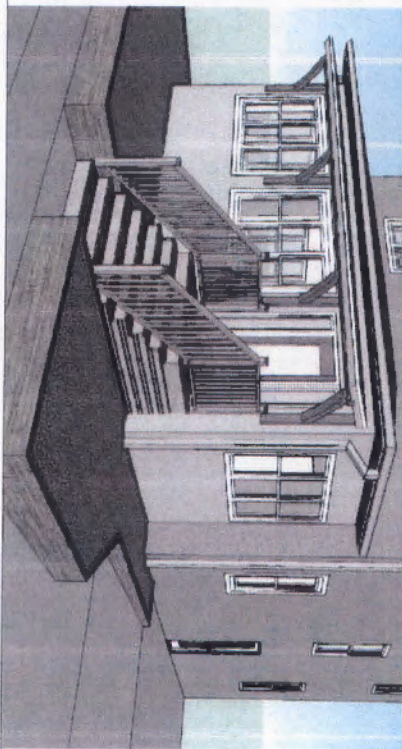
SIDE VIEW AT EXISTING STAIR



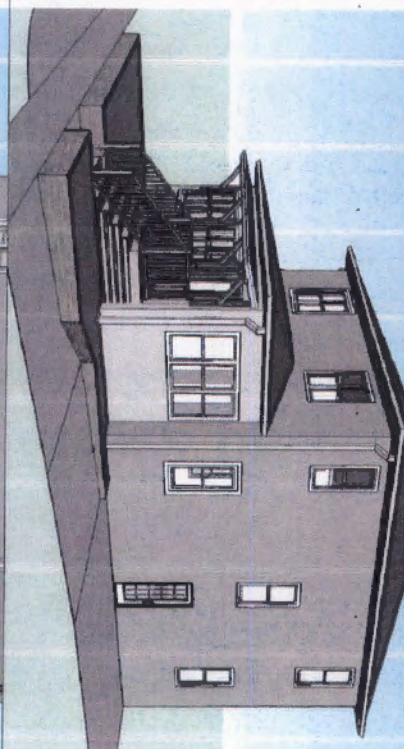
EXISTING FRONT ELEVATION



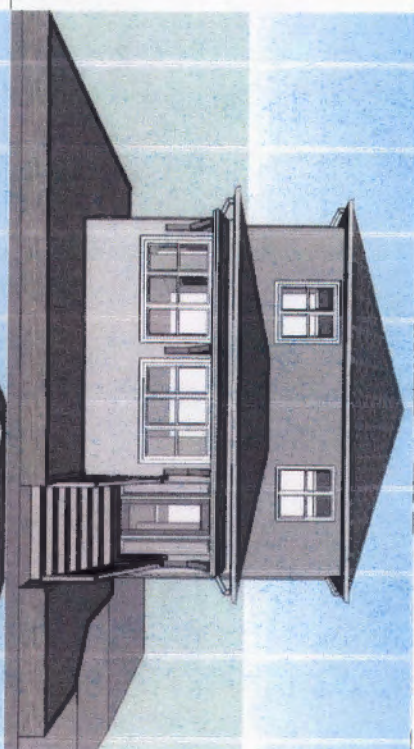
CLOSE UP AT PROPOSED ENTRY



SIDE VIEW AT PROPOSED STAIR



PROPOSED FRONT ELEVATION



A4

**BUZARD RESIDENCE**  
EXTERIOR/STAIR & AWNING REPLACEMENT

604 SOUTH CEDAR ST.  
URBANA, ILLINOIS 61801

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**ANDREW FELL**  
ARCHITECTURE AND DESIGN

616 NORTH MONROE STREET, SUITE 101  
CHAMPAIGN, ILLINOIS 61820  
PHONE: 217.244.5860  
WWW.ANDREWPELL.COM  
EMAIL: andrew@andrewfell.com

PROJECT # 21028

DATE: 2021.01.07

REV/NOV:




# Exhibit A--Location Map

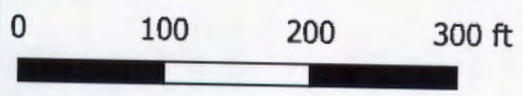


**Case No.** ZBA-2021-MAJ005  
**Subject** Front Yard Variance  
**Address** 604 S. Cedar St.  
**Petitioner** John and Linda Buzard

## Legend

 Subject Property

2020 Aerial





## 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. 2021-08-035 entitled:

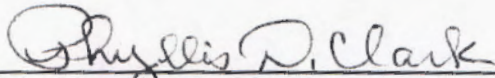
**AN ORDINANCE APPROVING A MAJOR VARIANCE  
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2021-08-035 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.



  
Phyllis D. Clark, City Clerk