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# Recording Cover Sheet

AN ORDINANCE APPROVING A MAJOR VARIANCE  
(Freestanding Sign at 1111 West Kenyon Road/ ZBA Case  
No. 2022-MAJ-03)  
[Ordinance No. 2022-06-028]

**2022R11995**  
REC ON: 07/01/2022 09:54:58 AM  
CHAMPAIGN COUNTY  
**AARON AMMONS**  
REC FEE: 51.00  
RHSPS Fee:  
STATE TAX:  
COUNTY TAX:  
PLAT ACT:  
PAGES 7

Prepared for recording by:

g) 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 VARIAN CE**  
**(Freestanding Sign at 1111 West Kenyon Road/ ZBA Case No. 2022-MAJ-03)**

Adopted by the City Council of the City of Urbana, Illinois, on the 27th day of June, AD, 2022, 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 29<sup>th</sup> day of June, AD, 2022.



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

**ORDINANCE NO. 2022-06-028**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(Freestanding Sign at 1111 West Kenyon Road / ZBA Case No. 2022-MAJ-03)**

**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**, Bendsen Signs & Graphics, on behalf of VitalSkin Dermatology, has submitted a petition for a major variance to allow a 10-foot-tall freestanding sign at 1111 West Kenyon Road; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on June 15, 2022, in ZBA Case No. 2022-MAJ-03; 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; 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. Bendsen Signs & Graphics requests a major variance to allow a 10-foot-tall freestanding sign to be located eight feet from the public right-of-way in the B-3, General Business district; and
2. Special circumstances of the parcel related to the atypically large IDOT right-of-way north of the property make strict application of the Zoning Ordinance impractical; and
3. The variance does not serve as a special privilege to the property owner, as the variance in sign height would be compensating for the 94-foot-wide right-of-way between the property line and the nearest road, a situation that is not common among properties in the B-3 district; and
4. The property owner did not deliberately create this situation, as the existence of the large IDOT right-of-way bordering the site's sole frontage predates the current ownership and sign proposal; and
5. The variance will not alter the essential character of the neighborhood, as there are similarly tall signs closer to Kenyon Road nearby; and
6. The variance will not create a nuisance, as the particularly large right-of-way will itself serve as a sufficient buffer from the street in place of a larger setback for the sign; and
7. The variance represents the minimum deviation necessary from the Zoning Ordinance, as the large right-of-way will effectively substitute for a greater setback, and the proposed sign height of 10 feet would be within the limitations allowed were a greater setback feasible.

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

**Section 1.**

In ZBA Case No. 2022-MAJ-03, the major variance requested by Bendsen Signs & Graphics, on behalf of VitalSkin Dermatology, to allow a 10-foot-tall freestanding sign at 1111 West Kenyon Road, is hereby approved in the manner proposed in the application with the following condition: the sign generally conforms to the submitted sign plans, as shown in Attachment A. The major variance described above shall only apply to the property located at 111 West Kenyon Road, more particularly described as follows:

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

Commonly known as 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 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 27<sup>th</sup> day of June, 2022.


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

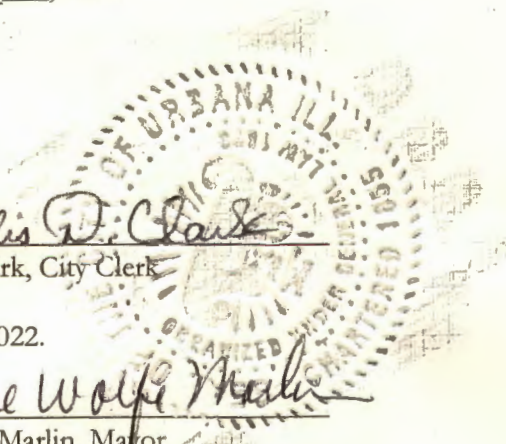
NAYS: None

ABSTENTIONS: None

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

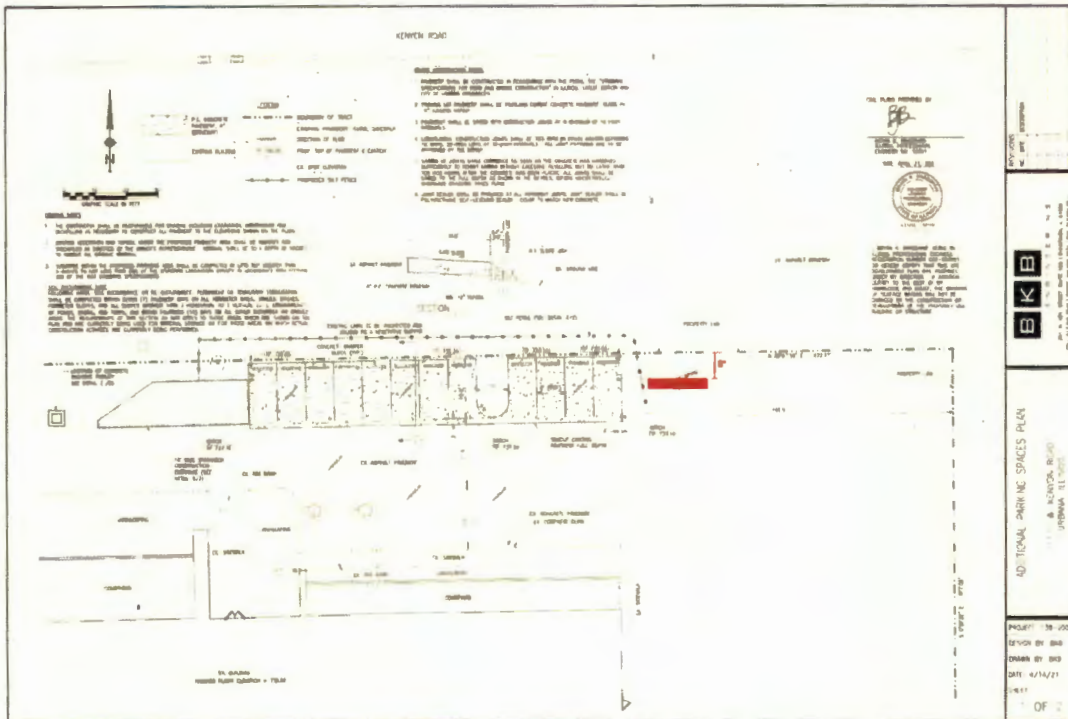
**APPROVED BY THE MAYOR** this 29<sup>th</sup> day of June, 2022.

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





# Attachment A: Sign Plans



Site plan view of the sign location with the 8-ft. setback from the property line. The sign is designed to set in a landscaped area. Positioning the sign with any greater setback will place the sign the driveway area of the property.

**Bendson**  
Signs & Graphics, Inc.

1506 E. Mc Bride  
Decatur, Illinois  
62526  
Phone: 217.877.2345  
Fax: 217.877.2347  
www.bsg1946.com

**Project:**  
VitalSkin Dermatology

**Address:**  
1111 W Kenyon Road  
Urbana, IL 61801

**Account Manager:**  
Jason Tompkins

**Designer:**  
E.S.

**Scale:** N.T.S.

**Design No.:** VSD\_105

**Date:** 4-14-22

**Revisions:**

APPROVALS:	
ACCT. MANAGER	DATE
DESIGNER	DATE
CUSTOMER	DATE

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendson Signs & Graphics, Inc. It is not to be shown or described to other nor is it to be used, reproduced, copied or exhibited in any fashion.

Note: Proof(s) will predict design layout, but accuracy, image proportion and placement. Colors on a digital screen or printed proof may not reflect actual color.



## 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 27th day of June 2022 the City Council of the City of Urbana passed and approved Ordinance No. 2022-06-028 entitled:

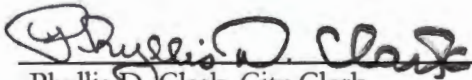
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**(Freestanding Sign at 1111 West Kenyon Road/ ZBA Case No. 2022-MAJ-03)**

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

The pamphlet form of Ordinance No. 2022-06-028 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 28th day of June 2022, 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 28th day of June, 2022.



  
Phyllis D. Clark, City Clerk