

# Recording Cover Sheet

An Ordinance Approving a Major Variance  
(Garage Variance at 705 South Urbana Avenue / ZBA  
Case No. 2022-MAJ-07)  
[Ordinance No. 2022-11-048]

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**  
**(Garage Variance at 705 South Urbana Avenue / ZBA Case No. 2022-MAJ-07)**

Adopted by the City Council of the City of Urbana, Illinois, on the 28th day of November, 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 28<sup>th</sup> day of September, AD, 2023.



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

**ORDINANCE NO. 2022-11-048**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(Garage Variance at 705 South Urbana Avenue / ZBA Case No. 2022-MAJ-07)**

**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**, Richard Reynolds, owner of 705 South Urbana Avenue, has submitted a petition for a major variance to allow a garage 3 inches from the property line; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on November 16, 2022, in ZBA Case No. 2022-MAJ-07; 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 six (6) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance, conditional on general conformance with the attached site plan; 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. Richard Reynolds requests a major variance to allow a garage to be rebuilt 3 inches from the south property line at 705 South Urbana Avenue 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 existing lot configuration creates a practical difficulty in rebuilding the garage 18 inches from the side property line.
3. The variance was not the result of a situation knowingly created by the applicant, as the lot configuration predates the current owner's purchase of the property.
4. The variance will not alter the essential character of the neighborhood, as the garage will be rebuilt approximately the same distance from the property line, and many other garages in the neighborhood are built on or very near the property line.
5. The variance will not cause a nuisance to adjacent property owners, as the garage will be rebuilt no closer to the property line than the existing garage.
6. The variance represents generally 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 without altering the angle of the access drive.

**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-07, the major variance requested by Richard Reynolds to allow a garage three inches from the property line at 705 South Urbana Avenue, is hereby approved in the manner proposed in the application. The major variance described above shall only apply to the property located at 705 South Urbana Avenue, more particularly described as follows:

Tract 1:

The South 60 feet of the West 60 feet of the East 150 feet of Outlot 8 of George G. Webber's Addition of Outlots to Urbana, as per plat recorded in Book "A" at page 108, in Champaign County, Illinois.

Tract 2:

The South 60 feet of the West 54 feet of the East 204 feet of Outlot 8 of George G. Webber's Addition of Outlots to Urbana, as per plat recorded in Book "A" at page

108, in Champaign County, Illinois.

Tract 3:

Lot 3 of Davidson Replat in the City of Urbana, being a Replat of West 60 feet of Outlot 8 of George G. Webber's Addition of Outlots to Urbana, as per plat recorded in Book "E" at page 261, in Champaign County, Illinois.

P.I.N.: 92-21-17-284-036

Commonly known as 705 South Urbana Avenue, 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.

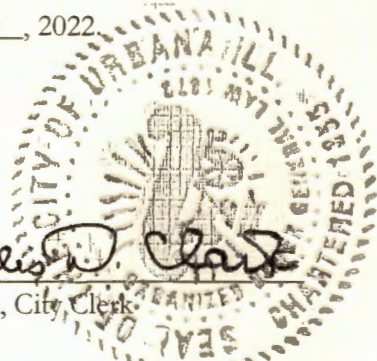
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this 28th day of November, 2022.

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

NAYS: None

ABSTENTIONS: None



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

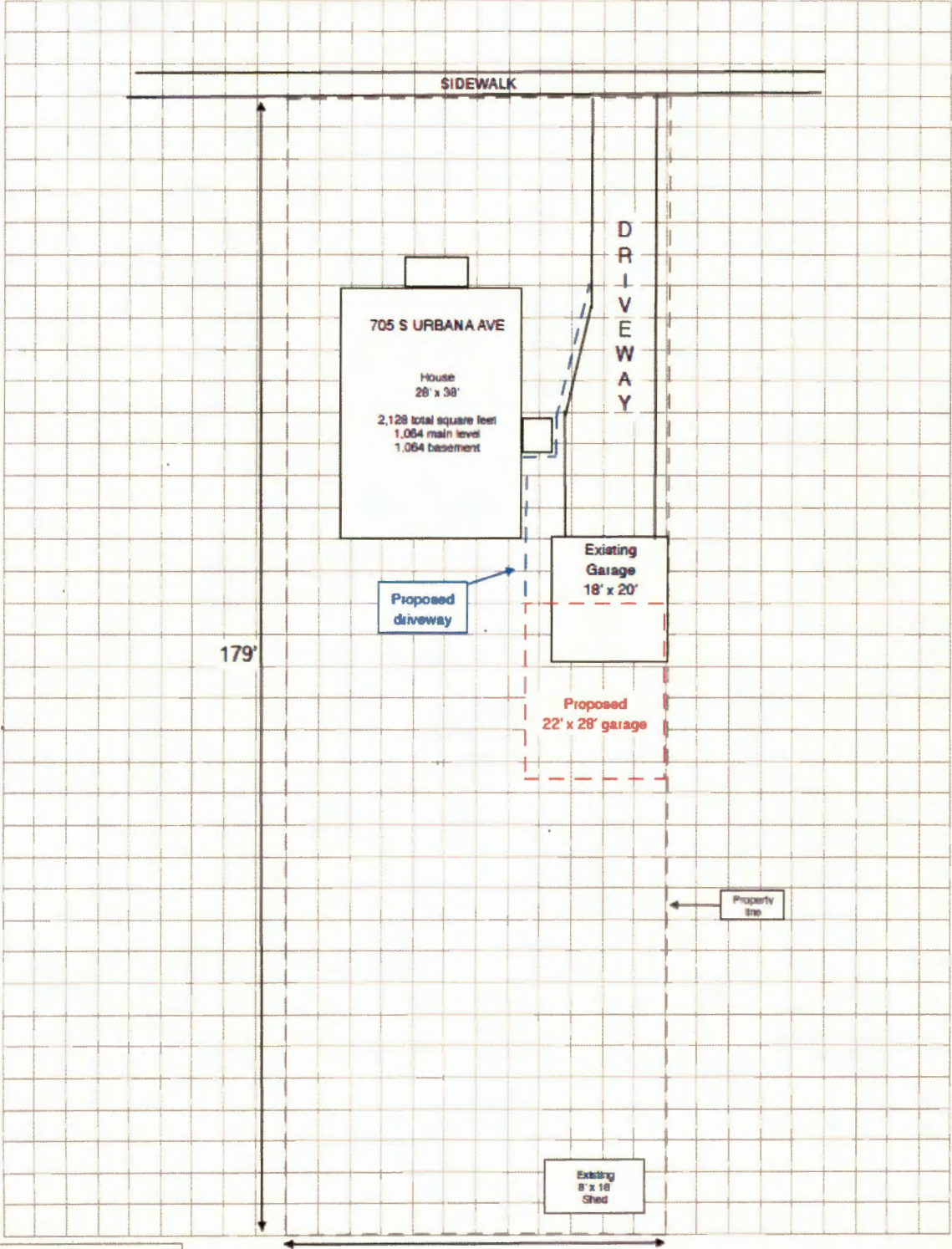
**APPROVED BY THE MAYOR** this 20<sup>th</sup> day of December, 2022.

*Diane Wolfe Marlin*  
Diane Wolfe Marlin, Mayor

Attachment A: Site Plan

NORTH

URBANA AVE





## 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 28th day of November 2022 the City Council of the City of Urbana passed and approved Ordinance No. 2022-11-048 entitled:

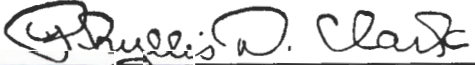
**AN ORDINANCE APPROVING A MAJOR VARIANCE  
(Garage Variance at 705 South Urbana Avenue / ZBA Case No. 2022-MAJ-07)**

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

The pamphlet form of Ordinance No. 2022-11-048 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 20th day of December 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 20th day of December, 2022.



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