

Recording Cover Sheet

An Ordinance Approving a Major Variance
(Farmhouse Floor Area at 809 West Pennsylvania Avenue
/ Case No. ZBA-2024-MAJ-01)
[Ordinance No. 2024-10-032]

2024R15385
REC ON: 10/16/2024 02:34:41 PM
CHAMPAIGN COUNTY
AARON AMMONS
REC FEE: 51.00
RHSPS FEE:
STATE TAX:
COUNTY TAX:
PLAT ACT:
PAGES: 14

Prepared for recording by:

Darcy E. Sandefur, City Clerk

400 S. Vine St., Urbana, IL 61801

Return to:

Darcy E. Sandefur, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) SS

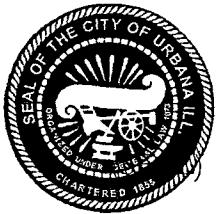
I, DARCY E. SANDEFUR, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

**AN ORDINANCE APPROVING A MAJOR VARIANCE
(Farmhouse Floor Area at 809 West Pennsylvania Avenue /
Case No. ZBA-2024-MAJ-01)**

approved by the City Council of the City of Urbana, Illinois, on the 14th day of October, AD, 2024, 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 15th day of October, AD, 2024.

DS



DocuSigned by:
Darcy E. Sandefur
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Darcy E. Sandefur, City Clerk

ORDINANCE NO. 2024-10-032

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Farmhouse Floor Area at 809 West Pennsylvania Avenue / Case No. ZBA-2024-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, Gary Luth dba Farmhouse Alumni Association, requests a major variance to increase the maximum Floor Area Ratio (FAR) from 0.50 to 0.73 at 809 West Pennsylvania Avenue in the R-7 (University Residential) Zoning District; and

WHEREAS, the Zoning Board of Appeals held a public hearing on this request at 7:00 p.m. on September 18, 2024, in Case ZBA-2024-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 four ayes and zero 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 Section XI-3.C.2.(e), 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 special circumstance which makes it difficult to comply with the Zoning Ordinance is that a Zoning Ordinance amendment rendered the building legally-nonconforming sixty years after it was built.
2. The requested variance will not serve as a special privilege because most of the other buildings rendered legally nonconforming by the 1990 Zoning Ordinance amendment do not have an exterior fire stair which would exceed the allowed FAR if it were enclosed.
3. The requested variance would remedy a situation created by a 1990 Zoning Ordinance amendment.
4. The proposed stair tower would be a highly visible change to the current view to passersby, although this change will be mitigated by the work to blend it into the existing building.
5. Replacing the exposed, aging metal fire stair with an enclosed stair tower would not create a nuisance at this time or in the future, as there is no proposed change in the use and minimal change to the footprint established almost a century ago.
6. The variance is the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.

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

Section 1.

In Case No. ZBA 2024-MAJ-01, the major variance requested by Gary Luth dba Farmhouse Alumni Association, to increase the maximum Floor Area Ratio (FAR) from 0.50 to 0.73 is hereby approved in the manner proposed in the application with the following condition: that construction must be in general conformance with the attached site plan, entitled “Farmhouse Fraternity – 809 West Pennsylvania Avenue – August 14, 2024” (Attachment 1). The major variance described above shall only apply to the property located at 809 West Pennsylvania Avenue, more particularly described as follows:

Lots 27, 28, 29 of University Heights Addition, Book E, Pg. 47

Commonly known as 809 West Pennsylvania Avenue
P.I.N.: 93-21-17-352-008

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. 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.

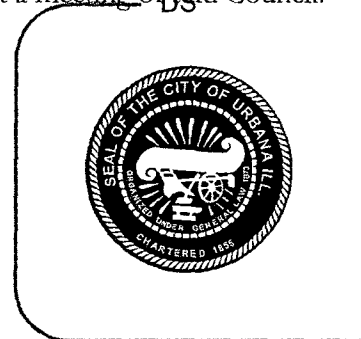
This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 14th day of October, 2024.

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

NAYS: None.

ABSTENTIONS: None.



DocuSigned by:

Darcy E. Sandefur

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Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this 15th day of October, 2024.

DocuSigned by:

Diane Wolfe Marlin

0F58B8E581B94C5...

Diane Wolfe Marlin, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Darcy E. Sandefur, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 14th day of October, 2024 the City Council of the City of Urbana passed and approved Ordinance No. 2024-10-032 entitled:

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Farmhouse Floor Area at 809 West Pennsylvania Avenue / Case No. ZBA-2024-MAJ-01)

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

The pamphlet form of Ordinance No. 2024-10-032 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 15th day of October, 2024, 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.

DSDated at Urbana, Illinois, this 15th day of October, 2024.

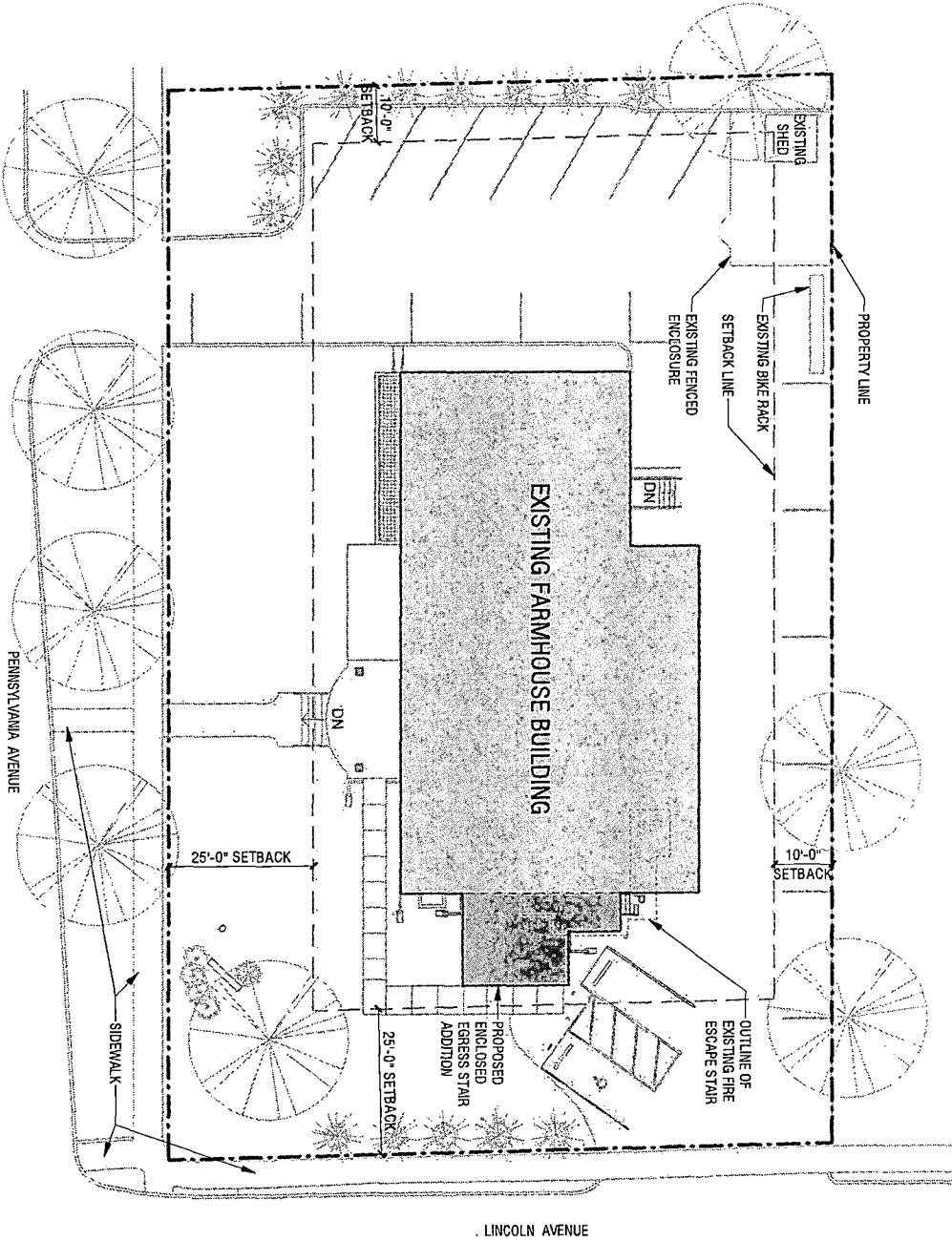


DocuSigned by:

Darcy E. Sandefur, City Clerk

ATTACHMENT 1

FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

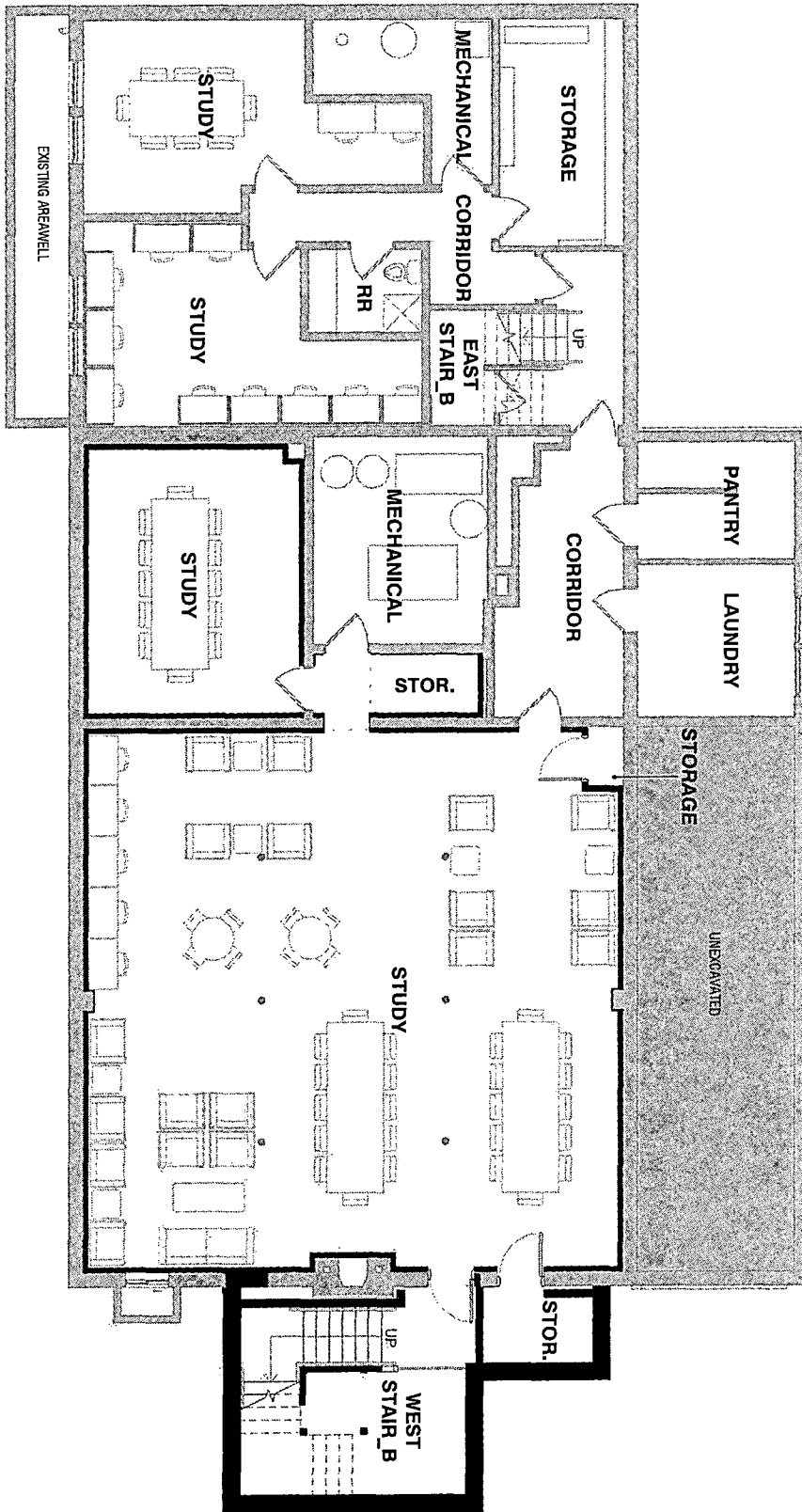


PROPOSED SITE PLAN
FIRST FLOOR
1" = 20'-0"
2024/14



ATTACHMENT 1

FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

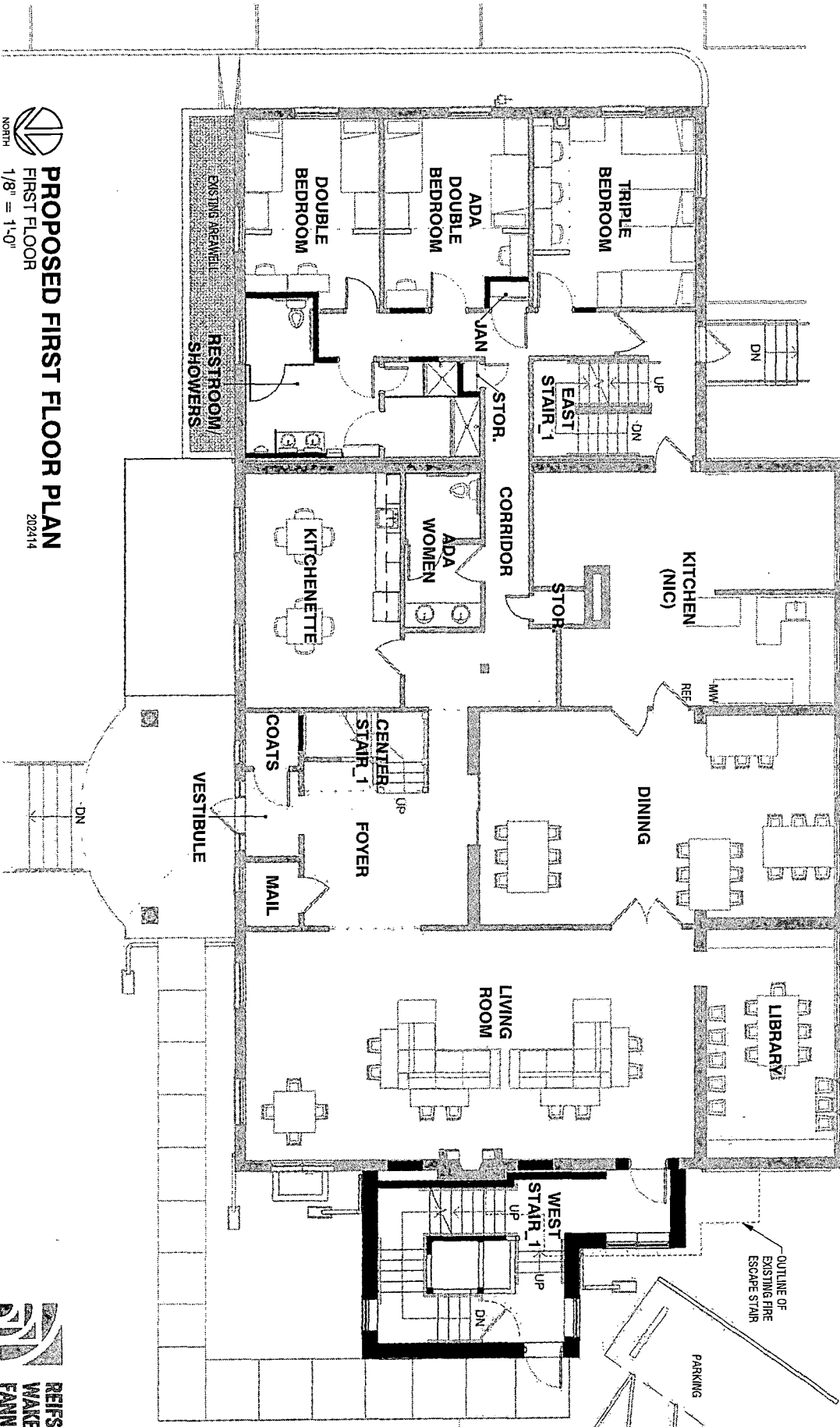


 NORTH
PROPOSED BASEMENT PLAN
 BASEMENT
 1/8" = 1'-0"

202414



ATTACHMENT 1





 PROPOSED FIRST FLOOR PLAN

 FIRST FLOOR

 1/8" = 1'-0"

 202414

FARMHOUSE FRATERNITY

 809 W. PENNSYLVANIA AVENUE

 AUGUST 14, 2024



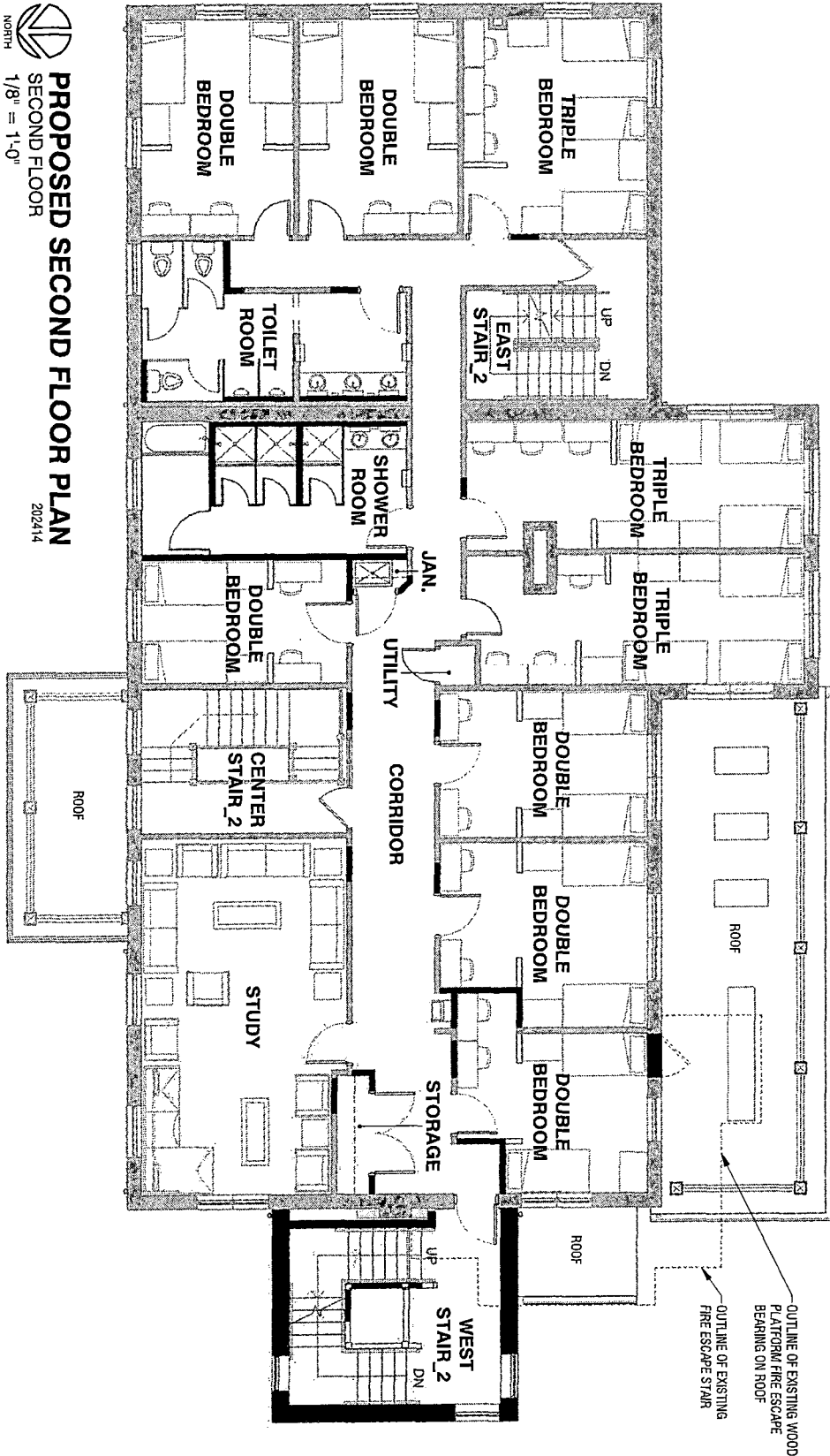
 REIFSTECK

 WAKEFIELD

 FANNING

ATTACHMENT 1

FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

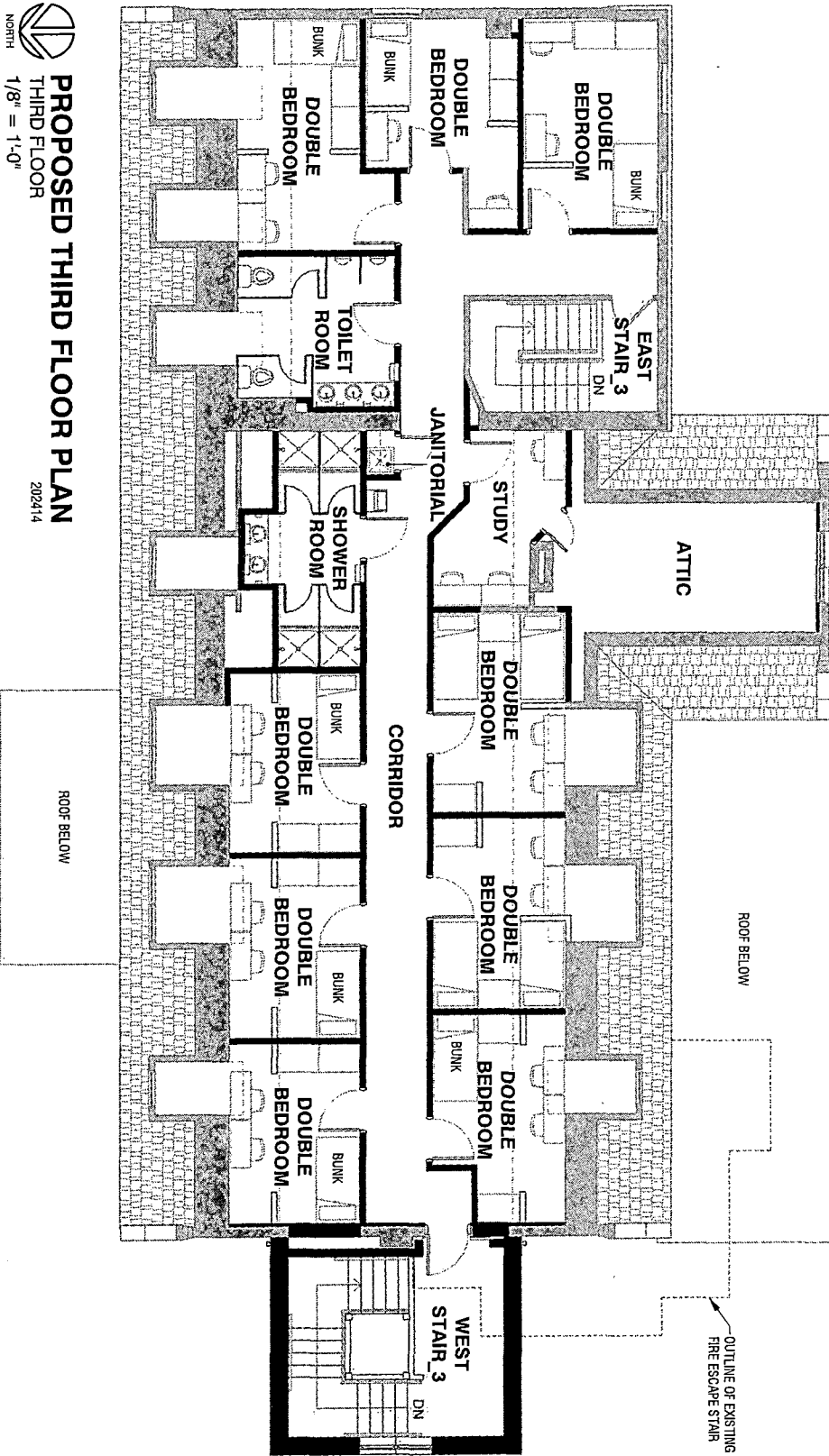


PROPOSED SECOND FLOOR PLAN
SECOND FLOOR
202414
1/8" = 1'-0"
NORTH



ATTACHMENT 1

FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

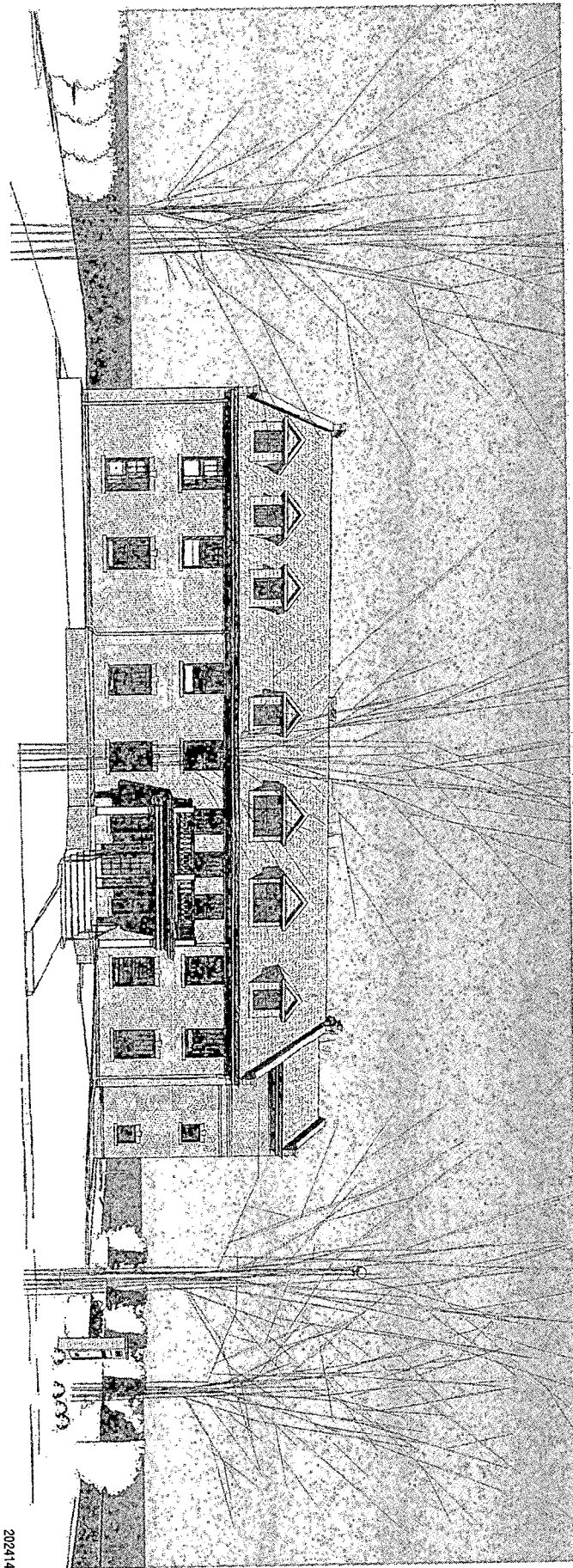


PROPOSED THIRD FLOOR PLAN
THIRD FLOOR
1/8" = 1'-0"
202414



ATTACHMENT 1

PERSPECTIVE LOOKING SOUTH



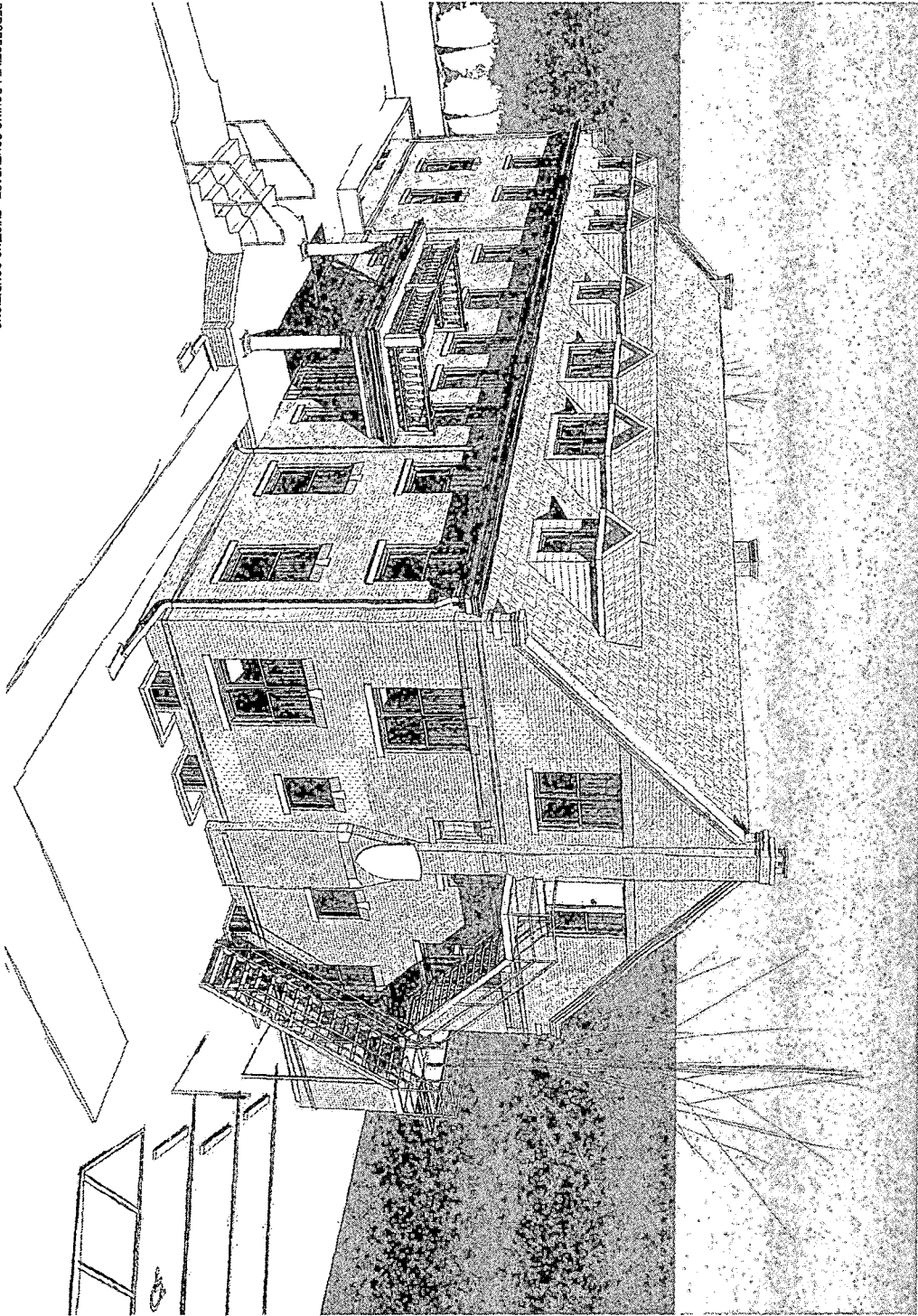
202414

FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024



ATTACHMENT 1

PERSPECTIVE LOOKING SOUTHEAST - EXISTING CONDITIONS



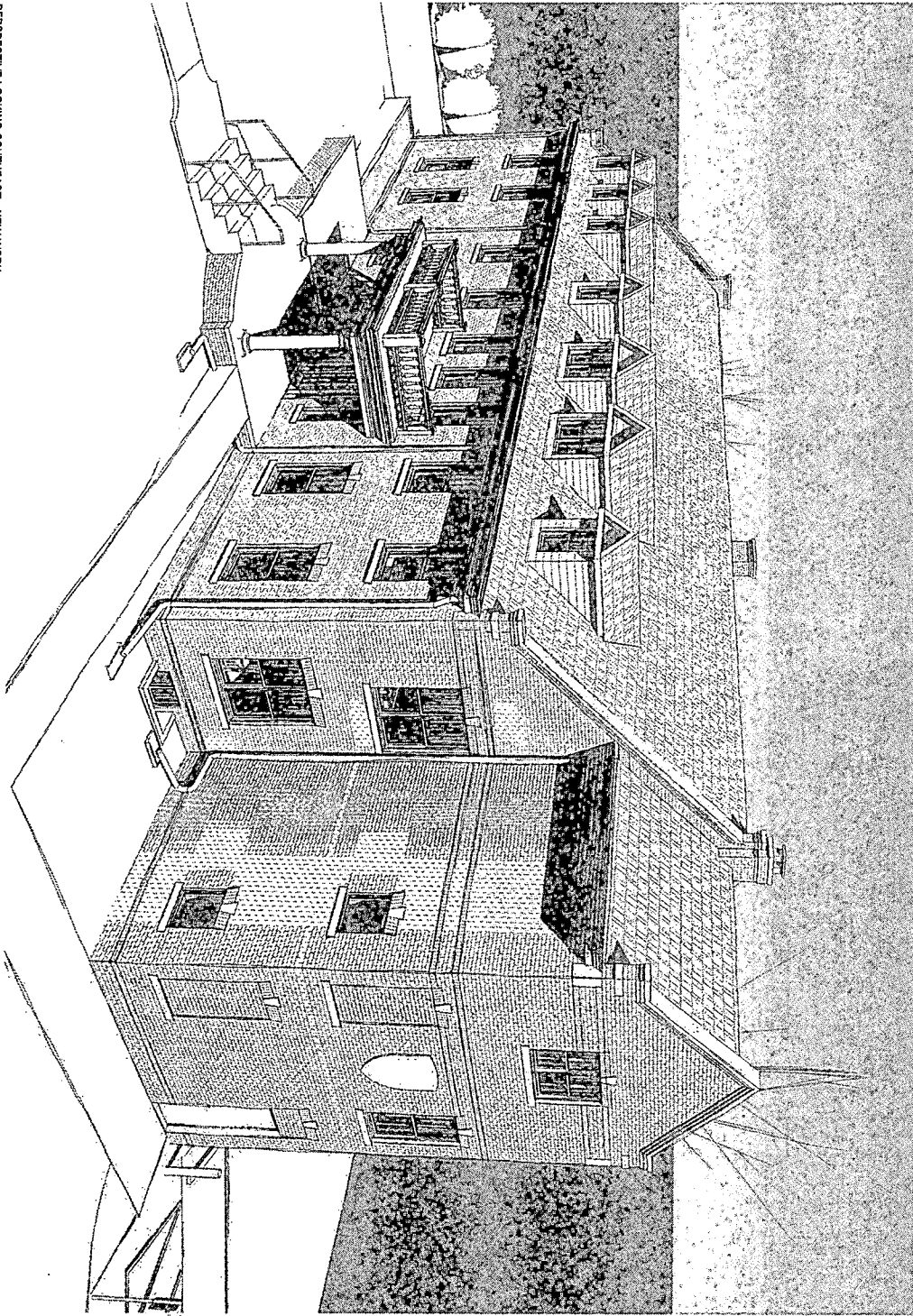
FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

2024.14



ATTACHMENT 1

PERSPECTIVE LOOKING SOUTHEAST - NEW WORK



FARMHOUSE FRATERNITY
809 W. PENNSYLVANIA AVENUE
AUGUST 14, 2024

202414

