

RESOLUTION NO. 9192-R23

**A RESOLUTION OF PROTEST**

WHEREAS, the Champaign County Board's Environment and Land Use Committee has directed Frank DiNovo, Director of the Champaign County Planning and Zoning Department to petition the Champaign County Zoning Board of Appeals to amend four sections of the County Zoning Ordinance related to reducing side yard setbacks in the R-1 and R-2 Districts, to allowing multiple single family dwellings on one lot in the R-4 District and to regulating the maximum size and setbacks of accessory buildings and structures; and

WHEREAS, said petition has been considered by various governmental authorities under the style and name of "Champaign County ZBA Case #774-T-91, Proposed Amendment to Champaign County Zoning Ordinance Related to Residential Side Yards, Multiple Buildings on One Lot in the R-4 (Multiple Family Residence) District, and to Accessory Buildings and Structures"; and

WHEREAS, the Urbana Plan Commission considered said petition on December 19, 1991 and has forwarded said petition to the Urbana City Council with a recommendation that the Urbana City Council should conditionally protest one portion of the proposed amendment; and

WHEREAS, the Urbana City Council finds that allowing multiple single family homes by right on a single lot in the R-4 District is not in the best interests of the City of Urbana because this portion of the proposed amendment could result in the proliferation of small developments that in combination could affect future land development in the City's 1 1/2 mile area; and in addition, such developments could result in land-locked properties without access to a public street; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the portion of the proposed amendment that would allow multiple single family dwellings by right on one lot in the R-4 District would not be in the best interests of the City of Urbana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Urbana City Council finds and determines that the facts contained in the above recitations are true.

Section 2. The Urbana City Council, on behalf of said City, hereby resolves that the City of Urbana should, and hereby does, protest the proposed amendment as set forth in Champaign County ZBA

Case #774-AT-91 and urges that it not be adopted; provided however, that this protest shall be considered to be withdrawn and held for naught if the text amendment proposed in Champaign County ZBA Case #774-AT-91 is amended to remove the following sections:

- 1.) the proposed change to Section 4.2.1C., and
- 2.) the proposed change to Section 4.2.2C.

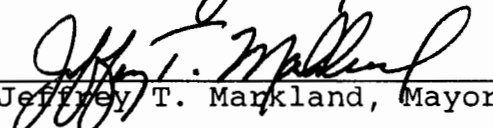
which are those portions of the proposed text amendment which would permit multiple single family homes by right on a single lot in the R-4 District.

Section 3. The City Clerk of the City of Urbana is hereby authorized and directed to file a certified copy of this Resolution of Protest with the County Clerk of the County of Champaign and to mail a certified copy of this Resolution to the aforesaid Frank DiNovo at 1303 North Cunningham Avenue, Urbana, Illinois 61801 and to Thomas J. Difanis, State's Attorney of Champaign County, Attorney for the Petitioner, at Champaign County Courthouse, Urbana, Illinois, 61801.

PASSED by the City Council this 6th day of January, 1992.

  
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Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 14<sup>th</sup> day of January, 1992.

  
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Jeffrey T. Markland, Mayor

(774.res)

FILED

JAN 15 1992

*Dennis R. Bing*  
COUNTY CLERK

CLERK'S CERTIFICATE

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF CHAMPAIGN )

I, Ruth S. Brookens, 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 a resolution entitled, "A RESOLUTION OF PROTEST" adopted by the City Council of the City of Urbana, Illinois, on the 6th day of January, A.D. 1992, as appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 14<sup>th</sup> day of January, A.D. 1992.

*Ruth S. Brookens*  
Ruth S. Brookens, City Clerk

