



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** Bruce Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, AICP, Director/City Planner

**DATE:** October 22, 2003

**SUBJECT:** Request to Increase the Institutional Sign Area from 20 Sq.ft. to 36 Sq.ft. in the City's R-4, Medium Density Multiple-Family Zoning District / 2004 S. Philo Road, Case No. ZBA-03-MAJ-08)

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**Introduction**

Grace United Methodist Church requests a major variance to build a new sign. The request is to increase the display area from the required 20-square feet to 36-square feet. Since the request is to increase the area by 80% it is classified as a major variance. At the October 15, 2003 Zoning Board of Appeals meeting, a minor variance was granted to allow the church to increase the height of the new sign from six feet to seven and-a-half feet with the condition that the church remove two existing institutional signs on the property and that the new sign conform to specifications as submitted.

**Discussion**

The church is planning some improvements on their property which include plans for a new modern sign that would replace one of their two existing signs. The new sign would include general information about the church, i.e. name and address, and a changeable message board. The petitioner wishes to use the new sign to maximize the visibility of the church and its events.

The combination of the deep set back and the fast traffic speed along Philo Road are reasons cited by the petitioner to justify the area request. Secondly, the sign is located in a business corridor and would be compatible with existing signs found in the Sunnycrest area. The petitioner believes that their proposed sign placement with its distance from Philo Road is adequate for their needs.

At the October 15, 2003 Zoning Board of Appeals meeting there was a discussion about the removal of both of the existing signs on the property. Staff recommended that the Board approve the variances with a condition that both of the existing institutional signs on the property be removed prior to

construction of the new 36-square foot, seven-foot tall sign. The Zoning Board of appeals found that the new sign would be compatible with the surrounding area. The proposal would offer a more modern sign, allow the church to make site improvements, and reduce the total area of institutional signage display on the property.

### **Variance Criteria**

In order to review a potential variance, Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals and City Council to make findings based on variance criteria. At the September 17, 2003 meeting, the ZBA cited the following findings for their recommendation for approval of the requested variance:

1. *Are there special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance?*

The practical difficulty relating to the parcel is the deep right-of-way between the property line and the pavement of Philo Road and the eight-foot easement that is currently a shared-use path on the Church's property. The proposal is to put the new sign approximately eight feet from the path. The path restricts the petitioner from placing any signage closer to their property line. The proposal is to place the proposed sign eight feet north from the path, approximately 42 feet from the curb of Philo Road.

There are no circumstances that restrict the petitioner's ability to provide signage within the regulations of the zoning ordinance. The petitioner is requesting the area and height variances to allow for a sign that will meet their needs while set back a considerable distance from Philo Road.

2. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof which is not generally applicable to other lands or structures in the same district.*

The variance request would serve as special privilege, however the petitioner believes that their proposed sign placement, with its distance from Philo Road, would be adequate in area and height to meet their needs.

3. *The variance requested was not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The need for the variance has not yet been created. The petitioners are aware of the requirements of the Zoning Ordinance and have applied for a variance prior to construction.

4. *The variance will not alter the essential character of the neighborhood.*

The variance should not detract or alter from the essential character of the neighborhood.

5. *The variance will not cause a nuisance to the adjacent property.*

The variance should not cause a nuisance to adjacent properties. It would be set back a considerable distance on the property and would be internally illuminated, it would not direct light onto neighboring properties.

6. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The sign would be 36-square feet in area which would be a 14 square-foot reduction from what is currently being provided on the property in the form of two institutional signs.

## **Options**

The City Council has the following options this case:

- a. The Council may grant the variance as requested based on the findings outlined in this memo; or
- b. The Council may grant the variance subject to certain terms and conditions. If the Council elects to impose conditions or grant the variance on findings other than those presented herein, they should articulate these additional findings in support of the approval and any conditions imposed; or
- c. The Council may deny the variance request. If the Council elects to do so, they should articulate findings supporting this denial.

## **Recommendation**

Based on the findings outlined herein, the Zoning Board of Appeals voted 4-0 to forward the variance request to the Urbana City Council with a **recommendation for approval to allow the petitioners to increase the area of an institutional sign from 20-square feet to 36-square feet, with a condition that all signs on the property be removed and that the new sign conform to the submitted sign specifications.** Staff concurs with the ZBA and recommends that City Council **GRANT** the variance with the condition set forth by the ZBA.

Attachments: Proposed Ordinance  
Draft Minutes of October 15, 2003 ZBA Public Hearing  
Exhibit A: Location Map  
Property Owner List within 250 Sq.Ft.  
Photo Exhibit  
Petitioner's Application with Sign specifications (not available in digital format)

Prepared by:

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Michaela Bell, Senior Planner

c: Grace Methodist Church, Attn: Douglas Bauling, 2004 S. Philo Road, Urbana, IL 61801

ORDINANCE NO.2003-10-117

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Increase the Institutional Sign Area from 20 Sq.ft. to 36 Sq.ft. in the City's R-4, Medium Density Multiple-Family Zoning District / 2004 S. Philo Road, Case No. ZBA-03-MAJ-08)

WHEREAS, the Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the City Council to consider criteria for major variances where there are special circumstances or conditions related to the parcel of land or the structure; and

WHEREAS, the petitioner, Grace United Methodist Church, has submitted a petition requesting a major variance to allow an increase of the institutional sign area for a new sign on Philo Road. The request is to construct a 36.09-square foot sign in Urbana's R-4, Medium Density Multiple Family Residential Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA 03-MAJ-8; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals (ZBA) held a public hearing about the proposed major variance on October 15, 2003 and the ZBA by a unanimous vote (4-0) of its members recommended approval of the requested variance with a condition that the all existing institutional signs are removed prior to construction and that the new sign conform to the submitted specifications, to the City Council; and

WHEREAS, after due and proper consideration, the City Council of the City of Urbana has determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-3, C.3.d of the Urbana Zoning Ordinance; and

WHEREAS, the City Council agrees with the following findings of fact adopted by the ZBA in support of its recommendation to approve the application for a major variance as requested:

1. The practical difficulty relating to the parcel is the deep right-of-way between the property line and the pavement of Philo Road and the eight-foot easement that is currently a shared-use path on the Church's property. The proposal is to put the new sign approximately eight feet from the path. The path restricts the petitioner from placing any signage closer to their property line. The petitioner has requested the area and height variances to allow for a sign that will meet their needs while set back a considerable distance from Philo Road.
2. The variance request would serve as special privilege however the petitioner feels as though their proposed sign placement, with its distance from Philo Road, is adequate in area and height to meet their needs.
3. The need for the variance has not yet been created. The petitioner is aware of the requirements of the Zoning Ordinance and have applied for a variance prior to construction.
4. The variance should not detract from or alter the essential character of the neighborhood.

5. The variance should not cause a nuisance to adjacent properties. It would be set back a considerable distance on the property and would be internally illuminated, it would not direct light onto neighboring properties.
6. The sign would be 36 square feet in area which would be a 14 square-foot reduction from what is currently being provided on the property.

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

The major variance request by Grace united Methodist Church, in Case #ZBA 03-MAJ-8 is hereby approved to allow an increase in the sign area display for a new institutional sign, from 20-square feet to 36-square feet at 2004 S. Philo Road in Urbana's R-4, Medium Density Multiple Family Residential Zoning District, with the condition that all signs on the property be removed and that the new sign conform to the sign specifications as submitted and approved by the Zoning Board of Appeals.

The major variance described above shall only apply to the property located at 2004 S. Philo Road, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION: South 3 acres of the following: The north 661.75 ft. of the west 394.95 ft. of the south ½ of the northeast quarter of sec. 21, T19N, R9E, 3PM, Containing 6 acres more or less, all situated in Champaign County, Illinois.

PERMANENT PARCEL #: 93-21-21-200-007

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the \_\_\_\_ day of \_\_\_\_\_, 2003.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

AYES:

NAYS:

ABSTAINS:

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

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Tod Satterthwaite, Mayor



**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 \_\_\_\_\_ day of \_\_\_\_\_, 2003, the corporate authorities of the City of Urbana passed and approved Ordinance No.

\_\_\_\_\_, entitled "AN ORDINANCE APPROVING A MAJOR VARIANCE

(Increase the Institutional Sign Area from 20 Sq.ft. to 36 Sq.ft. in the City's R-4, Medium Density Multiple-Family Zoning District / 2004 S. Philo Road, Case No. ZBA-03-MAJ-08) which provided by its terms that it should be

published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was

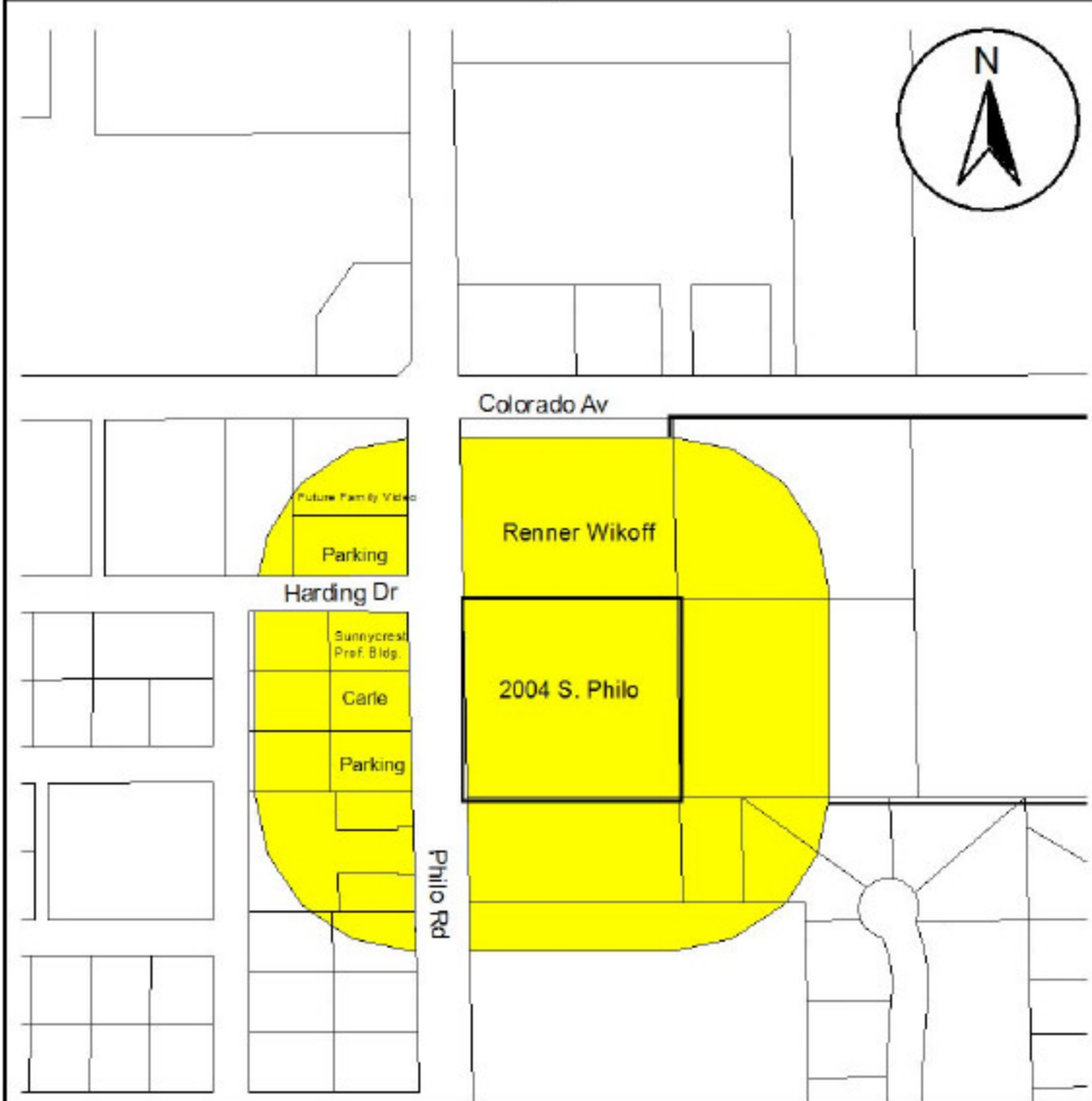
prepared, and a copy of such Ordinance was posted in the Urbana City Building

commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, 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.


# Exhibit "A": Location Map



0 250 500 750 Feet



Petitioner: Grace Methodist Church  
2004 S. Philo Road  
ZBA 03-MAJ-8 Increase Area of Sign 20 Sq. Ft. to 36.09  
ZBA 03-MIN-8 Increase Sign Height from 8' to 7.5'

 Properties Within 250+ Feet

NAUGLE<VIRGIL J  
1900 S PHILO RD  
URBANA, IL 61801

NAUGLE<VIRGIL J  
1900 S PHILO RD  
URBANA, IL 61802

SEE<USA L L C  
703 W PARK ST  
CAYUGA, IN 47928

BODY<FIRM  
2354 CR 1100E  
CHAMPAIGN, IL 61822

THE<CARLE FOUNDATION  
611 W PARK  
URBANA, IL 61801

GRACE<UNITED METH  
2004 PHILO ROAD  
URBANA, IL 61801

GRACE<UNITED METH CHURCH  
2004 PHILO RD  
URBANA, IL 61802

FOLLMER-JAMES<  
P O BOX 3159  
URBANA, IL 61801

FOLLMER< JAMES  
2001 S PHILO ROAD  
URBANA, IL 61801

CAMPBELL<ENTERPRISES  
PO BOX 66  
URBANA, IL 61803

HAPP<STEPHEN L & ELIZABET  
1602A COUNTY RD 200N  
VILLA GROVE, IL 61956

BZ<MANAGEMENT  
PO BOX 3455  
CHAMPAIGN, IL 61826

HAPP<STEPHEN L  
1602A COUNTY ROAD 20  
VILLA GROVE, IL 61956

CAMPUS<PROPERTY MANAGEMEN  
303 E GREEN  
CHAMPAIGN, IL 61820

CAMPUS<PROPERTY MANAGEMEN  
303 E GREEN  
CHAMPAIGN, IL 61820

NORTH<JOHN &  
PO BOX 312  
URBANA, IL 61803

CAMPUS<PROPERTY MANAGEMEN  
303 E GREEN  
CHAMPAIGN, IL 61820

SSM<REALTY C/O NAT'L PROP  
MEZZANINE LEVEL  
PHILADELPHIA, PA 19102

ZHANG<RUI & CHEN SHUJUN  
2103 HAZELWOOD DR #3  
URBANA, IL 61801

CAMPUS<PROPERTY MANAGEMEN  
303 E GREEN  
CHAMPAIGN, IL 61820

CURRENT RESIDENT  
2009 S. Phi lo Rd  
Urbana, IL 61801

CURRENT RESIDENT  
2007 S. Phi lo Rd  
Urbana, IL 61801

CURRENT RESIDENT  
2008 S. Vawter St  
Urbana, IL 61801

CURRENT RESIDENT  
2010 S. Vawter St  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #1  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #2  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #3  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #6  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #5  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #4  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #7  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #1  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #2  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #3  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #6  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #5  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #4  
Urbana, IL 61801

CURRENT RESIDENT  
2006 S. Vawter St #7  
Urbana, IL 61801

CURRENT RESIDENT  
1401 e. HARDING DR  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #2  
Urbana, IL 61801

CURRENT RESIDENT  
1400 S. Vawter St #1  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #6  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #5  
Urbana, IL 61801

CURRENT RESIDENT  
1400 S. Vawter St #6  
Urbana, IL 61801

CURRENT RESIDENT  
2012 S. Vawter St #7  
Urbana, IL 61801

CURRENT RESIDENT  
1400 S. Vawter St #7  
Urbana, IL 61801

EXHIBIT G: PHOTOS OF SITE  
Grace Methodist Church, 2004 S. Philo

