



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Lorrie Pearson, AICP, Community Development Services Director
Lena Walker, Planning Intern

DATE: August 5, 2021

SUBJECT: An Ordinance Approving a Major Variance (Awning and Front Entry Replacement at 604 South Cedar St. / ZBA-2021-MAJ-05)

Introduction

Andrew Fell Architecture and Design has applied, on behalf of John Paul and Linda Buzard, for a major variance to allow the front awning and steps to be replaced at 604 South Cedar Street in the R-2, Single Family Residential zoning district. The awning and steps already encroach into the 15-foot required front yard, and the homeowners would like to update the front stairway by providing a wider, covered landing.

At the July 21, 2021, meeting, the Zoning Board of Appeals (ZBA) considered the requested variance. The applicant made a statement regarding his request, and one member of the public spoke regarding the case in favor of the variance. The ZBA voted with four ayes and zero nays to recommend that City Council approve the requested variance as presented in the staff report.

Background¹

The house was built in the 1920s, and it encroaches two feet, eight-and-a-half inches into the required 15-foot front yard. The awning extends two feet, six inches from the edge of the house, and therefore encroaches five feet, two-and-a-half inches into the front yard. The porch steps currently project five feet, five-and-a-half inches from the house.² The homeowners would like to widen the existing awning by one foot and extend it over the front entrance. They would also like to replace the existing concrete approach to the front entrance with a set of wooden steps and a landing, making the walkway flush with the sidewalk, whereas currently there is a step up three inches from the property line. The requested variance would allow the porch steps to be reconstructed in the required front yard, and allow the awning to be replaced and widened to cover a new landing.

¹ See Sheet A3 in Exhibit C for a side-to-side comparison of the existing and proposed plans.

² There are two additional steps along the walkway between the porch and the property line; however, those steps are allowed to encroach into the front yard.

Description of Site and Area

The site is approximately 3,640 square feet and is located at 604 South Cedar Street, between California Avenue to the north and Oregon Street to the south. The property, which includes a two-story house surrounded by a landscaped yard, is bordered to the north, south, and east by other homes and is across the street from Leal Elementary School to the west.

The following is a summary of zoning and land uses for the subject site and surrounding area:

Table 1. Zoning and Land Uses

Location	Zoning	Existing Land Use
Site	R-2, Single Family Residential	Residence
North	R-2, Single Family Residential	Residence
South	R-2, Single Family Residential	Residence
East	R-2, Single Family Residential	Residence
West	CRE, Conservation Recreation Education	Leal Elementary School

Discussion

The existing porch, stairs, and awning already encroach into the required front yard by a little more than five feet. The proposal would increase the encroachment to just over 12 feet: the new awning and landing would encroach six feet, two-and-a-half inches, and the new stairs would encroach twelve feet, two-and-a-half inches into the required 15-foot³ front yard. Although these changes would increase the encroachment into the front yard, the replacement stairs would provide a wider landing in front of the door, and they would be aesthetically similar to what is currently in place.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The following is a review of the variance criteria as they pertain to these cases:

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

When the current owners purchased this property, the structure was already legally nonconforming, having been built prior to the creation of the setback rules in the Zoning Ordinance. The variance would allow the front awning and steps to be replaced with a more functional design, further out into the required front yard.

- 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*

³ Table VI-3, footnote nine of the Urbana Zoning Ordinance requires the front yard depth of lots in the R-2 district to be the average depth of the existing buildings on the same block face, or 15 feet, whichever is greater, but no more than 25 feet. In this case, the average depth of buildings on the block is less than 15 feet, so the required front yard in 15 feet.

involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.

In its current condition, the property is legally nonconforming because the front of the house encroaches two feet, eight-and-a-half inches into the required 15-foot front yard. To keep the house in good condition, it will be necessary from time to time to update or replace external components such as the awning or stairs.

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

As stated previously, when the current owners purchased this property, the structure was already legally nonconforming, and they have stated that they did not know of the property's legal nonconformity at the time of purchase.

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

If granted, the variance would not alter the essential character of the neighborhood. The awning and stairs are similar to the existing exterior and are in keeping with the character of the neighborhood.

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

The variance will only slightly increase the existing encroachment and would not cause a nuisance to the adjacent properties.

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

The new awning and staircase are of a similar size and style to what is already in place, and in keeping with character of the neighborhood. Although the proposed changes would increase the current encroachment by another seven feet, they are being made to put in a landing and staircase that meet current building standards and thus represent the minimum deviation.

Zoning Board of Appeals

On July 21, 2021, the ZBA discussed the variance request. After hearing one person give public input in favor of the case, the ZBA voted with four ayes and zero nays to forward this case to City Council with a recommendation to APPROVE the request as presented in the staff report, with the condition that the construction be in general conformance with the plans.

Summary of Findings

1. Andrew Fell Architecture and Design has applied on behalf of John Paul and Linda Buzard for a major variance to allow a porch awning and concrete approach to encroach into the required 15-foot front yard at 604 South Cedar Street.
2. The property is zoned R-2, Single Family Residential.
3. In its current condition, the property is legally nonconforming because the front of the house encroaches two feet, eight-and-a-half inches into the required 15-foot front yard. The variance will only slightly increase the existing encroachment and would allow the front awning and

steps to be replaced with a more functional design still in keeping with the character of the neighborhood.

4. The variance request would not serve as a special privilege to the property owner if granted as similar issues with setback encroachments are not uncommon in this part of Urbana, where many of the houses were constructed prior to the enactment of the Zoning Ordinance. Also, the property owner did not deliberately create this situation as they purchased the house in its current condition.
5. The variance represents the minimum deviation from requirements in the Zoning Ordinance because they are being made to put in a landing and staircase that meet current building standards.

Options

The Urbana City Council has the following options in case ZBA-2021-MAJ-05:

1. Approve the Ordinance; or
2. Approve the Ordinance with certain terms and conditions; or
3. Deny the Ordinance.

Recommendation

At the July 21, 2021, meeting, the ZBA voted with four ayes and zero nays to forward this case to the City Council with a recommendation to APPROVE the request as presented in the staff report, with the condition that the construction be in general conformance with the plans in Ordinance Attachment A.

Staff concurs with the ZBA recommendation.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: [Moved to Ordinance Attachment A]
Exhibit D: Site Photos
Exhibit E: Public Input Received
Exhibit F: Application
Exhibit G: Draft 7/21/21 ZBA Minutes

cc: John Paul and Linda Buzard, Property Owners/Applicants

ORDINANCE NO. _____

AN ORDINANCE APPROVING A MAJOR VARIANCE

(Porch Awning and Staircase at 604 S. Cedar St. / ZBA Case No. 2021-MAJ-05)

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 applications for a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

WHEREAS, Andrew Fell on behalf of John and Linda Buzard has submitted a petition for a major variance to allow a replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar Street; and

WHEREAS, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on July 21, 2021, in ZBA Case No. 2021-MAJ-05; 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 (4) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variances; 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. The property is zoned R-2, Single Family Residential Zoning District.
2. Andrew Fell on behalf of John and Linda Buzard has requested a major variance to allow replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar Street.
3. In its current condition, the property is legally nonconforming because the front of the house encroaches two feet, eight-and-a-half inches into the required 15-foot front yard. The variance will only slightly increase the existing encroachment and would allow the front awning and steps to be replaced with a more functional design still in keeping with the character of the neighborhood.
4. The variance request would not serve as a special privilege to the property owner if granted as similar issues with setback encroachments are not uncommon in this part of Urbana, where many of the houses were constructed prior to the enactment of the Zoning Ordinance.
5. The variance was not the result of a situation knowingly created by the applicant, as they purchased the house in its current condition.
6. The variance will not cause a nuisance to adjacent property owners, as the awning and front entry has not been a nuisance to them while it has been in the same general location and will be built in generally the same location.
7. The variance represents the minimum deviation from requirements in the Zoning Ordinance because they are being made to put in a landing and staircase that meet current building standards.

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

Section 1.

In ZBA Case No. 2021-MAJ-05, the major variance requested by Andrew Fell on behalf of John and Linda Buzard allow a replacement porch awning and staircase to encroach twelve feet, two-and-a-half inches at 604 South Cedar Street, is hereby approved in the manner proposed in the application with

the following condition: that the construction generally conforms to the plans in Attachment A. The major variance described above shall only apply to the property located at 604 South Cedar Street, more particularly described as follows:

The South 50 feet of Lot 25 and the South 50 feet of the West 2 feet and 3 inches of Lot 26, all in a subdivision of Outlots 1, 2, 4, and 5 of James S. Busey’s addition of outlots to Urbana, according to the plat recorded in Plat Book “E” at Page 218, situated in the City of Urbana, in Champaign County, Illinois.

Commonly known as 604 South Cedar Street, Urbana, Illinois 61801
P.I.N.: 92-21-17-187-003

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 ____ day of _____, 2021.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2021.

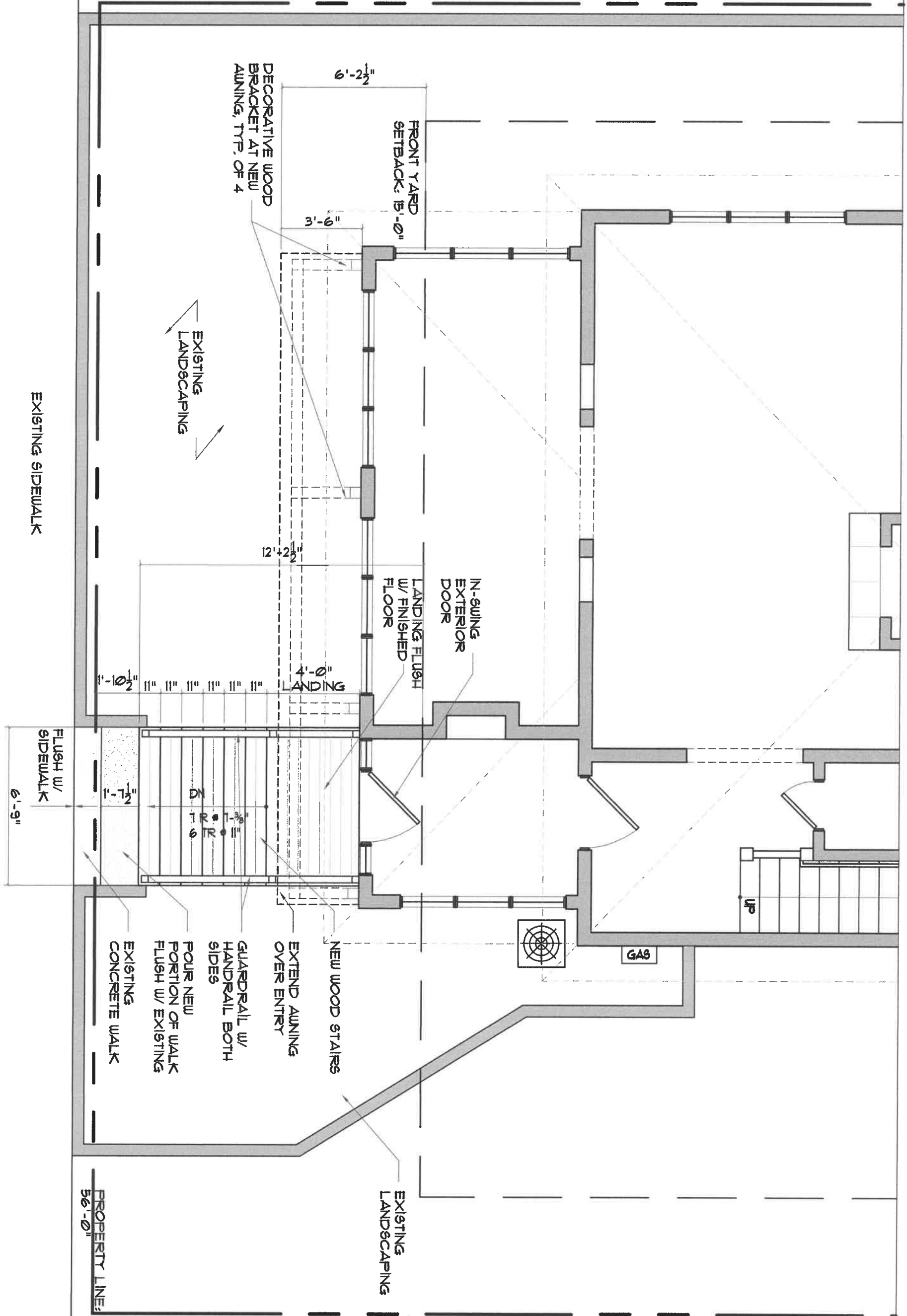
Diane Wolfe Marlin, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of _____, 2021, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled “An Ordinance Approving Major Variances (Garage at 213 W. Illinois St. / ZBA-2021-MAJ-05)” 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 _____, 2021, 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 _____ day of _____, 2021.

2 ENLARGED PROPOSED PLAN
 A2 SCALE 1/4" = 1'-0"



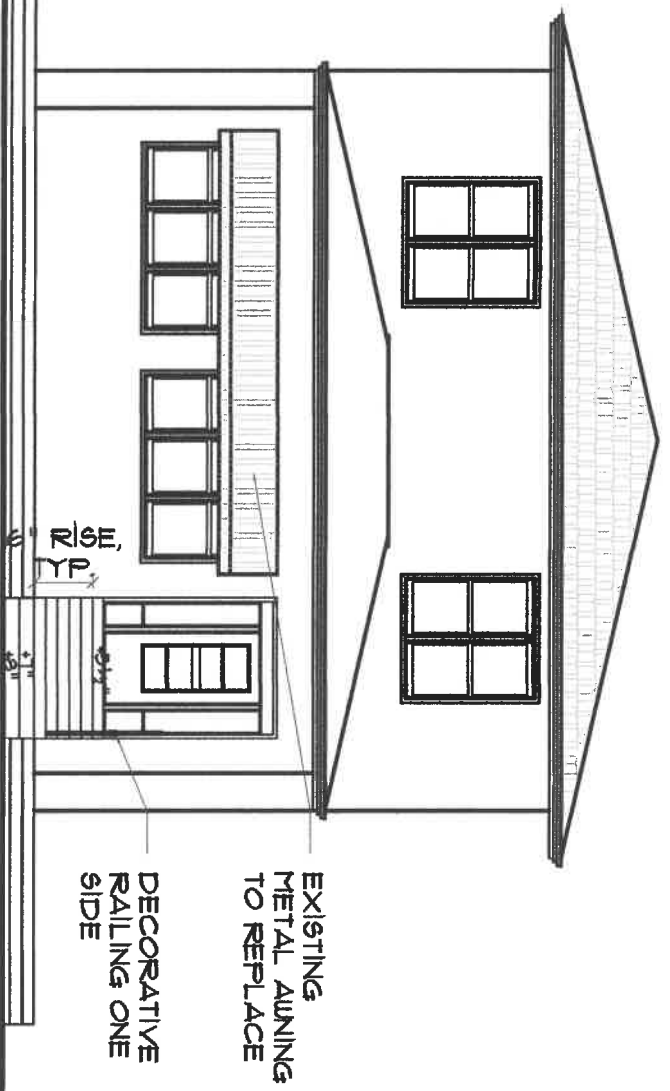
BUZARD RESIDENCE
 EXTERIOR STAIR & AWNING REPLACEMENT

604 SOUTH CEDAR ST.
 URBANA, ILLINOIS 61801

These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.

ANDREW FELL
 ARCHITECTURE AND DESIGN
 815 NORTH HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.263.2880
 WWW.ANDREWPELL.COM
 EMAIL: andrewfell@comcast.net

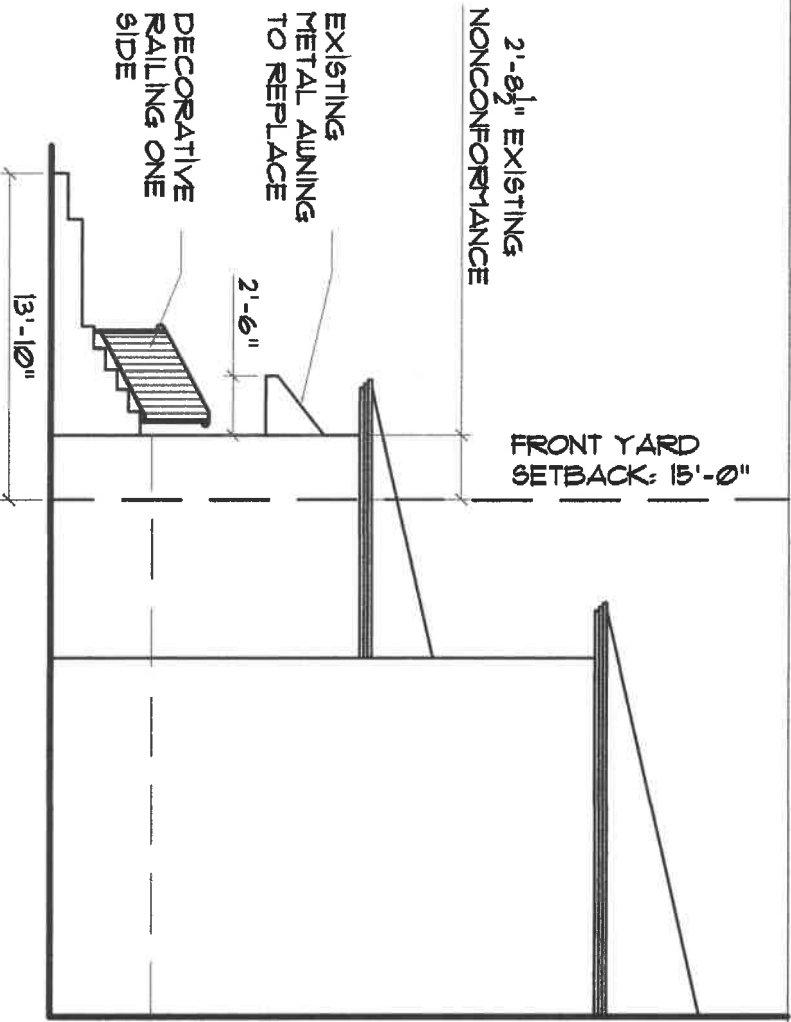
PROJECT # 21028
 DATE : 2021 JUN 07
 REV./TO/1/ :



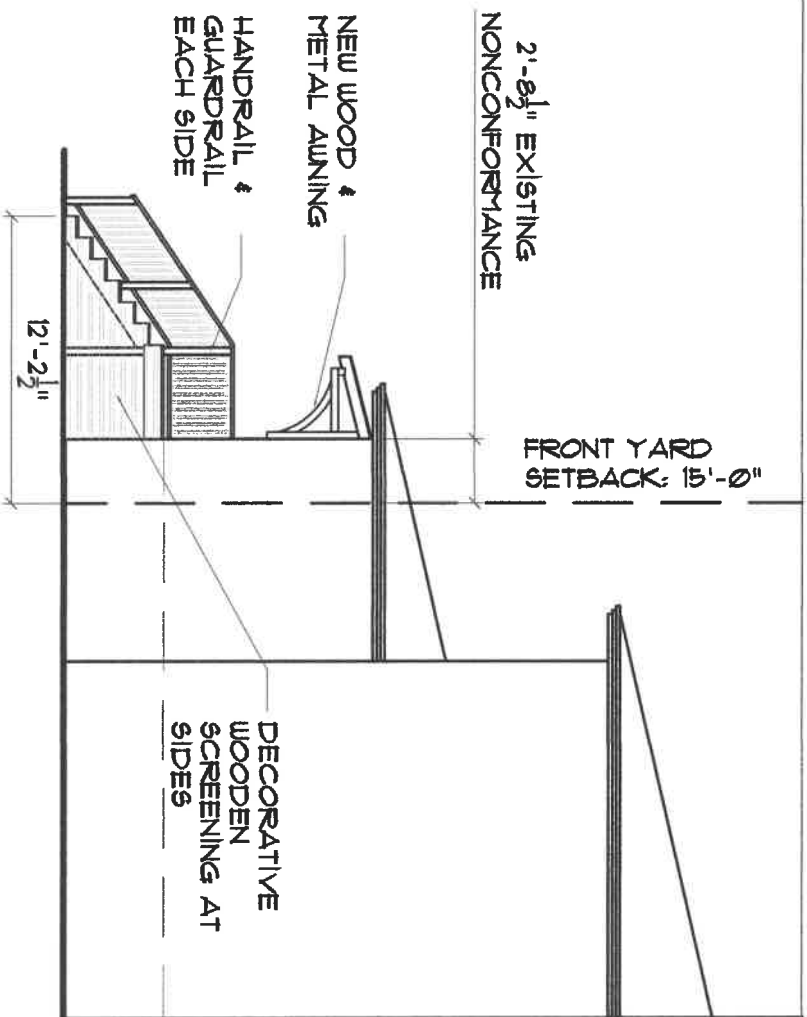
1 EXISTING ELEVATION AT CEDAR STREET
 A3 SCALE: 1/8" = 1'-0"



3 PROPOSED ELEVATION AT CEDAR STREET
 A3 SCALE: 1/8" = 1'-0"



2 SCHEMATIC EXISTING SIDE ELEVATION TO ILLUSTRATE EXISTING NON-COMPLIANCE
 A3 SCALE: 1/8" = 1'-0"



4 SCHEMATIC PROPOSED ELEVATION
 A3 SCALE: 1/8" = 1'-0"

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 ARCHITECTURE AND DESIGN
 615 NORTH HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.283.3880
 WWW.ANDREWPELL.COM
 EMAIL: andrewfell@comcast.net

PROJECT # 21028
 DATE: 2021.JULY.07
 REV/IO/:

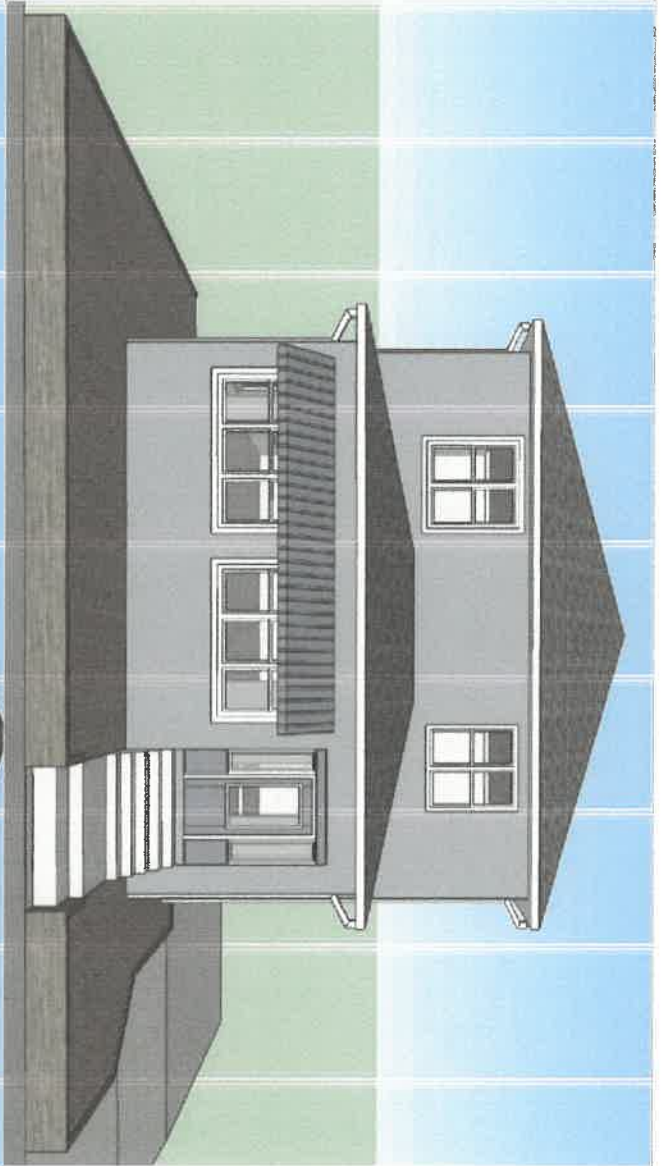
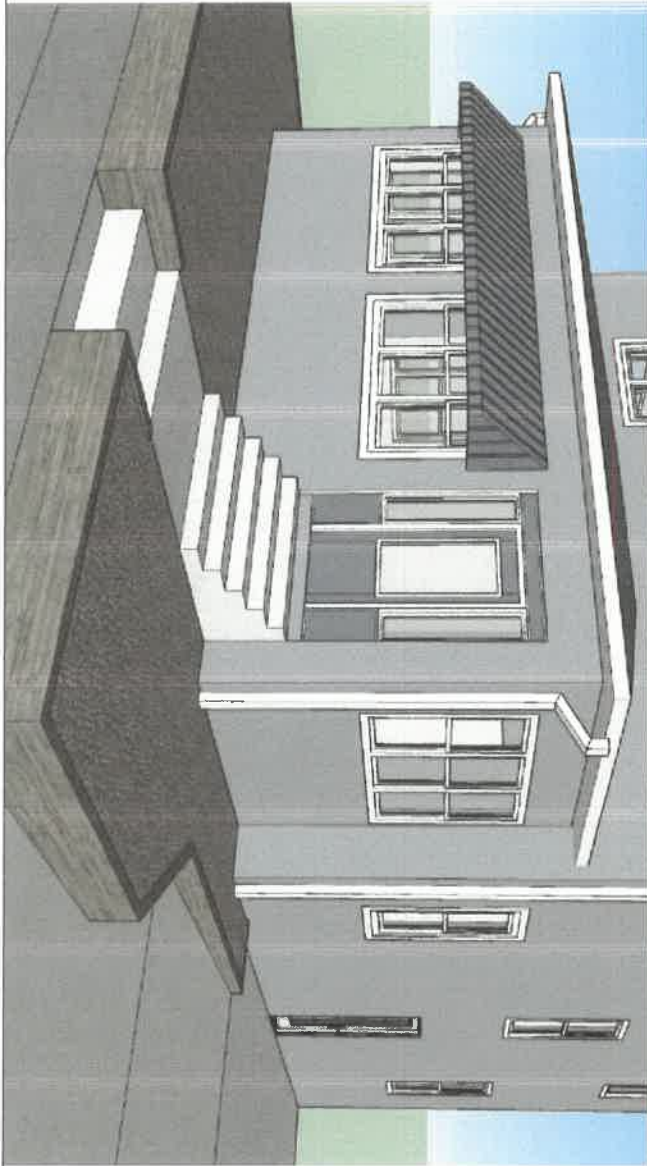
BUZARD RESIDENCE
 EXTERIOR STAIR & AWNING REPLACEMENT

604 SOUTH CEDAR ST.
 URBANA, ILLINOIS 61801

CLOSE UP AT EXISTING ENTRY

SIDE VIEW AT EXISTING STAIR

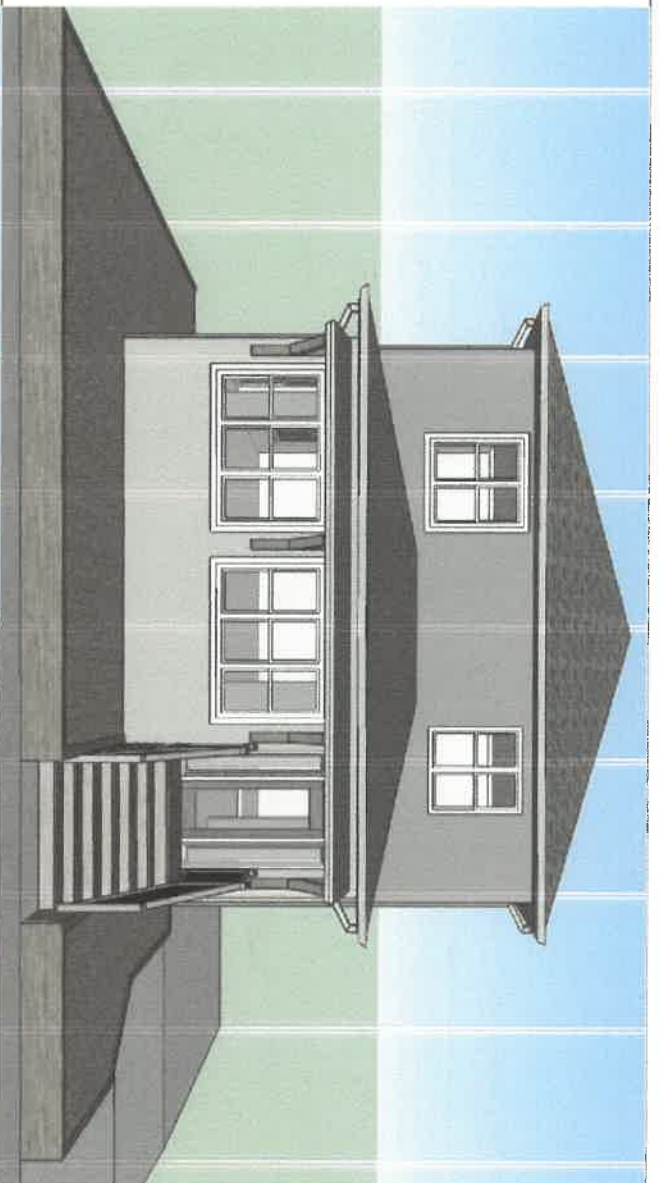
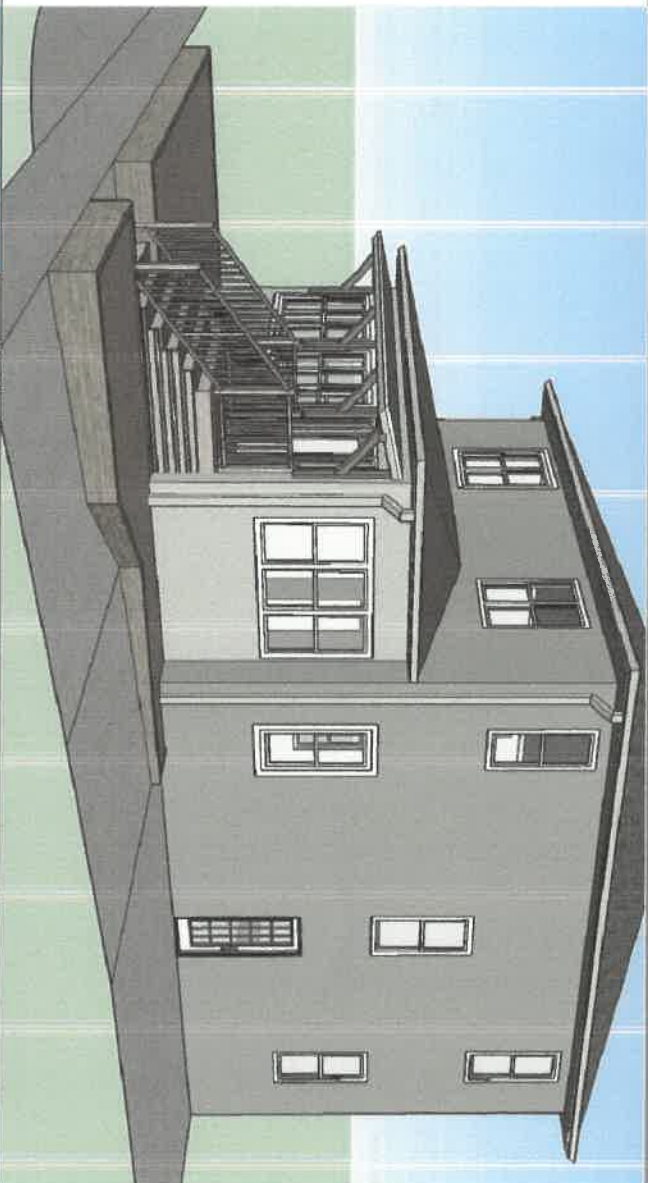
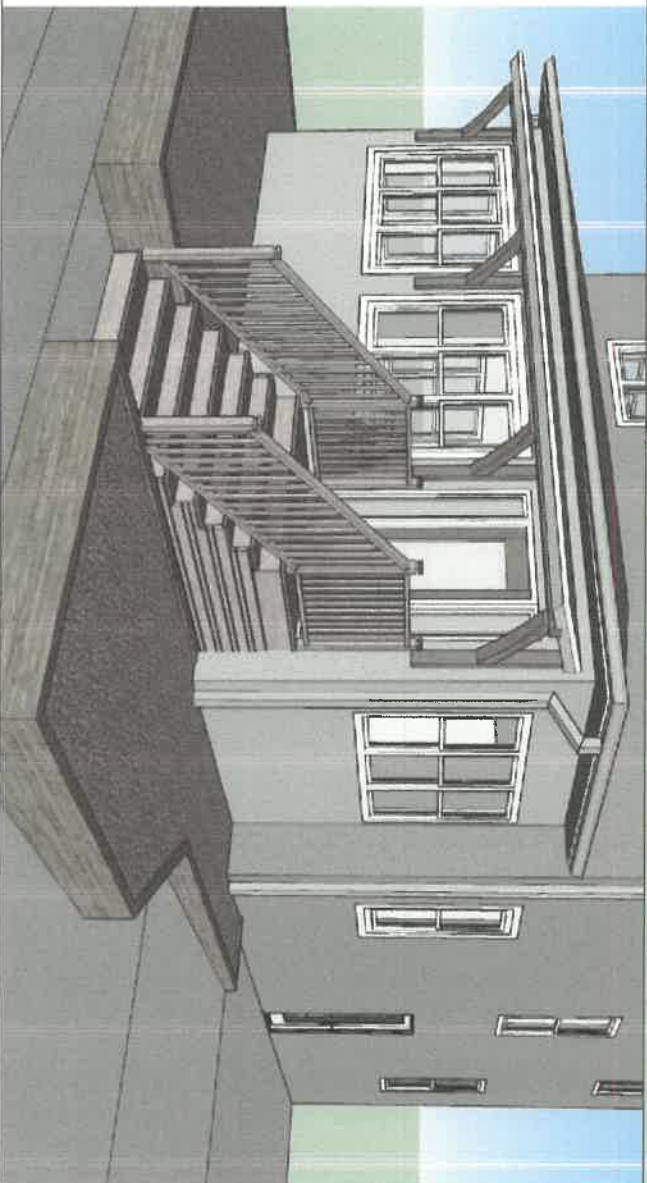
EXISTING FRONT ELEVATION



CLOSE UP AT PROPOSED ENTRY

SIDE VIEW AT PROPOSED STAIR

PROPOSED FRONT ELEVATION



A4

BUZARD RESIDENCE
EXTERIOR STAIR & AWNING REPLACEMENT

604 SOUTH CEDAR ST.
URBANA, ILLINOIS 61801

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ARCHITECTURE AND DESIGN
615 NORTH HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.283.2860
WWW.ANDREWPELL.COM
EMAIL: andrewfell@comcast.net

PROJECT # 21028

DATE : 2021.JUN.07

REV/10/1/ :

Exhibit A--Location Map



Case No. ZBA-2021-MAJ005
Subject Front Yard Variance
Address 604 S. Cedar St.
Petitioner John and Linda Buzard

Legend

 Subject Property

2020 Aerial

0 100 200 300 ft

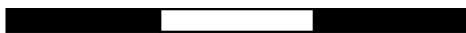











Exhibit B--Zoning Map



Case No. ZBA-2021-MAJ005
 Subject Front Yard Variance
 Address 604 S. Cedar St.
 Petitioner John and Linda Buzard

Legend

-  Subject Property
-  MOR
-  R-2
-  B-3
-  R-3
-  B-4
-  R-4
-  CRE
-  R-5

0 100 200 300 ft

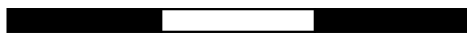


EXHIBIT D—SITE PHOTOS



Walker, Lena

From: Gary Apfelstadt <gapfelstadt54@gmail.com>
Sent: Wednesday, July 14, 2021 1:34 PM
To: !Planning
Cc: Walker, Lena
Subject: ZBA-2021-MAJ-05 community input

Follow Up Flag: Flag for follow up
Flag Status: Flagged

*** Email From An External Source ***

As nearby property owners, we support the petition of John & Linda Bazard for the addition described.

The work will enhance our neighborhood, and be sized within the historical dimensions of smaller lots in the neighborhood.

Gary Apfelstadt & Claudine Hanson



Application for Variance

ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 06-15-2021 ZBA Case No. ZBA-2021-MAJ-05
 Fee Paid - Check No. 6926 Amount \$200.00 Date 06-15-2021

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)

AWNING AND ENTRY STAIR REPLACEMENT on the property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): ANDREW FELL ARCHITECTURE & DESIGN Phone: 217.363.2290
 Address (street/city/state/zip code): 515 N. HICKORY, SUITE 101, CHAMPAIGN, IL 61820
 Email Address: andrewfell@comcast.net
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Architect

2. OWNER INFORMATION

Name of Owner(s): JOHN P. & LINDA BUZARD Phone: 217.390.3731
 Address (street/city/state/zip code): 604 S. CEDAR, URBANA, IL 61801
 Email Address: jbuward@gmail.com
 Is this property owned by a Land Trust? Yes No
 If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: 604 S. CEDAR, URBANA, IL 61801
 PIN # of Location: 92.21.17.187.003
 Lot Size: 56' x 60' - EXISTING, NON CONFORMING

Current Zoning Designation: R-2

Current Land Use (vacant, residence, grocery, factory, etc): SINGLE FAMILY RESIDENCE

Proposed Land Use: SINGLE FAMILY RESIDENCE

Legal Description (If additional space is needed, please submit on separate sheet of paper):

THE SOUTH 1/2 LOT 25 SUBDIVISION OF OUTLOTS 1, 2, 4, & 5.

4. CONSULTANT INFORMATION

Name of Architect(s): STEPHANIE HENRY ANDREW FELL ARCHITECTURE AND DESIGN Phone: 217.363.2890

Address (street/city/state/zip code): 515 N. HICKORY, SUITE 101 CHAMPAIGN, IL 61820

Email Address: stephanie.henry@andrewfell.com

Name of Engineers(s): Phone:

Address (street/city/state/zip code):

Email Address:

Name of Surveyor(s): Phone:

Address (street/city/state/zip code):

Email Address:

Name of Professional Site Planner(s): Phone:

Address (street/city/state/zip code):

Email Address:

Name of Attorney(s): Phone:

Address (street/city/state/zip code):

Email Address:

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

REMODEL AND UPGRADE EXISTING DWELING AND CONC APPROACH TO FRONT DOOR.

THIS PROJECT MAINTAINS, BUT DOES NOT INCREASE, ANY EXISTING NON-CONFORMING CONDITION.

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

EXISTING HOUSE IS ON NON-CONFORMING LOT.

EXISTING ELEMENTS TO BE 'REPLACED' ARE CURRENTLY OVER REQUIRED SETBACK

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

EXISTING CONDITIONS WHEN PURCHASED IN 1982.

THIS PROJECT SIMPLY REPLACES AN AWNING IN EXCESS OF 35 YEARS OLD AND
REPLACES CONCRETE STEPS APPROACHING 100 YEARS OLD(?) WITH NEW, INTACT, LEVEL, SAFER STAIRS

Explain why the variance will not alter the essential character of the neighborhood.

EXISTING CONDITIONS REMAIN UNCHANGED

Explain why the variance will not cause a nuisance to adjacent property.

EXISTING CONDITIONS REMAIN UNCHANGED

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

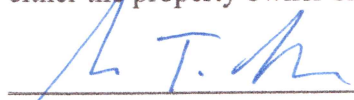
YES. IT MAINTAINS CURRENT NON-CONFORMITY AND DOES NOT INCREASE ANY EXISTING VARIATION

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

6.10.21

Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

MINUTES OF A REGULAR MEETING

Exhibit G - Draft ZBA Minutes

URBANA ZONING BOARD OF APPEALS

DATE: July 21, 2021

DRAFT

TIME: 7:00 p.m.

PLACE: Council Chambers, Urbana City Building, 400 South Vine Street, Urbana, IL

MEMBERS ATTENDING: Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn, Harvey Welch

MEMBERS ABSENT Matt Cho

MEMBERS EXCUSED Joann Chester, Nancy Uchtmann

STAFF PRESENT Katherine Trotter, Planner I; Lena Walker, Planning Intern; UPTV Camera Operator

OTHERS PRESENT John Paul Buzard, Andrew Fell, Stephanie Henry, David Huber, Rob McCaulley

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Welch called the meeting to order at 7:13 p.m. Roll call was taken, and he declared a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF THE MINUTES

The minutes from the June 16, 2021 regular meeting were presented for approval. Mr. Warmbrunn moved that the Zoning Board of Appeals approve the minutes as written. Ms. McLaughlin seconded the motion. Roll call on the motion was as follows:

Mr. Warmbrunn	-	Yes	Mr. Rusch	-	Yes
Ms. McLaughlin	-	Yes	Mr. Welch	-	Yes

The minutes of the June 16, 2021 regular meeting were approved as written.

4. COMMUNICATIONS

Communications received for Case No. ZBA-2021-MAJ-06:

- Email from Susan Pryde
- Email from Jessie Stark
- Email from Lara Orr
- Email from Brian Stark
- Email from Lisa Bralts
- Email from Mary Stuart
- Email from Debi DiFonso

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

ZBA-2021-MAJ-05 – A request by Andrew Fell Architecture and Design on behalf of John Paul and Linda Buzard for a major variance to allow a porch awning and concrete approach to encroach into the required 15-foot front yard at 604 South Cedar Street in the R-2, Single-Family Residential Zoning District.

Chair Welch opened the public hearing for Case No. ZBA-2021-MAJ-05. Kat Trotter, Planner I, introduced Lena Walker, Planning Intern, and mentioned that Ms. Walker would give the staff report for the case. Ms. Walker introduced the case and gave a brief background of the subject property. She stated the purpose for the proposed major variance which would be to allow the replacement steps and awning to encroach in the 15-foot required front yard setback. She noted the zoning and existing land uses of the subject property as well as for the surrounding adjacent properties. Referring to the existing and proposed site plans, she talked about the proposed changes. She summarized staff finds, read the options of the Zoning Board of Appeals and presented City staff's recommendation for approval with the condition that the construction be in general conformance with the attached site plan, as shown in Exhibit D. She stated that the applicant was available to answer questions.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff. Hearing none, Chair Welch opened the hearing for public input. He invited the applicant or the applicant's representative to speak.

Stephanie Henry, of Fell Architecture and Design, approached the Zoning Board of Appeals to answer any questions that the Board members may have on the project. Chair Welch swore her in. There were no questions.

Rob McCaulley approached the Zoning Board of Appeals to speak. Chair Welch swore him in. Mr. McCaulley stated that he loved what the owners have previously done with the house, so he was in support of the major variance.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motions by the Zoning Board of Appeals.

Mr. Warmbrunn moved that the Zoning Board of Appeals forward Case No. ZBA-2021-MAJ-05 to the Urbana City Council with a recommendation for approval with the following condition: the construction be in general conformance with the attached site plan, as shown in Exhibit D. Mr. Rusch seconded the motion. Roll call on the motion was as follows:

Mr. Rusch	-	Yes	Ms. McLaughlin	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Welch	-	Yes

The motion passed by unanimous vote. Ms. Trotter noted that this case would be forwarded to the City Council on August 16, 2021.

ZBA-2021-MAJ-06 – A request by David Huber for a major variance to allow a porch to encroach 10 feet, 10 inches into the required 25-foot front yard at 907 East Washington Street in the R-3, Single and Two-Family Residential Zoning District.

Chair Welch opened the public hearing for Case No. ZBA-2021-MAJ-06. Kat Trotter, Planner I, gave the staff report for the case. She began by stating the purpose for the proposed major variance, which is to allow the expansion of the porch and awing to encroach 10 feet, 10 inches into the required front yard. She noted the location of the subject property. She stated the zoning of the subject property and of the surrounding properties. She discussed the average front yard requirement for the houses on this block. She summarized how the proposed variance would meet the criteria in Section XI-3 of the Urbana Zoning Ordinance. She read the options of the Zoning Board of Appeals and presented City staff’s recommendation for approval. She pointed out that the applicant was available to make a statement and answer questions.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff. Hearing none, Chair Welch opened the hearing for public input. He invited the applicant or the applicant’s representative to speak.

David Huber, applicant, approached the Zoning Board of Appeals to speak. Chair Welch swore him in. Mr. Huber stated that he owns four houses on East Washington Street and lives on the street as well. The renovations that he is doing comes from a place of optimism and not all change is bad change.

Rob McCaulley approached the Zoning Board of Appeals to speak. He stated that he is in favor of Mr. Huber’s work. The work Mr. Huber has done in the neighborhood is stunning and has become a talking point among neighbors.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motions by the Zoning Board of Appeals.

Mr. Rusch moved that the Zoning Board of Appeals forward Case No. ZBA-2021-MAJ-06 to the Urbana City Council with a recommendation for approval with the condition that the work be

done to generally conform to the plan in the written staff memo. Ms. McLaughlin seconded the motion. Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Mr. Rusch	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Welch	-	Yes

The motion was approved by unanimous vote. Ms. Trotter noted that this case would be forwarded to City Council on August 16, 2021.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. CLOSED SESSION

Closed Session: To Consider Security Procedures, Pursuant to 5 ILCS 120/2(c)(8)

At 7:37 pm, Mr. Warmbrunn moved that the Zoning Board of Appeals enter into closed session. Ms. McLaughlin seconded the motion. The motion was passed by unanimous voice vote. Closed session ended at 7:53 pm.

13. ADJOURNMENT OF MEETING

Chair Welch adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Kevin Garcia, AICP
Principal Planner
Secretary, Urbana Zoning Board of Appeals