

MINUTES OF A REGULAR MEETING

ZONING BOARD OF APPEALS

APPROVED

DATE: February 17, 2000
TIME: 7:30 p.m.
PLACE: Urbana City Building
400 Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Anna Merritt, Chairperson
Herb Corten, Charles Warmbrunn,
Paul Armstrong, Jim Fitzsimmons,
Harvey Welch, Darwin Fields

MEMBERS ABSENT: None

STAFF PRESENT: Elizabeth Tyler, AICP/ASLA, Asst. City Planner
Rob Kowalski, AICP, Senior Planner

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

2. APPROVAL OF MINUTES

Minor corrections were made to the January 27th minutes. Ms. Merritt called for a voice vote to accept the minutes. There was a unanimous voice vote to accept the minutes as they stand as corrected.

Chairperson Merritt swore in the public body testifying before the board.

3. OLD BUSINESS

There was none.

4. NEW BUSINESS

Case ZBA-00-MAJ-2

Rob Kowalski began staff presentation by stating that this is a request for a major variance to reduce the number of off street parking spaces from fourteen to five at 1304 S. Vine. Last year the board heard a case for conditional use for this site for Champaign County to operate a Children's Advocacy Center. The conditional use permit was to consider that use a government building. The request was approved by the board on condition that Champaign County come back and decide the parking issue. The request represents a 63% reduction in the number of required spaces. The petitioner feels that the current parking is adequate and to comply with the requirements, they would have to remove a large tree and playground equipment. Mr. Kowalski stated that he received a few calls from neighbors and a letter concerning the parking issue. The neighbors do not want the parking in the back. They would like to keep the property the same as it appears so it will fit into the character of the neighborhood. Staff recommends granting of the variance.

Mr. Fitzsimmons asked if there are six spaces available at the site, why is the variance asking to reduce to five spaces at the facility? Mr. Kowalski stated that the memo should have read five spaces.

Mr. Corten asked if staff knew the number of cars that would be coming to the facility daily as well as weekly. Mr. Kowalski stated that after talking with the petitioner he felt it would be minimal.

Mr. Warmbrunn asked if any documents were submitted for actual parking places. Mr. Kowalski stated that the petitioner intends to use the parking as it is currently used on the site. It does not contain a handicapped spot. Mr. Warmbrunn asked if the petitioner needed a handicapped spot. Mr. Fitzsimmons stated that he thought they were adding a handicapped ramp.

Mr. Welch asked if the letter from the neighbor was opposing the off street parking. Mr. Kowalski said it was, but the neighbors also don't want the back yard to be made into a parking lot.

Denny Inman, Co-County Administrator spoke to the board on the parking issue. He stated that two to four cars per day will visit the site. There are two to three permanent employees. During the interviews there will be law enforcement officers, Carle, DCFS, States Attorney and the family. He feels there could possibly be two interviews per day.

Mr. Warmbrunn asked where Mr. Inman wanted the five parking spaces to be. Mr. Inman stated that three parking spaces, one being handicapped, would fit on the east side of the building while two additional spaces would be provided on the north side of the building. He stated he knows that the parking lot needs to be restriped.

Mr. Fitzsimmons asked when the facility would be ready for use. Mr. Inman stated that he would like to have the facility up and running in 30 to 60 days.

Mr. Fitzsimmons stated that he would like to see a drawing of how the facility and parking spaces would look. He didn't feel comfortable okaying something he hasn't actually seen. Ms. Tyler stated that the board could apply a condition, such as getting a site plan showing the five or six parking spaces and the handicapped space. Mr. Kowalski stated that this case is scheduled to go to council on March 6th.

Mr. Corten would like to see five parking spaces plus one handicapped parking space at the facility.

Ms. Tyler stated that the request was for five spaces and that included the handicapped parking space.

Mr. Welch stated that he felt the board should attach the site plan and let the City Council make sure the plan meets what the board approves. He feels that for the Zoning Board of Appeals to require the review of a site plan is micromanaging. He also stated that he didn't feel like the board needed to see the plan first. He stated that the City Council could approve or disapprove the parking at their meeting.

Mr. Warmbrunn moved to approve Case ZBA-00-MAJ-2 be approved and sent to City Council with the following stipulate: a site plan for parking which will include four regular spots and 1 handicapped spot be submitted to the City Council so the staff can review 48 hours prior to the council meeting.

Mr. Corten seconded.

Mr. Fitzsimmons stated that he would support the motion as long as a parking plan is submitted before the council meeting.

Roll call vote:

<i>Ms. Merritt</i>	<i>aye</i>	<i>Mr. Fitzsimmons</i>	<i>aye</i>	<i>Mr. Corten</i>	<i>aye</i>
<i>Mr. Welch</i>	<i>aye</i>	<i>Mr. Armstrong</i>	<i>aye</i>	<i>Mr. Warmbrunn</i>	<i>aye</i>
<i>Mr. Fields</i>	<i>aye</i>				

Motion passed unanimously.

Case ZBA-00-MAJ-1

Mr. Kowalski stated that foundation has been started. After starting the construction, the applicant realized they had built over the required side yard due to an inaccurate survey of the property lines. Staff informed them they needed to request a variance to continue construction. Staff recommends that the board grant the variance request.

Mr. Warmbrunn asked how staff found out that the building was being built too close to the property line. Ms. Tyler stated that the initial site plan showed ten foot set back. After further design they realized that the property lines weren't where they thought they were. Mr. Kowalski stated that the applicant had to start four properties over to find a reference point.

Mr. Brett Stillwell, the architect, and Rob Smith from Commercial Floor Covering came before the board to speak. Mr. Stillwell stated that the setback requirements were understood when he drafted the site plan and that the site plan showed a twelve-foot setback. Mr. Stillwell further explained that he did not have the property surveyed and instead used aerial photography and deed information to develop the site plan. It was then discovered that the deed and aerials were inaccurate and off by seven feet thus creating a five-foot setback as opposed to twelve.

Mr. Fitzsimmons moved that the board approve the variance in ZBA-00-MAJ-1 to reduce the side yard set back to five feet. Mr. Welch seconded.

Mr. Fitzsimmons encouraged the applicant to talk to the city arbourist about the proper trees to plant for landscaping at the site.

Roll call vote:

<i>Ms. Merritt</i>	<i>aye</i>	<i>Mr. Fitzsimmons</i>	<i>aye</i>	<i>Mr. Corten</i>	<i>aye</i>
<i>Mr. Welch</i>	<i>aye</i>	<i>Mr. Armstrong</i>	<i>aye</i>	<i>Mr. Warmbrunn</i>	<i>aye</i>
<i>Mr. Fields</i>	<i>aye</i>				

Motion passed unanimously.

Case ZBA-00-C-1

Mr. Kowalski began staff report by stating that the petitioners are proposing to create a duplex from an existing single-family house. Staff recommends that the board grant the proposed conditional use in case ZBA-00-C-1, on condition that sufficient parking will be provided to meet regulations.

Mr. Corten asked if this case would go to City Council. Mr. Kowalski stated it would not.

Ms. Sheri Murphy was sworn in so the board members could ask a few questions. Mr. Warmbrunn wanted to discuss parking issues. Ms. Murphy stated she was going to pave the same width from the back of the property as it is in the front. Ms. Merritt asked if the residents of the addition would approach the property from the alley. Ms. Murphy stated that was correct.

Mr. Murphy stated that the house was a story and a half. Mr. Kowalski stated there was a picture of the rear of the structure on page two of the staff report.

Mr. Warmbrunn asked if staff felt they needed a drawn up site plan. Mr. Kowalski stated he did not think they did. The existing driveway could accommodate the required parking spaces.

Mr. Corten moved that in case ZBA-00-C-1 that the board grant the requested conditional use. Mr. Fields seconded.

Roll call vote:

<i>Ms. Merritt</i>	<i>aye</i>	<i>Mr. Fitzsimmons</i>	<i>aye</i>	<i>Mr. Corten</i>	<i>aye</i>
<i>Mr. Welch</i>	<i>aye</i>	<i>Mr. Armstrong</i>	<i>aye</i>	<i>Mr. Warmbrunn</i>	<i>aye</i>
<i>Mr. Fields</i>	<i>aye</i>				

Motion passed unanimously.

Mr. Corten moved to adjourn.

V. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Respectfully submitted:

Mary Jo Montgomery
Recording Secretary

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