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5051-6

AN ORDINANCE AMENDING THE ZONING ORDINANCE IN THE CITY OF URBANA, ILLINOIS BY RECLASSIFYING CERTAIN PROPERTY FROM RESIDENTIAL PROPERTY TO LOCAL COMMERCIAL PROPERTY

WHEREAS, the Board of Appeals under the Zoning Ordinance of the City of Urbana, did on the 5th day of June A. D., 1950 pursuant to notice, conduct a public hearing to determine whether the property hereinafter described should be reclassified by modification of the Zoning Ordinance of the City of Urbana to permit the construction of a filling station thereon;

AND, WHEREAS, said Board of Appeals has found that there are unnecessary hardships in this particular case in carrying out the strict letter of the ordinance in that property in the immediate vicinity is zoned for light industrial use, and that industrial properties are located across the street from this real estate, and that the general area in which said property is located, is predominantly commercial or industrial property;

AND, WHEREAS, the Board of Appeals under the Zoning Ordinance of the City of Urbana, Illinois, did on the 5th day of June A. D., 1950, recommend to the City Council of the City of Urbana, that the Zoning Ordinance should be modified to permit the construction of a filling station on the property hereinafter described, and it appearing to the City Council that the owners of said real estate would suffer unnecessary hardships if said Zoning Ordinance were not modified to permit the construction of a filling station on said real estate:

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

That the Zoning Ordinance of the City of Urbana, be and the same is hereby amended by classifying the following described property, towit:

A part of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section Eight (8) Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of Hooper and Park's Addition to Urbana, Illinois, running thence North 160 feet, thence West 175 feet, thence South 160 feet, thence East 175 feet to the place of beginning, excepting therefrom the following strip of land off of the South side of the described premises and described as follows:

Commencing at the Northeast corner of Lot One (1) of a subdivision of the North part of Out Lot One (1) of Hooper and Park's Addition of ~~Out~~ Lots to

Urbana, thence North 22.40 feet, thence West 175 feet, thence South 25.40 feet, thence East 175 feet to the place of beginning, heretofore conveyed to the City of Urbana, Illinois, for the extension of University Avenue as shown by deed bearing date September 25, 1923, and recorded in Book 180 at Page 363, situated in the City of Urbana, Illinois.

as local commercial property to permit the construction of a filling station thereon.

Adopted by the City Council of the City of Urbana, Illinois, this 5<sup>th</sup> day of June A. D., 1950.

  
\_\_\_\_\_  
City Clerk

Approved by the Mayor this 7<sup>th</sup> day of June A. D., 1950.

  
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Mayor

REPORT OF BOARD OF APPEALS UNDER THE ZONING  
ORDINANCE WITH RECOMMENDATION TO THE CITY COUNCIL  
OF THE CITY OF URBANA, ILLINOIS

WHEREAS, an application for a Building Permit was, on the 17th day of May A. D., 1950, filed with the Commissioner of Public Works of the City of Urbana, Illinois, requesting permission to construct a Gasoline Filling Station on the following described property, to-wit:

A part of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section Eight (8) Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of Hooper and Parks Addition to Urbana, Illinois, running thence North 160 feet, thence West 175 feet, thence South 160 feet, thence East 175 feet to the place of beginning, excepting therefrom the following strip of land off of the South side of the described premises and described as follows:

Commencing at the Northeast corner of Lot One (1) of a subdivision of the North part of Out Lot One (1) of Hooper and Park's Addition of Out Lots to Urbana, thence North 22.40 feet, thence West 175 feet, thence South 25.40 feet, thence East 175 feet to the place of beginning, heretofore conveyed to the City of Urbana, Illinois, for the extension of University Avenue as shown by deed bearing date September 25, 1923, and recorded in Book 180 at Page 363, situated in the City of Urbana, Illinois.

AND, WHEREAS, the Commissioner of Public Works of the City of Urbana, did on said date, refuse to grant said permit on the grounds that said real estate was classified <sup>as</sup> Single Family Dwelling property under the Zoning Ordinance of the City of Urbana, Illinois.

AND, WHEREAS, the applicant having filed with the Commissioner of Public Works of the City of Urbana and with the Chairman of the Board of Appeals under the Zoning Ordinance of the City of Urbana, a Notice of Appeal, setting forth therein, a legal description of said real estate and praying that said Board of Appeals recommend to the City Council, a modification of the Zoning Ordinance to permit the construction of a Gasoline Filling Station on said real estate.

AND, WHEREAS, a Notice of Public Hearing was duly published in the Champaign-Urbana Courier on the 19th day of May A. D., 1950, whereby, public notice was given that a hearing would be held at the Council Room of the City Building of the City of Urbana, on June 5, 1950, at 5 O'clock P. M., at which time, any persons desiring to be heard could appear and be heard concerning the proposed modification of the Zoning Ordinance of the City of Urbana.

AND, WHEREAS, at said public hearing, the Board of Appeals under the Zoning Ordinance of the City of Urbana, Illinois heard all of the persons desiring to be heard either in favor or against such proposed modification.

AND, WHEREAS, said Board of Appeals has found that there are unnecessary hardships in this particular case in carrying out the strict letter of the ordinance in that the property immediately across the street East of the above described property is zoned for light industry and that there is located on said corner a filling station, and immediately East thereof other business and industrial properties; that across the street to the Southeast and on the South side of University Avenue is zoned for industry and there is located thereon business establishments; that immediately across the street from the above described property on the South side of University Avenue is located a filling station; that the general area of said property is predominantly commercial or industrial property and that the applicant would suffer serious damages if he be denied a permit to build the above described structure for the above uses on said property; and that a denial of said permit amounts to an unreasonable restriction on the use of the property.

IT IS, THEREFORE, recommended by the Board of Appeals under the Zoning Ordinance of the City of Urbana that in order to promote the public safety and welfare of the citizens of the City of Urbana, and to secure substantial justice to each of said citizens, said Zoning Ordinance should be modified to permit the construction of a filling station on the above described real estate.

BOARD OF APPEALS UNDER THE ZONING ORDINANCE OF THE  
CITY OF URBANA, ILLINOIS

BY Mark A. Brown  
Chairman

W. T. Sanderson.

Wallace H. Ewing.

Fred J. Kresch

Hoyd W. Pugh