DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Zoning Board of Appeals

FROM: Marcus Ricci, Planner II

DATE: November 8, 2016, 2016

SUBJECT: **ZBA Case 2016-MAJ-11:** a request by Ivan Richardson for a Major Variance to allow access drives that are up to 54 percent of the lot widths at 3002 E. Rutherford Drive in the R-4, Medium Density Multiple-Family Residential District.

Introduction

Ivan Richardson, the property owner for Lot 452, Beringer Commons, Subdivision No. 4, is currently submitting a Final Plat for said major development. The property is one of the remaining undeveloped lots in Beringer Commons. The requested variance from the Zoning Ordinance maximum access drive width of 45 percent-of-lot-width to allow proposed 27-foot-wide access drives would improve the marketability of the individual lots by providing full and easy access to the planned homes' garages.

Background

Beringer Commons is located north of University Avenue and west of High Cross Road. It was annexed into Urbana in 1991, with an initial development phase taking place in the early to mid-1990s on the southwestern portion of the site. In the late 1990s and early 2000s, development spread to the east and north. Most units were single-family detached units, but two common-lot-line developments were built on Rutherford Drive. By the mid-2000s, approximately 30 more single-family homes and more than 20 common-lot-line units (all on Rutherford Drive) were built. Development slowed considerably in 2007 and 2008, and few homes have been developed since that time.

The site is located at the southwest corner of East Beringer Circle and Rutherford Drive, between Interstate 74 and University Avenue (Exhibit A). The site is 2.75 acres. The proposed Final Plat of the site includes twelve lots designed to accommodate eleven single-family residences, in three clusters on a common-lot-line configuration, as well as one model unit (Exhibit D). The site is adjacent to common-lot-line single-family residential developments to the south and

southeast, detached single-family residential to the west, and undeveloped single-family residential lots to the north. The site abuts a large pond to the west.

Section VIII-4.F.1 limits the width of dedicated access and parking areas to 45 percent of the total lot width or 18 feet, whichever is greater, as measured at the right-of-way. The proposed access drive width of 27 feet complies with this stricter regulation for five of the proposed lots but exceeds the allowed access drive width for seven lots with proposed Lot Nos. of 1417, 1418, 1420, 1421, 1424, 1425, and 1426. A major variance to allow 27-foot wide access drives on the latter set of lots is being requested.

Pursuant to Section XI-3.C.2(d)(1) of the Urbana Zoning Ordinance, in order for a Major Variance to be approved, the Zoning Board of Appeals must recommend approval by a two-thirds majority and forward the case to City Council for final review and approval. During the course of the public process, the request may be amended to require, or the Zoning Board of Appeals may decide to consider, a lesser variance. That change may result in the variance being classified as a Minor Variance. In that instance, the Zoning Board of Appeals may grant a Minor Variance with a majority vote.

Land Use and Zoning

The proposed site is currently in the R-4, Medium Density Multiple-Family Residential district which permits single-family and multiple-unit common-lot-line dwellings by right. Within Beringer Commons, towards the immediate south and east are lands zoned R-4 and developed as multi-family residential; towards the west and north are lands zoned R-2 Single-Family Residential and developed as such. The Urbana Comprehensive Plan's future land use designation for the site and the balance of Beringer Commons is "Residential." Outside the Commons, land to the southeast is zoned B1 Neighborhood Business, developed as an Aldi's grocery store, and designated for the future land use of "Community Business."

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Subject Property	R-4, Medium Density Multiple-Family Residential	Undeveloped	Residential
North	R-2, Single-Family Residential	Single-family dwellings	Residential
South	R-4, Medium Density Multiple-Family Residential	Multiple-unit, common-lot-line dwellings	Residential
East	R-4, Medium Density Multiple-Family Residential	Multiple-unit, common-lot-line dwellings	Residential
West	R-2, Single-Family Residential	Single-family dwellings or undeveloped	Residential

Discussion

The applicant plans to construct four residential structures configured into eleven common-lot-line dwellings and one model unit. As his market research indicated that dwellings targeting his desired demographic were more marketable if they were equipped with three-car garages, he proposes to construct 27-foot-wide access drives which would be wide enough to access the entire garage. For seven of the twelve lots, this results in access drive widths that are greater than 45 percent of the lot width and requires a variance. The table below shows the seven lots and the requested variance.

Proposed Lot #	Lot Width (feet)	Driveway Width Maximum, at 45% of Lot Width (feet)	Driveway Width Variance Required to Meet 27' Width Maximum (feet)	Pavement % of Lot Width
1417	50	22.5	4.5	54%
1418	50	22.5	4.5	54%
1420	56	25.2	1.8	48%
1421	50	22.5	4.5	54%
1424	55.94	25.2	1.8	48%
1425	50	22.5	4.5	54%
1426	50	22.5	4.5	54%

Adjacent lots containing common-lot-line housing units in Beringer Commons have similar front yard characteristics, e.g., 18-foot wide access drives on 30-foot-wide lots, or 60 percent of the lot width. Granting the requested variance would result in a development that is compatible with the existing neighborhood character.

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 criteria as they pertain to this case:

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 applicant's market research has determined that a multiple unit, common-lot-line configuration including an attached three-car garage is the most economically feasible design for this area. The applicant began development of the greater Beringer Commons when a maximum driveway width was not regulated. Strict application of the current version of the ordinance would not allow construction of an access drive that would access the entire width of the garage, .

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.

Lot 452 of Beringer Commons has been under development for several years; market forces have changed and require adapting development plans to meet those changes. The proposed associated replat permits the multiple-unit common-lot-line development and the attached garage configuration under the R-4 zoning designation. Granting the variance would not allow additional units, increased density, or increased occupancy, but would improve the access to those permitted dwellings using access drive design allowed for previous nearby development.

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

The applicant has been developing Beringer Commons for several years, under evolving iterations of the City's Zoning Ordinance, which now regulate maximum access drive width while no such regulation existed when the applicant was developing adjacent lots. Meanwhile, housing markets have shifted, requiring the applicant to shift his design from a two-car garage to a three-car garage, necessitating the increased access drive width.

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

Adjacent common-lot-line lots to the east and south have 18-foot wide access drives on 30-foot wide lots, yielding drives covering 60 percent of the lot width, which is greater than the variance currently being requested. The requested variance would allow lots with driveways covering up to 54 percent of the lot width, which would be similar to the adjacent lots. Granting the variance would therefore not alter the essential character of the neighborhood.

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

The requested variance would not cause any foreseeable nuisances to adjacent property. It would allow access to the proposed structures' garages, allowing full use of storage space. This may, in turn, reduce the probability that residents would use the access drives for parking or storage, or using the roadway for on-street parking, reducing visual clutter and roadway hazards.

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

The requested increase in access width ranges from 1.8 to 4.5 feet, to accommodate 9-foot-wide access drives. This is very near the 8.5 foot minimum width of parking spaces allowed by the Zoning Ordinance, and allows for a reasonable buffer area between vehicles using the access drive.

Summary of Findings

1. The applicant, Ivan Richardson, has proposed to build one single-family dwelling and three multi-unit common-lot-line dwellings on his property, known as Lot 452 of Beringer Commons Subdivision No. 4, and centrally addressed as 3002 Rutherford Drive.

2. The property is zoned R-4, Medium Density Multiple-Family Residential and has a future land use designation of "Residential" in the Urbana Comprehensive Plan.

3. The Major Variance request is to increase the maximum driveway width from the allowed "45 percent of lot width" to 27 feet to accommodate the proposed garages.

4. The variance request will not serve as a special privilege to the property owner.

5. The variance request was not the result of a situation knowingly created by the petitioner.

6. The variance request will not alter the essential character of the neighborhood.

7. The variance request will not cause a nuisance to adjacent property owners.

8. The variance request represents generally the minimum deviation from the requirements of the Zoning Ordinance.

Options

A Major Variance requires a two-thirds vote by the Board to forward a recommendation for approval to the City Council. The Zoning Board of Appeals has the following options in this case:

a) The Urbana Zoning Board of Appeals may forward the case to City Council with a recommendation to **approve** the variance based on the findings in this memo; or

b) The Urbana Zoning Board of Appeals may forward the case to City Council with a recommendation to **approve the variance along with certain terms and conditions**. If the Urbana Zoning Board of Appeals elects to recommend conditions or recommend approval of the variance on findings other than those articulated herein, they should articulate findings accordingly; or

c) The Urbana Zoning Board of Appeals may **approve a lesser Minor Variance** with a majority vote; or

d) The Zoning Board of Appeals may **deny** the variances requested. If the Zoning Board of Appeals elects to do so, the Board should articulate findings supporting its denial.

Recommendation

Based on the evidence presented to date, and without the benefit of considering additional evidence that may be presented prior to or at the public hearing, staff recommends that the Zoning Board of Appeals forward ZBA Case 2016-MAJ-11 to the City Council with a recommendation to **APPROVE** the variance with the following conditions:

1. The associated proposed Replat of Lot 452 is approved.

2. The site is developed in general conformance with the attached proposed site plan, titled Replat of Lot 452 Beringer Commons Subdivision No. 4, with the submitted lot, dwelling and access drive configurations and placement.

3. The impacts caused by the additional pavement are minimized on each subject lot by doing one or more of the following:
    a. Tapering the area of added width to the extent possible;
    b. Using permeable paving materials for the area of added width;
    c. Using a contrasting surface material for the area of added width;
    d. Adding enhanced landscaping to the area next to the access drive.

The specifics of this recommendation may change during the course of formal review of ZBA Case No. 2016-MAJ-11.

Attachments:	Exhibit A:	Location & Aerial Map
	Exhibit B:	Zoning Map
	Exhibit C:	Future Land Use Map
	Exhibit D:	Site Plan
	Exhibit E:	Petition for Variance

cc: Ivan Richardson
Mike Friend

Exhibit A: Location & Existing Land Use Map

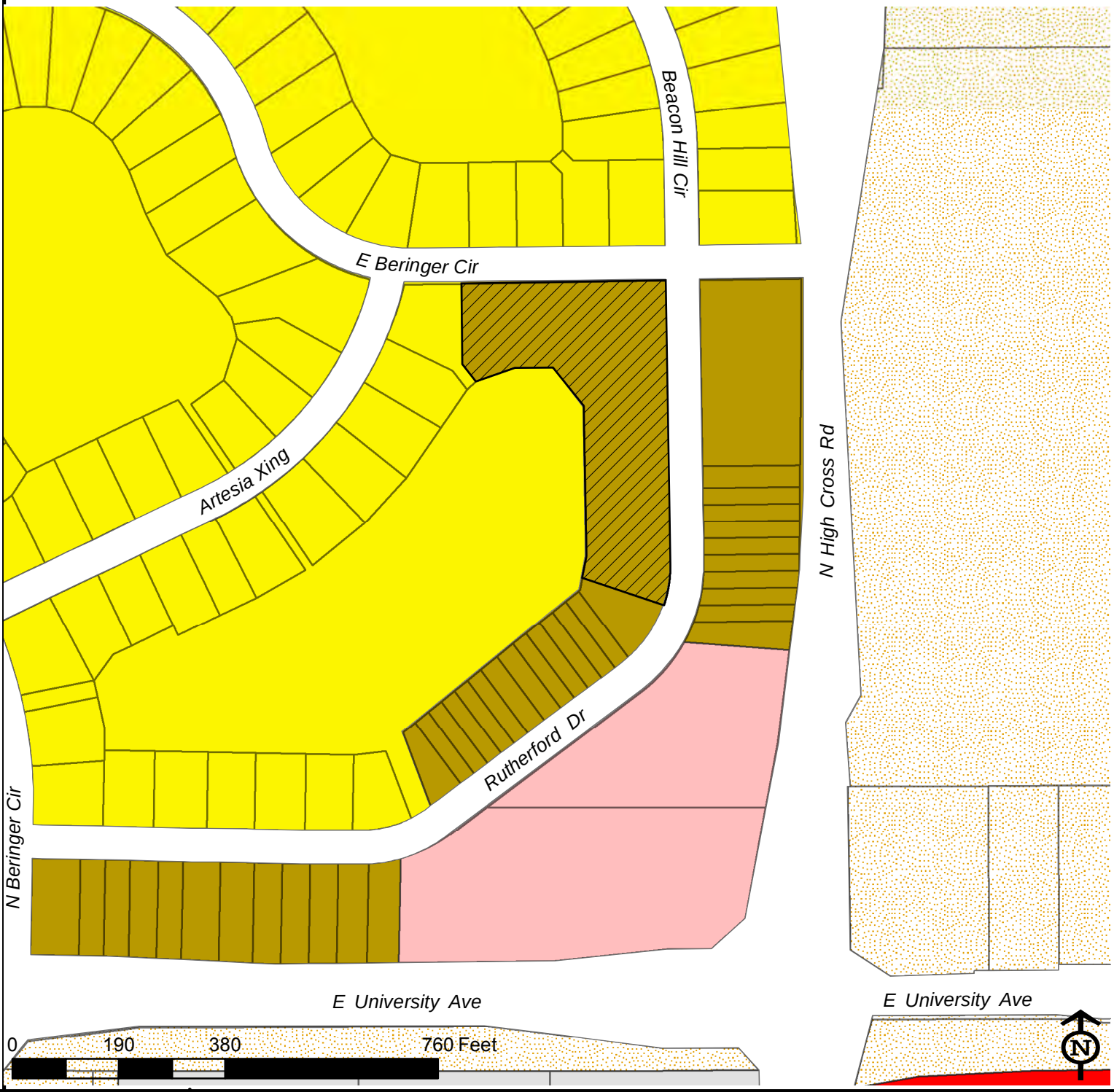
Subject Property

Case: ZBA-2016-MAJ-11
Subject: Driveway Width Variance
Location: 3002 E Beringer Dr
Petitioner: Ivan Richardson

CITY OF URBANA

Prepared 11/10/2016 by Community Development Services - Marcus Ricci

Exhibit B: Zoning Map



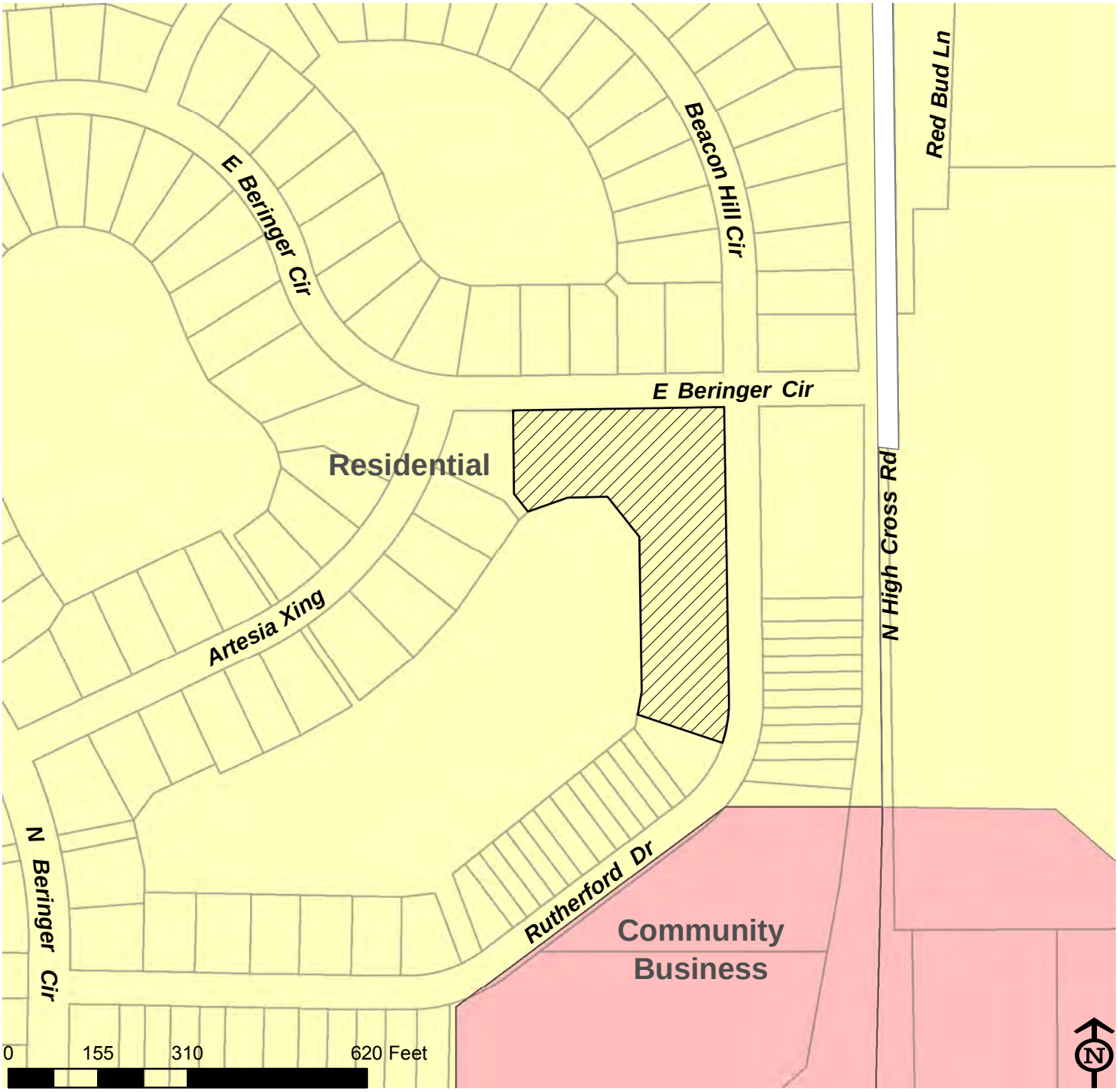
Case: ZBA-2016-MAJ-11
Subject: Driveway Width Variance
Location: 3002 E Beringer Dr
Petitioner: Ivan Richardson

B1
IN-1
B3
R2
ETJ
R4
Subject Property

CITY OF URBANA

Prepared 11/9/2016 by Community Development Services - Marcus Ricci

Exhibit C: Future Land Use Map



Case: ZBA-2016-MAJ-11
Subject: Driveway Width Variance
Location: 3002 E Beringer Dr
Petitioner: Ivan Richardson

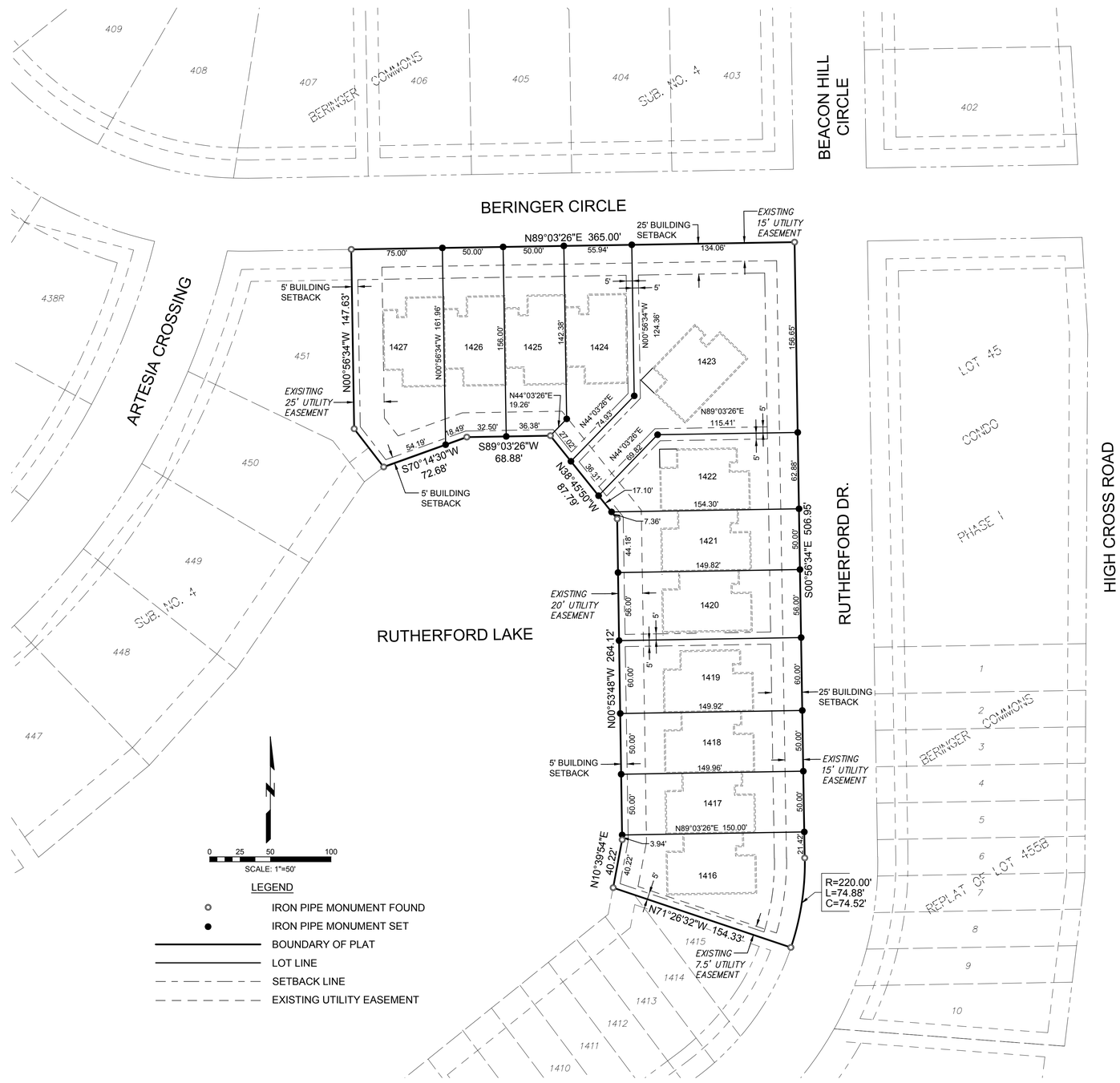
Residential
Community Business
Subject Property

Prepared 11/9/2016 by Community Development Services - Marcus Ricci

Exhibit D - Site Plan

REPLAT OF LOT 452
BERINGER COMMONS SUBDIVISION NO. 4

PART OF SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS



LEGEND

- IRON PIPE MONUMENT FOUND
- IRON PIPE MONUMENT SET
- BOUNDARY OF PLAT
- LOT LINE
- SETBACK LINE
- EXISTING UTILITY EASEMENT

SURVEYOR'S CERTIFICATE

I, ?????????, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. ???, DO HEREBY CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE FOR THE EAST URBANA DEVELOPMENT CORPORATION, IN ACCORDANCE WITH THE LAWS OF THE STATE OF ILLINOIS AND ORDINANCES OF THE CITY OF URBANA, OF PART OF THE SE 1/4, SEC. 10, T.19N., R.9E. OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 452 OF BERINGER COMMONS SUBDIVISION NO. 4, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, RECORDED AS DOCUMENT NO. 2001R34360, DATED 11-28-2001 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE, CONTAINING 2.75 ACRES, MORE OR LESS, ALL SITUATED IN THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS,

FOR THE PURPOSE OF RESUBDIVIDING SAID LOT INTO TWELVE LOTS AS SHOWN ON THE ATTACHED PLAT. THE EASEMENTS DESIGNATED ON THE ATTACHED PLAT ARE DEDICATED AND REDEDICATED FOR PUBLIC USE. MONUMENTS HAVE BEEN PLACED AS SHOWN ON THE ATTACHED PLAT AND THE SUBDIVISION SHALL BE KNOWN AS REPLAT OF LOT 452, BERINGER COMMONS SUBDIVISION NO. 4, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS,

I FURTHER CERTIFY THAT NO PART OF THE PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I DO HEREBY DESIGNATE, IN ACCORDANCE WITH P.A. 87-0705 (THE PLAT ACT), CITY OF URBANA AS THE CORPORATION THAT MAY RECORD THIS FINAL PLAT OF WHICH A TRUE COPY HAS BEEN RETAINED BY ME TO ASSURE NO CHANGES HAVE BEEN MADE.

DATE

XXXX
ILLINOIS PROFESSIONAL
LAND SURVEYOR NO. XXX
CHAMPAIGN, ILLINOIS

DRAINAGE STATEMENT

WE HEREBY STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS OF THIS PLAT WILL NOT BE CHANGED BY THE CONSTRUCTION OF THE IMPROVEMENTS OF THIS SUBDIVISION OR ANY PART THEREOF OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATE

JOHN A. DABROWSKI
ILLINOIS REGISTERED
PROFESSIONAL ENGINEER NO. 42530

IVAN RICHARDSON
OWNER & SUBDIVIDER
PRESIDENT, EAST URBANA DEVELOPMENT CORP.

GENERAL NOTES:

1. THE AREA OF THIS PLAT IS SUBJECT TO AN ANNEXATION AGREEMENT WITH THE CITY OF URBANA AS APPROVED BY COUNCIL BILL NO. 9192-20 ON AUGUST 5, 1991 AND AMENDED BY COUNCIL BILL NO. 2001-08-096 ON AUGUST 20, 2001.
2. LOTS 1416 THROUGH 1427 ARE SUBJECT TO AN OWNER'S CERTIFICATE PROVIDING FOR A FORM OF MAINTENANCE AGREEMENT FOR THE PERPETUAL MAINTENANCE OF THE COMMONS ELEMENTS AND DWELLING UNITS THEREON.
3. LOTS 1416, 1417, 1418, 1419 AND 1420, 1421, 1422, LOT 1423 AND LOTS 1424, 1425, 1426, 1427 ARE TO BE DEVELOPED UNDER THE COMMON-LOT-LINE PROVISIONS OF THE URBANA ZONING ORDINANCE WITH FOUR (4), THREE (3), ONE (1) AND FOUR (4) DWELLING UNIT STRUCTURES RESPECTIVELY ON THE AFORE MENTIONED "GROUPS OF LOTS".
4. CITY OF URBANA HORIZONTAL CONTROL FOR THE SOUTH CORNER OF THE REPLAT OF LOT 453 IS N. 1,255,966.09 E. 1,030,763.12 BASED ON A RANDOM FIELD MEASUREMENT WHICH INCLUDED A FIELD ANGLE TO THE URBANA SYSTEM. BEARINGS SHOWN ON THE PLAT ARE REFERENCED TO BEARINGS OF ORIGINAL PLAT FOR BERINGER COMMONS SUBDIVISION NO. 2B. ROTATE 00°05'52" CLOCKWISE TO CITY OF URBANA HORIZONTAL DATUM ABOUT SAID SOUTH CORNER.???????

LOT	AREA (SF)
1416	10,752.61
1417	7,498.78
1418	7,496.77
1419	8,993.17
1420	8,391.44
1421	7,503.30
1422	9,071.77
1423	23,307.51
1424	8,723.10
1425	7,707.26
1426	7,852.17
1427	12,632.74
TOTAL	119,930.62

APPROVED BY:
THE URBANA PLAN COMMISION OF THE CITY OF URBANA, ILLINOIS

DATE: _____ CHAIRPERSON: _____

APPROVED BY:
THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS,
IN ACCORDANCE WITH ORDINANCE NO. _____

DATE:_____ BY: _____
MAYOR

ATTEST: _____
CITY CLERK

THIS PLAT IS VALID FOR ONE HUNDRED EIGHTY (180) DAYS FROM

Farnsworth GROUP
2211 WEST BRADLEY AVENUE
CHAMPAIGN, ILLINOIS 61821
(217) 352-7408 / info@f-w.com
www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:

#	Date:	Description:
1	09/26/2016	REVISED LOTS 1422 & 1423
2	09/29/2016	REVISED LOTS 1423 & 1424

PROJECT:
BERINGER CONDOMINIUMS

REPLAT OF LOT 452
BERINGER COMMONS
SUBDIVISION NO. 4

CITY OF URBANA,
CHAMPAIGN COUNTY, ILLINOIS

Date:	09/13/2016
Design/Drawn:	GLS
Reviewed:	MF
Field Book No.:	NA

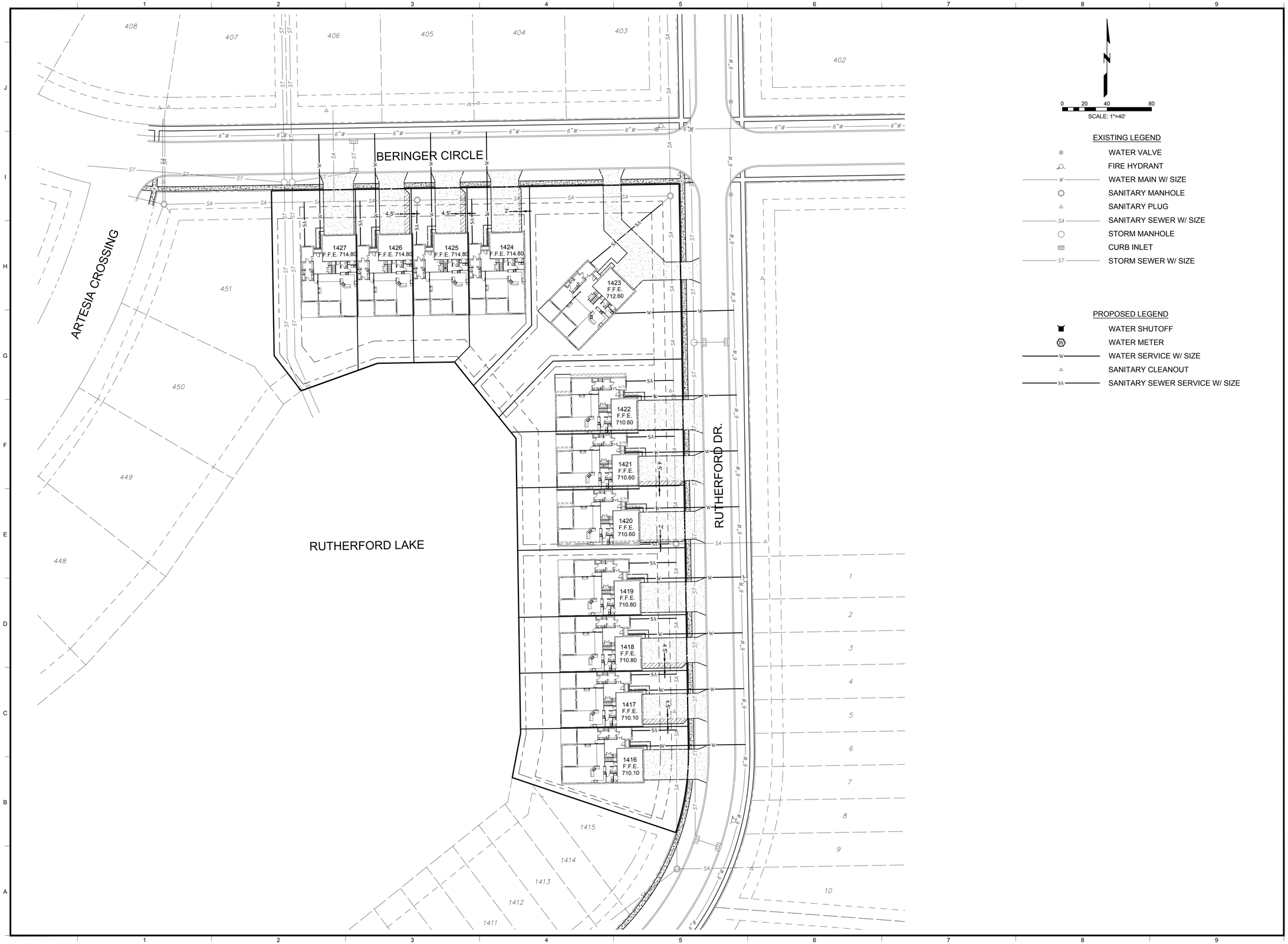
SHEET TITLE:
FINAL PLAT

SHEET NUMBER:
V1.0

Project No.: 0161352.00

| dsmith | J:\2016\0161352.00 - Richardson Beringercom Lot Line Sub\04_Drawing\DWG\V1.0_Final Plat - 0161352.00 Rev 2 9.29.16.dwg | 10/20/2016 5:22 PM |

Exhibit D - Site Plan



EXISTING LEGEND

- WATER VALVE
- FIRE HYDRANT
- WATER MAIN W/ SIZE
- SANITARY MANHOLE
- SANITARY PLUG
- SANITARY SEWER W/ SIZE
- STORM MANHOLE
- CURB INLET
- STORM SEWER W/ SIZE

PROPOSED LEGEND

- WATER SHUTOFF
- WATER METER
- WATER SERVICE W/ SIZE
- SANITARY CLEANOUT
- SANITARY SEWER SERVICE W/ SIZE

Farnsworth GROUP
2211 WEST BRADLEY AVENUE
CHAMPAIGN, ILLINOIS 61821
(217) 352-7408 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:

#	Date:	Description:
1	09/26/2016	REVISED LOTS 1422 & 1423
2	09/29/2016	REVISED LOTS 1423 & 1424

PROJECT:

BERINGER CONDOMINIUMS

REPLAT OF LOT 452 BERINGER COMMONS SUBDIVISION NO. 4

CITY OF URBANA,
CHAMPAIGN COUNTY, ILLINOIS

Date:	09/13/2016
Design/Drawn:	GLS
Reviewed:	MF
Field Book No.:	NA

SHEET TITLE:

UTILITY & GRADING PLAN

SHEET NUMBER:

C1.0

2

Project No.: 0161352.00

| dsmith | J:\2016\0161352.00 - Richardson Beringercom Lot Line Sub\04_Drawings\CIVIL\C1.0_Grading Plan - 0161352.00 Rev 2 9-29-16.dwg | 10/24/2016 10:42 AM |

Exhibit D - Site Plan

0 20 40 80
SCALE: 1"=40'

EXISTING LEGEND

Farnsworth
GROUP

2211 WEST BRADLEY AVENUE
CHAMPAIGN, ILLINOIS 61821
(217) 352-7408 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:

#	Date:	Description:
1	09/26/2016	REVISED LOTS 1422 & 1423
2	09/29/2016	REVISED LOTS 1423 & 1424

PROJECT:
BERINGER CONDOMINIUMS

REPLAT OF LOT 452
BERINGER COMMONS
SUBDIVISION NO. 4

CITY OF URBANA,
CHAMPAIGN COUNTY, ILLINOIS

Date:	09/13/2016
Design/Drawn:	GLS
Reviewed:	MF
Field Book No.:	NA

SHEET TITLE:

EXISTING LOT 453

SHEET NUMBER:

C2.0
2

Project No.: 0161352.00

| dsmith | J:\2016\0161352.00 - Richardson Beringercom Lot Line Sub\04_Drawings\DWG\C1.0_Grading Plan - 0161352.00 Rev 2 9.29.16.dwg | 10/24/2016 10:42 AM |

Farnsworth GROUP

2211 W. Bradley Avenue
Champaign, Illinois 61821
p 217.352.7408 f 217.352.7409

www.f-w.com | www.greennavigation.com

October 24, 2016

City of Urbana
Community Development Services
400 South Vine Street
Urbana, IL. 61801

Attn: Kevin Garcia, Planner II

Subject: Application for Variance, Lot 452 of Beringer Commons

Dear Mr. Garcia,

On behalf of our client, Ivan Richardson, enclosed please find the following:

1. A completed "Application For Variance" form
2. An Application Fee in the form of a check for $150
3. A Draft Final Plat of Lot 452 of Beringer Commons Subdivision (11x17 and full size)
4. A Draft Utility and Grading Plan (11x17 and full size)
5. A Google Earth Image depicting the existing Lot 453 condominium Development in Beringer subdivision, located Immediately south of lot the proposed lot 453 development
6. A DVD with a PDF of this entire correspondence

I want to acknowledge your assistance in the process of preparing this application in a manner which complies with the City of Urbana procedures. I look forward to discussing this request with the Zoning Board of Appeals, for this high quality proposed project by Mr. Richardson.

If you have any questions, or require any additional information, please feel free to call or email.

Very truly yours,

FARNSWORTH GROUP, INC.

Michael C. Friend, PE
Engineering Manager

Enclosures

cc: Ivan Richardson
David Spence, ALA

CITY OF URBANA

Application for Variance

ZONING BOARD OF APPEALS

APPLICATION FEE – $175.00 (Major) and $150.00 (Minor)

The Applicants are responsible for paying the cost of legal publication fees as well. Estimated costs for these fees usually run between $75.00 to $225.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 10-24-2016 ZBA Case No. ZBA-2016-MAJ-11

Fee Paid - Check No. 1126 Amount $150.00 Date 10-24-2016

1128 25.00 10-26-2016

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)***

Allow for driveway widths greater than 45% of lot width on the property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Ivan Richardson Phone: 217-328-2525

Address *(street/city/state/zip code)*: 1606 Willow View Road, Urbana, Illinois 61802

Email Address: Ivanrichardson44@gmail.com

Property interest of Applicant(s) *(Owner, Contract Buyer, etc.)*: Owner

2. OWNER INFORMATION

Name of Owner(s): Ivan Richardson Phone: 217-328-2525

Address *(street/city/state/zip code)*: 1606 Willow View Road, Urbana, Illinois 61802

Email Address: Ivanrichardson44@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: Lot 452 of Beringer Commons Subdivision No. 4 3002 East Rutherford Drive

PIN # of Location: 406-014 91-21-10-406-014

Lot Size: ± 2.75 Acres

Current Zoning Designation: R-4

Current Land Use *(vacant, residence, grocery, factory, etc*: Vacant

Proposed Land Use: Common Lot Line, 12 Lots, 4 Units

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

Lot 452 of Beringer Commons Subdivision No. 4, City of Urbana, Champaign County, Illinois, recorded as Document No. 2001R34360, dated 11-28-2001, in the Champaign County Recorder's office, containing 2.75 acres more or less, all situated in the City of Urbana, Champaign County, Illinois.

4. CONSULTANT INFORMATION

Name of Architect(s): David Spence, ALA Phone: 217-897-1958

Address *(street/city/state/zip code)*: P.O. Box 676, Fisher, Illinois 61843

Email Address:

Name of Engineers(s): Michael C. Friend Phone: 217-352-7408

Address *(street/city/state/zip code)*: 2211 W. Bradley Avenue, Champaign, Illinois 61821

Email Address: MFriend@f-w.com

Name of Surveyor(s): Chad Wallace Phone: 217-352-7408

Address *(street/city/state/zip code)*: 2211 W. Bradley Avenue, Champaign, Illinois 61821

Email Address: CWallace@f-w. com

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.

The subject property has remained undeveloped for 15 years. Mr. Richardson has identified a market for energy efficient common lot line units, and has also identified a building configuration which includes a 3 car garage. Due to the common building unit configuration associated with the proposed development, lot widths are limited to the width of each individual dwelling, and are correspondingly narrow. Without paved access to all 3 garages, the marketability is substantially reduced.

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.

Due to the common building unit configuration associated with the proposed development, lot widths are limited to the width of each individual dwelling, and are correspondingly narrow. Without paved access to all 3 garages, the marketability is substantially reduced.

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

Market forces are driving the architectural layout depicted. As the demographics of the community have evolved, the depicted floor plan has been developed to align with the needs of the public. The need for storage, as well as for guest parking, is a result of evolving market conditions, which are not knowingly created by the petitioner.

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

The proposed variance occurs completely on the private property of the individual lot for each unit. The proposed driveway widths are fully conformed on the City right-of-way, and transition to the desired width on the property. The additional width requested varies from a maximum of 4.5' to a minimum of 2' (hatched). With all additional width on private property. The width of the driveway will align with the dwelling unit garages, and as such will not give the appearance of excessive additional pavement. In addition, the existing development constructed on lot 453, immediately adjacent to the proposed development, also includes driveways which were permitted to exceed the maximum widths in the zoning ordinance. The driveways vary from 16'-18', on lots which are 30' wide. This represents an existing condition which is very similar tot the requested variance. It is notable that the permitted variance on lot 453 extends onto the right-of-way, and the requested variance for the proposed project is limited to the private property off of the right-of-way. This effectively provides a lesser deviation from the ordinance that the existing adjacent development.

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

The anticipated owners will have frequent visitors. The ability to allow parking on the property off of the street right-of-way will mitigate the potential nuisance associated with with parking of visitors on the right-of-way or along the street. The character of the existing adjacent development is similar, and as a result the proposed minor additional width will not be a nuisance, nor appear out of character.

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

Yes, the variance requests at a maximum 4.5' of additional driveway width (hatched) all on private property, which is a 20% increase. The desired width to accommodate the design is 27 feet, and the ordinance limits the width to a maximum of 45% of the lot width, or 22.5' of a 50' lot. Concrete pavement is the desired option. Consideration of the use of some permeable pavement is possible, but not desirable.

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.

Dean Richardson 10/24/16

Applicant's Signature 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