

**MINUTES OF A REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DATE: June 16, 2021

APPROVED

TIME: 7:00 p.m.

PLACE: Zoom Webinar

MEMBERS ATTENDING REMOTELY: Joanne Chester, Ashlee McLaughlin, Nancy Uchtmann, Charles Warmbrunn

MEMBER ATTENDING AT CITY BUILDING: Harvey Welch

MEMBERS ABSENT: Matt Cho

MEMBERS EXCUSED: Adam Rusch

STAFF PRESENT: Marcus Ricci, Planner II; Katherine Trotter, Planner I; UPTV Camera Operator

OTHERS PRESENT: David Newton, Jeffery Poss, Daniel Roush

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

Chair Welch called the meeting to order at 7:11 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 May 19, 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:

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

The minutes of the May 19, 2021 regular meeting were approved as written.

NOTE: Joanne Chester joined the meeting via Zoom.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

ZBA-2021-C-01 – A request for a Conditional Use Permit by Rosecrance, Inc., represented by Daniel Roush, to allow operation of a Medical Supplies facility at 706 Killarney Street in the IN-1, Light Industrial/Office Zoning District.

Chair Welch opened the public hearing for Case No. ZBA-2021-C-01. Marcus Ricci, Planner II, gave the staff report for the case. He began by stating that Daniel Roush and David Newton were available to answer questions on behalf of the applicant. He stated the purpose for the proposed Conditional Use Permit was to allow the applicant to operate an intravenous (IV) fluid mixing facility at 706 Killarney Street. He noted the existing land uses, zoning, and future land use designations of the subject property and of the adjacent properties. He talked about the proposed use and about Coram/CVS. He reviewed the requirements for a Conditional Use Permit according to Section VII-2 of the Urbana Zoning Ordinance. He read the options of the Zoning Board of Appeals and presented City staff’s recommendation for approval.

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 Newton and Daniel Roush made themselves available for any questions. There were none.

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.

Ms. McLaughlin moved that the Zoning Board of Appeals approve Case No. ZBA-2021-C-01 as submitted. Mr. Warmbrunn seconded the motion. Roll call on the motion was as follows:

Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes
Ms. Uchtmann	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes			

The motion passed by unanimous vote.

ZBA-2021-MIN-01 – A request by Jeffery Poss Architect, PLLC, on behalf of Brendan Harley and Kathryn Clancy, for a minor variance to allow an addition to be built 3 feet, 9 inches from the south property line, in the required five-foot side yard at 1009 South Douglas Avenue in the R-2, Single-Family Residential Zoning District.

Chair Welch opened the public hearing for Case No. ZBA-2021-MIN-01. Kat Trotter, Planner I, gave the staff report for the case. She began by stating the purpose for the proposed minor variance which is to allow an addition to be built on to the existing house three feet, nine inches from the south property line. She noted the location of the subject property stating the zoning of the property and of the adjacent properties. She talked about the proposed minor variance and reviewed the variance criteria from 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 with the following condition: *That the addition generally conforms to the site plan in Exhibit D of the packet.* She stated that the applicant was available to answer any questions.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff.

Ms. McLaughlin noted that the house as it currently exists encroaches into the side yard setback. Even if the applicants demolished the garage, the house would still encroach. Ms. Trotter stated that this was correct. The addition to the house would be constructed where the garage is currently located. The part of the house that encroaches would still exist.

Chair Welch opened the hearing for public input. He invited the applicant or the applicant's representative to speak.

Jeffery Poss, applicant, made himself available to answer any questions.

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.

Chair Welch asked Ms. Trotter to summarize the letter she received in opposition to the proposed minor variance request. Ms. Trotter stated that the letter was from the owners, Ed and Sue Rogowski, of 508 West Indiana and 1108 South Orchard. She mentioned that they recently are building a new home at 1108 South Orchard and are building it in compliance with all Urbana zoning rules and regulations, which they felt are well conceived, reasonable and not onerous so they did not support the proposed minor variance to allow any encroachment into the side yard.

Chair Welch swore in Mr. Poss. Mr. Poss then stated that the homeowners of the property to the south were in support of the variance. Ms. Trotter confirmed that this was the case.

Ms. McLaughlin moved that the Zoning Board of Appeals approve Case No. ZBA-2021-MIN-01 with the following condition: *That the addition generally conforms to the site plan in Exhibit D of the packet.* Ms. Uchtmann seconded the motion.

Roll call on the motion was as follows:

Ms. Uchtmann	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes	Ms. Chester	-	Yes
Ms. McLaughlin	-	Yes			

The motion was approved by unanimous vote.

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. ADJOURNMENT OF MEETING

Chair Welch adjourned the meeting at 7:35 p.m.

Respectfully submitted,

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