

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

**DATE:** December 19, 2018

**APPROVED**

**TIME:** 7:00 p.m.

**PLACE:** City Council Chambers, 400 South Vine Street, Urbana, IL 61801

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**MEMBERS PRESENT** Matt Cho, Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn, Harvey Welch

**MEMBERS ABSENT** Joanne Chester, Nancy Uchtmann

**STAFF PRESENT** Lorrie Pearson, Planning Manager; Lily Wilcock, Planner I

**OTHERS PRESENT** Sharla Jolly, Marlin Livingston, Scot Wachter

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

Chair Welch called the meeting to order at 7:00 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 October 17, 2018, regular meeting were presented for approval. Ms. McLaughlin moved to approve the minutes as written. Mr. Rusch seconded the motion. The minutes were approved by unanimous voice vote as written.

**NOTE:** Chair Welch swore in members of the audience who indicated that they might give testimony during the public hearing.

**4. COMMUNICATIONS**

There were none.

**5. CONTINUED PUBLIC HEARINGS**

There were none.

## 6. NEW PUBLIC HEARINGS

**ZBA-2018-MAJ-11: A request by Cunningham Children's Home, located at 1301 North Cunningham Avenue, for a Major Variance to construct a 45 square foot sign, or 80% larger than the maximum 25 square feet, near a new access drive off Country Club Road.**

Chair Welch opened the public hearing for this case. Lorrie Pearson, Planning Manager, introduced Lily Wilcock as the new planner for the City of Urbana.

Lily Wilcock, Planner I, presented the staff report to the Zoning Board of Appeals. She began by giving brief background information of the subject property. Referring to Exhibit A, she indicated where the subject property was located on the map. She showed Exhibit C and noted that the proposed new sign would be located 28 feet from the property line rather than 20 feet as indicated in the written staff memo. She noted the zoning and existing land uses of the subject property and of the surrounding adjacent properties. She mentioned reviewed the criteria according to Section XI-3 of the Urbana Zoning Ordinance for a major variance and summarized staff findings. She read the options of the Zoning Board of Appeals and presented City staff's recommendation for approval including the following condition recommended by City staff:

1. That the sign location and construction generally conform to the attached site plan and specifications.

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

Mr. Warmbrunn asked if the sign would face the north and would not be internally lit. Ms. Wilcock replied that was correct. There would be two lights facing the sign.

With no further questions for City staff, Chair Welch opened the hearing for public input. He invited the applicant to approach the dais to speak.

Marlin Livingston, President and CEO for the Cunningham Children's Home, approached the Zoning Board of Appeals to speak. He noted their appreciation for City staff stating that they worked hard together regarding the recent dedication of right-of-way and the 20-foot wide sanitary sewer easement.

Mr. Rusch inquired if there was now an access drive coming down from Golfview Road to the circle drive. Mr. Livingston said that was correct.

With no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motion(s) by the Zoning Board of Appeals.

Mr. Cho stated that in the drawing, the proposed sign appeared to be located above the sanitary sewer line. Ms. Wilcock explained that the pier of the sign would be above the sanitary sewer line easement. The sign itself would be south of the sewer easement line. Referring to Exhibit D, Ms. Pearson noted that the sign would be 44 feet and would be attached to a wall, which may be regulated in the language of the easement.

Mr. Rusch wondered when the access drive and the sign were slated to be constructed. Mr. Livingston stated that the access drive has been completed. The piers of the wall have been poured as well. They were waiting to complete the sign until the City approved the proposed variance request.

Ms. Pearson inquired if Mr. Livingston knew about the pier being allowed in the easement. Mr. Livingston referred the question to their architect, Scot Wachter. After being sworn in, Mr. Wachter explained that the easement was given to allow the City of Urbana to be able to maintain the sewer line. Driveways, fences and other minor things can encroach upon an easement. The owner just needs to understand that if the City needs to dig up the easement, then it may affect the pier portion of the wall in the future.

Mr. Warmbrunn moved that the Zoning Board of Appeals forward Case No. ZBA-2018-MAJ-11 to the City Council with a recommendation for approval including the condition as suggested by City staff. Mr. Rusch seconded the motion. Roll call on the motion was as follows:

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

The motion passed by unanimous vote. Ms. Wilcock noted that this case would be forwarded to City Council on January 7, 2019.

## **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.

Mr. Warmbrunn inquired about Case No. ZBA-2018-MAJ-10, involving the Broadway Food Hall. Ms. Pearson replied that the case is being held at Committee of the Whole level.

Discussion followed about the purview of the ZBA, the need for City Legal representation at ZBA meetings in some instances, and what City Council considers during their discussions.

## **12. ADJOURNMENT OF MEETING**

Chair Welch adjourned the meeting at 7:28 p.m.

Respectfully submitted,

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Lorrie Pearson, AICP  
Planning Manager  
Secretary, Urbana Zoning Board of Appeals