



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** Mayor Diane Wolfe Marlin

**FROM:** John A. Schneider, Manager, Community Development Services Department

**DATE:** June 1, 2017

**SUBJECT: ZBA-2017-MAJ-03:** A request by Clifford Singer and Brigitte Pieke for a Major Variance to construct an addition which would encroach four (4) feet into the required five-foot west side yard setback at 613 West Washington Street in the R-2 Single-Family Residential District.

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### **Introduction**

The applicants are requesting permission to construct an addition aligned with an existing, legally nonconforming, single-family house, which encroaches four feet into the required five-foot west side yard setback at 613 West Washington Street. At their May 17, 2017, meeting, the Urbana Zoning Board of Appeals voted unanimously to forward the case to the City Council with a recommendation of approval with one condition.

### **Background**

The applicants would like to construct an addition to the 1,646 square-foot, one-story, single-family house at 613 West Washington Street. The addition would have the same west wall line and roof eave line as the existing house, and extend the residence approximately 11 feet south towards the rear of the property. The subject property is located on the south side of West Washington Street between Busey Avenue and Orchard Street (Exhibit A).

Nuckoll's Subdivision was platted in 1927 into six equally-sized lots; land transfers in 1941 created new property boundaries four east of the original lot boundaries. The house was built in 1953 one foot east of the west property line, encroaching four feet into the west side yard setback. There is no evidence a yard setback variance was issued prior to house construction.

The applicants wish to increase the livable space by removing a portion of an existing rear deck and constructing an addition to the home. This would require extending the existing crawlspace southward, reconstructing the western portion of the roof with a shallower pitch to utilize and maintain the existing roof ridge, and building the addition with the west wall in line with the existing house .

## Land Use and Zoning

The subject property is located in the R-2 Single-Family Residential zoning district and is surrounded on all sides by the R-2 district (Exhibit B). Adjacent properties are used for single- and two-family dwellings and a fraternity/sorority group home; nearby properties include an 8+-unit apartment building. The Urbana Comprehensive Plan’s future land use designation for the subject property and surrounding area is shown as “Residential, Urban Pattern” (Exhibit C).

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-2, Single-Family Residential	Single-family residential	Residential, Urban Pattern
North	R-2, Single-Family Residential	Single- and multi-family residential	Residential, Urban Pattern
South	R-2, Single-Family Residential	Single-family residential	Residential, Urban Pattern
East	R-2, Single-Family Residential	Single-family residential	Residential, Urban Pattern
West	R-2, Single-Family Residential	Two-family residential	Residential, Urban Pattern

## Discussion

The applicants propose reconstructing a portion of the existing outdoor deck into an extension of the existing single-family house which currently encroaches four feet into the five-foot west side yard setback. The 187 square-foot addition would contain a full bathroom with a walk-in shower designed for residents modifying the house for purposes of aging-in-place, and a small closet that would also house the bathroom’s plumbing. The proposed addition would have the same west wall and roof eave lines as the existing house. The west edge of the roof currently encroaches an additional foot into the side yard setback; the proposed addition would maintain the same roof edge and would not expand the encroachment. This roof has gutters at the south end of the house that collect the roof runoff and direct it to the backyard. Siding materials would be selected to match the existing construction. Attached site plans and elevations show the proposed changes to the floor plan, roof lines, and elevations (Exhibit D: Application, page 9).

An existing landscape buffer with trees and large shrubs extends along the front of the house and the west property line (Exhibit E: Site Photos). A fence starts eight feet north of the rear of the residence and extends toward the rear of the property, screening the majority of the proposed addition. An air conditioning condensing unit currently encroaching in the west side yard setback would be removed and replaced by smaller units located outside the required setbacks.

The applicants were advised of additional code requirements for construction of residential structures located within five feet of a property line. Public Works staff notified Planning staff that a 30-inch storm sewer line runs north-south near the west property line, the location of which may impact construction of the addition. Public Works will inspect the site and determine the pipe’s location and the acceptable boundaries of the constructible area.

## 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?*

According to the applicant, construction of the proposed addition in conformance with the current yard setback requirements by shifting the proposed addition to the east would be more expensive and create undesirable aesthetic and practical side effects, as follows:

- require a costly relocation of an existing sliding glass door;
- create an offset on the west wall elevation that would be more expensive and create potential water infiltration issues; and
- block a portion of the existing view of the rear yard from the house.

Staff determined that relocation of the proposed addition would create an inefficient use of space without providing any additional benefit as a buffer to the westerly adjacent neighbor due to an existing intervening fence and landscape buffer.

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.*

The requested variance is necessary to allow for a reasonable and cost-effective extension of the existing residence in light of the existing encroachment created by the initial construction of the house into the required west side yard setback.

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

The encroachment was created by a combination of the shifting of property lines four feet to the east sometime after the original platting in 1927, and the subsequent construction of the house in 1953. The encroachment has been in existence since 1953 and was not created by the applicants. Granting the variance will not be an instance of resolving a self-created hardship.

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

The proposed addition will be located at the rear of the existing residence and would be mostly screened from the West Washington Street right-of-way by landscaping and a fence. The roof edge line and wall line will not be shifted, and the exterior siding materials will be selected to blend with the existing materials. As a result, the neighborhood will not be impacted and granting the variance would not alter the essential character of the neighborhood.

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

The proposed addition will be approximately 40 feet from both the easterly- and westerly-adjacent residences and would be largely outside of their line-of-sight due to either landscape and fence buffers or site geometry. The applicants have contacted their neighbors, informed them of their construction plans, and obtained several signatures indicating their approval of the proposed construction (Exhibit D: Application, page 11). This combination of existing buffers and neighbor approval indicate the proposed location of the addition would not create any nuisance to the neighborhood.

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

The requested variance – allowing for the walls and eaves of the proposed addition to be aligned with the existing house – is the minimum deviation possible for the applicants to construct the proposed addition without the unnecessary expense of additional construction, and the undesirable impacts resulting from having to conform to the current side yard setback. The *extension* of the encroachment southward without *expanding* it westward would maintain but not expand the current level of encroachment into the west side yard setback.

## **Summary of Findings**

1. The applicants, Clifford Singer and Brigitte Pieke, propose to construct an addition aligned with a legally nonconforming, existing single-family house located at 613 West Washington Street.
2. The subject property is zoned R-2 Single-Family Residential and has a future land use designation of “Residential, Urban Pattern” in the Urbana Comprehensive Plan.
3. The Major Variance request will create additional living space by allowing construction of an addition to the residence which encroaches four feet into the required five-foot west side yard setback.
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

The Urbana City Council has the following options in ZBA Case No. 2017-MAJ-03:

- a) **Approve** the variance based on the findings in this memo; or
- b) **Approve the variance along with certain terms and conditions.** If findings stated or conditions recommended differ from those in this memo and in the attached draft ordinance, these should be articulated accordingly; or
- c) **Deny** the variance requested. If the City Council elects to do so, the Council should articulate findings supporting its denial.

## Recommendation

At their May 17, 2017, meeting, the Urbana Zoning Board of Appeals voted unanimously with 4 ayes and 0 nays to forward ZBA Case No. 2017-MAJ-03 to the Urbana City Council with a recommendation of **APPROVAL WITH ONE CONDITION:**

1. That the site is developed in general compliance with the revised Site Plan and Elevations entitled “Renovation Plan Drawings for 613 W. Washington, Urbana” and dated May 8, 2017, allowing changes necessary to accommodate the storm sewer near the western property line but do not expand the encroachment further west.

City staff likewise recommends approval.

Prepared by:



Marcus Ricci  
Planner II

Attachments:      Exhibit A:      Location & Existing Land Use Map  
                         Exhibit B:      Zoning Map  
                         Exhibit C:      Future Land Use Map  
                         Exhibit D:      Application for Variance  
                         Exhibit E:      Site Photos  
                         Zoning Board of Appeals Minutes – May 17, 2017

cc:                    Clifford Singer & Brigitte Pieke, Applicants

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Approving A Major Variance**

**(613 West Washington Street / ZBA Case No. 2017-MAJ-03)**

**WHEREAS**, the Urbana Zoning Ordinance provides for a Major Variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for a Major Variance where there is a special circumstance or condition with a parcel of land or a structure; and

**WHEREAS**, Clifford Singer and Brigitte Pieke have submitted a petition for a Major Variance to allow the construction of an addition to a legally nonconforming, single-family house which encroaches four (4) feet) into the required five- (5) foot west side yard setback at 613 West Washington Street in the R-2, Single-Family Residential District; and

**WHEREAS**, said petition was presented to the Urbana Zoning Board of Appeals in ZBA Case No. 2017-MAJ-03; and

**WHEREAS**, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed Major Variance on May 17, 2017, and voted 4 ayes to 0 nays in Case No. ZBA-2017-MAJ-03 to recommend that the Corporate Authorities approve the requested variance with one condition; and

**WHEREAS**, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the Major Variance referenced herein conforms with the Major Variance procedures in accordance with Article XI, Section XI-4.B of the Urbana Zoning Ordinance; and

**WHEREAS**, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. The applicants, Clifford Singer and Brigitte Pieke, propose to construct a 187 square-foot addition aligned with a legally nonconforming existing single-family house located at 613 West Washington Street.
2. The subject property is zoned R-2 Single-Family Residential and has a future land use designation of “Residential, Urban Pattern” in the Urbana Comprehensive Plan.
3. The variance request will create additional living space by allowing construction of an addition to the residence which encroaches four feet into the required five-foot west side yard setback.
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.

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

Section 1. In ZBA Case No. 2017-MAJ-03, the Major Variance requested by Clifford Singer and Brigitte Pieke to allow the construction of an addition to the single-family house, which encroaches four feet into the required west side yard setback, in the City's R-2, Single-Family Residential District, is hereby approved in the manner proposed in the application and subject to the following condition:

The site is developed in general compliance with the revised Site Plan and Elevations (Attachment A) entitled "Renovation Plan Drawings for 613 W. Washington, Urbana" and dated May 8, 2017, allowing changes necessary to accommodate the storm sewer near the western property line but do not expand the encroachment further west.

The Major Variance described above shall only apply to the property located at 613 West Washington Street, more particularly described as follows:

**LEGAL DESCRIPTION:**

Lot 1, except the East 54 feet 4 inches thereof, and the East 52.47 feet of Lot 2, all in C. W. Nuckolls' Subdivision of Lot 6 in Block "A" of the Assessor's Subdivision of the Northwest Quarter of the Southwest Quarter of Section 17, Township 19 North, Range 9 East of the Third Principal meridian, except Lincoln Place, as per plat recorded in Book "E" at page 186A, situated in the City of Urbana, in Champaign County, Illinois.

P.I.N. 93-21-17-305-009



Section 2. The Urbana City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, together with accurate Site Plan and Elevations herein above described. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSTAINED:

\_\_\_\_\_  
**Charles A. Smyth, City Clerk**

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Diane Wolfe Marlin, Mayor**

**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled AN ORDINANCE APPROVING A MAJOR VARIANCE (To allow the construction of an addition that encroaches four (4) feet into the required west side yard setback in the City’s R-2, Single-Family Residential District, at 613 West Washington Street / ZBA Case No. 2017-MAJ-03) which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

# ATTACHMENT A

Renovation Plan Drawings for 613 W. Washington, Urbana: Plan View

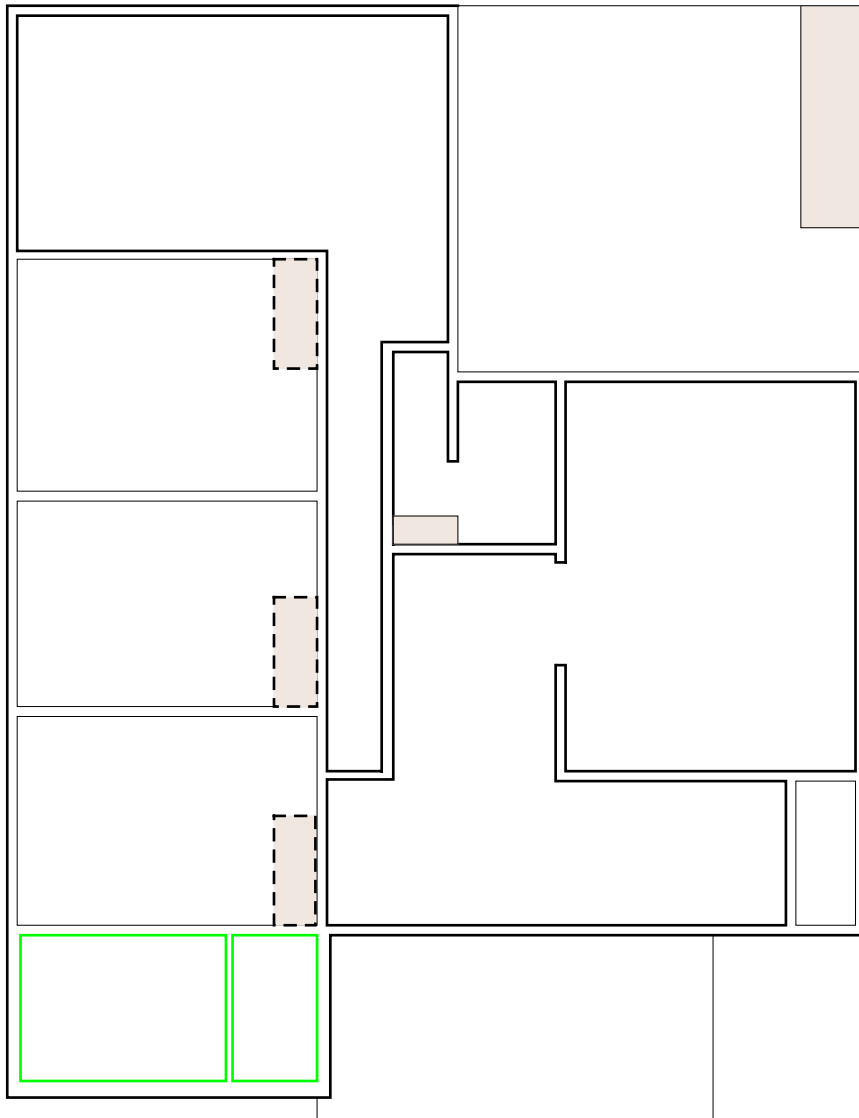


Fig. 1. Plan view of existing house (black, with closets in darker shade), including part of wooden deck that will remain and carport (light gray outlined exterior parts) and addition to south (bottom of drawing). See variance application for maximum dimensions of the addition.

# ATTACHMENT A

Renovation Plan Drawings for 613 W. Washington, Urbana: Elevation Views

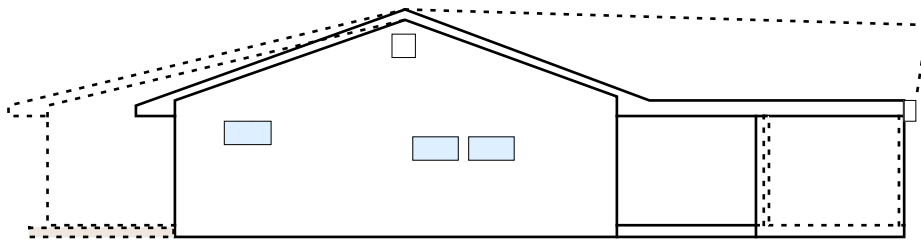


Fig. 2. Elevation view existing house viewed from outside from east looking west. Solid lines and dotted lines to the north of the roof peak, (to the right in the diagram, towards the street) are the existing house. The dotted roof line to the north is in the middle of the occupied (i.e. non-carport) part of the north part. Dotted lines to the south give an elevation view of the addition. The small rectangle is the location of possible heat

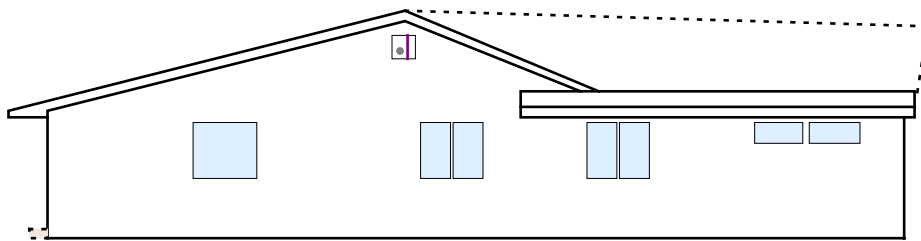


Fig. 3. Elevation view existing house viewed from **inside** from east looking west. Southern most window (to the left in the diagram) is in the addition. New roof line (solid line) runs from the roof peak to the south. Old north roof line (dotted) is in the middle of the occupied (non-carport) north part of existing house.

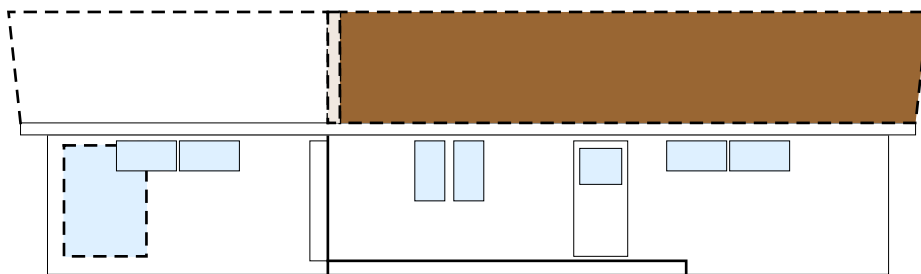
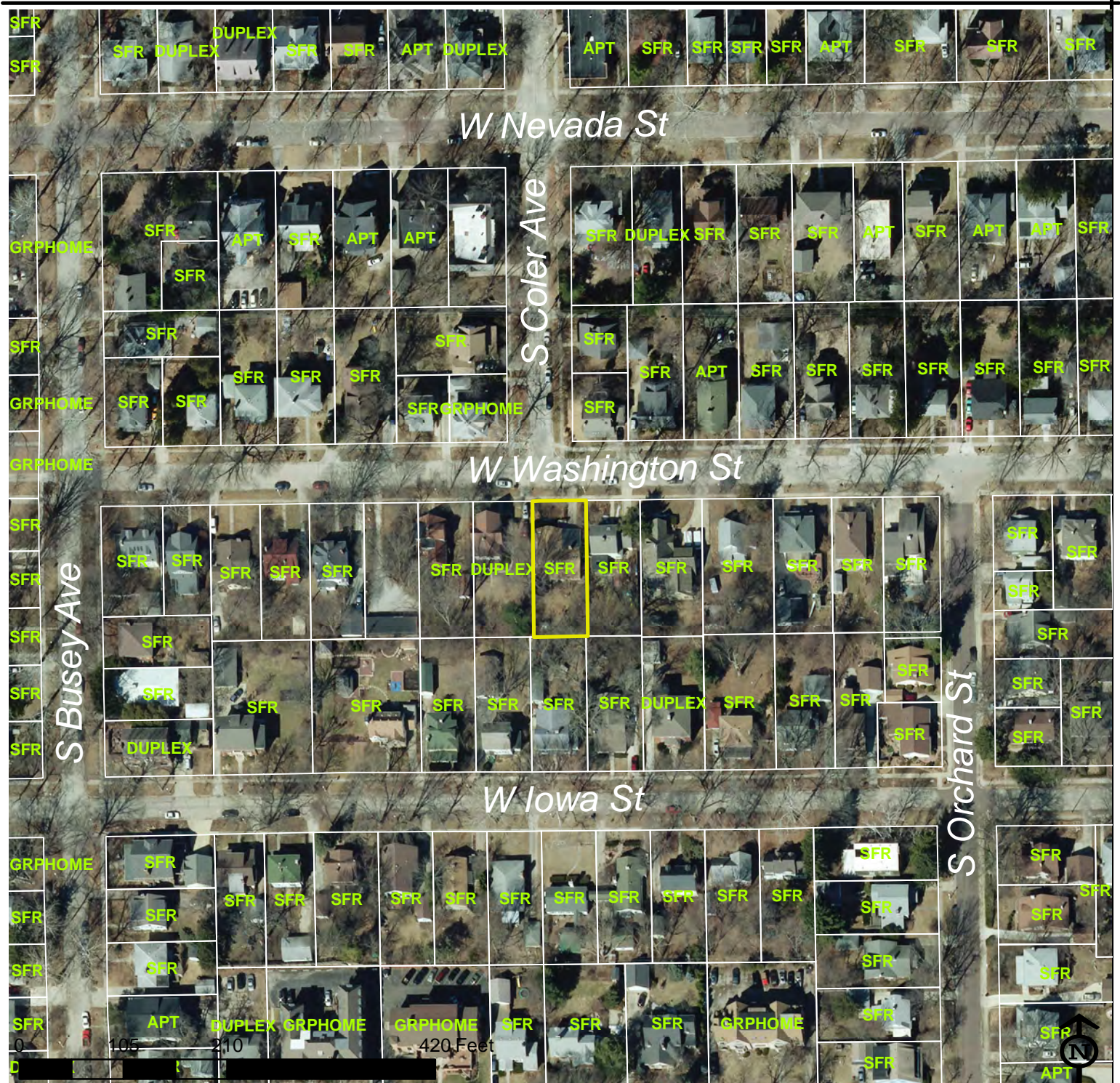


Fig. 4 . Elevation view existing of the house with addition, viewed from the south. New roof is outlined with dotted lines surrounding white space. Three new addition windows are shown. The existing double door that will open into the addition is shown with dotted outline, showing only the part not directly in back of the new windows. Locations of windows on the addition may change based on information obtained in the building permit application process.



# Exhibit A: Location & Existing Land Use Map



Case: ZBA-2017-MAJ-03  
 Subject: Major Variance: Side Yard Setback  
 Location: 613 West Washington Street  
 Petitioner: Cliffor Singer & Brigitte Pietke



 Subject Property



# Exhibit B: Zoning Map



Case: ZBA-2017-MAJ-03  
 Subject: Major Variance: Side Yard Setback  
 Location: 613 West Washington Street  
 Petitioner: Cliffor Singer & Brigitte Pietke

 R2  
 R7

 Subject Property

# Exhibit C: Future Land Use Map



Case: ZBA-2017-MAJ-03  
Subject: Major Variance: Side Yard Setback  
Location: 613 West Washington Street  
Petitioner: Cliffor Singer & Brigitte Pietke

 Residential

 Subject Property

# Exhibit D: Application for Variance



## 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 04-17-2017 ZBA Case No. ZBA-2017-MAJ-03  
Fee Paid - Check No. 7901 Amount \$175.00 Date 04-17-2017

#### 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*)

Major variance on the  
property described below, and in conformity with the plans described on this variance request.

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Clifford Singer; Brigitte Pieke

Phone: 377-8974; 377-8425

Address (street/city/state/zip code): 412 W. Iowa, Urbana IL 61801

Email Address: csinger@illinois.edu

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

#### 2. OWNER INFORMATION

Name of Owner(s): Same as applicant

Phone:

Address (street/city/state/zip code):

Email Address:

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: 613 W. Washington

PIN # of Location: 93-21-17-305-009

Lot Size: See legal description and subdivision diagram below



# Exhibit D: Application for Variance

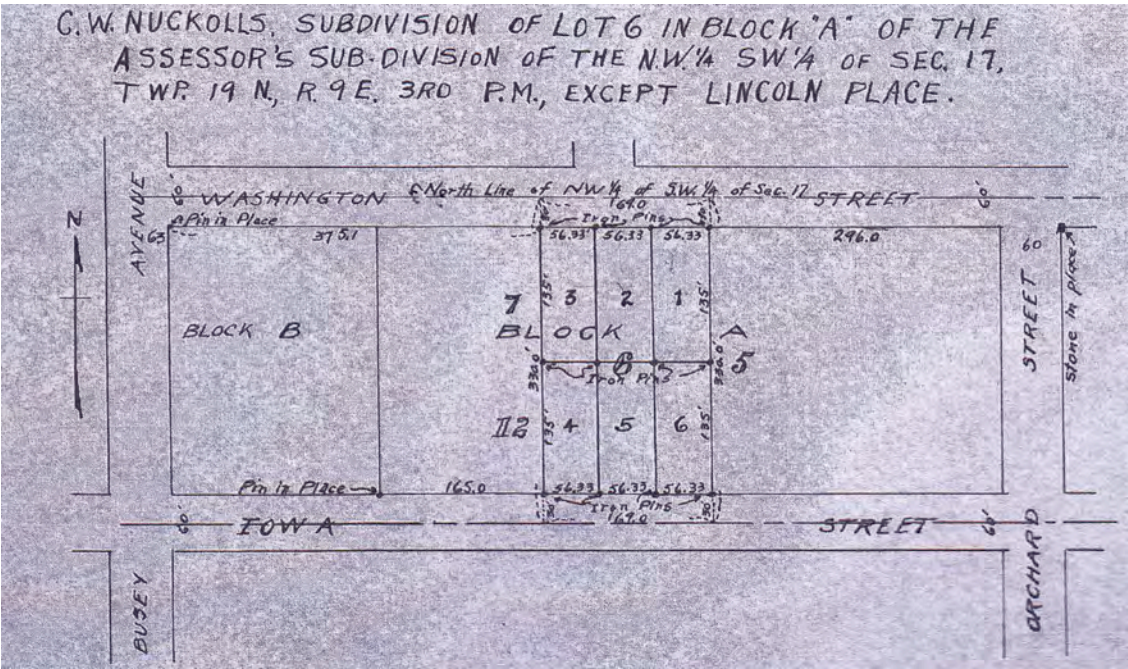
Current Zoning Designation: R2

Current Land Use (*vacant, residence, grocery, factory etc.*): Residence

Proposed Land Use: Residence

Legal Description: What we own is 54.67 feet wide and 135 feet deep, and stops 3.86 feet east of the west edge of Lot 2, per the legal description from our deed:

Lot 1, except the East 54 feet 4 inches thereof, and the East 52.47 feet of Lot 2, all in C. W. Nuckolls' Subdivision of Lot 6 in Block "A" of the Assessor's Sub-division of the Northwest Quarter of the Southwest Quarter of Section 17, Township 19 North, Range 9 East of the Third Principal meridian, except Lincoln Place, as per plat recorded in Book "E" at page 186A, situated in the City of Urbana, in Champaign County, Illinois:



## 4. CONSULTANT INFORMATION

We own the property and hope not to need an attorney. The property ownership line is well defined by the above information, and the extension is along the line of the existing west wall as built when the current side yard setback ordinance was in force, so we have not had a survey done prior to submitting this application. An architect, and if and as necessary an engineer, will be consulted by our contractor:

Perry Biddle  
2368 N. 1450 East Rd.  
White Heath IL 61884  
perrybiddle@hotmail.com, 217-714-0928

## 5. REASONS FOR VARIATION

*Identify and explain any special circumstances of practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.*

# Exhibit D: Application for Variance

Unlike most of the other nearby properties on Washington Street in this R2 zoned neighborhood in Urbana, this is a single story house, making it appropriate for extended occupation by the owners who will have an average age 70 upon occupation in late 2017. This makes extension for small a bathroom adjacent to a bedroom particularly suitable for a couple of that age. We considered replacing the existing bathtub with a walk-in shower, but that would have required a complete rework of the existing bathroom at considerable cost with no appreciable improvement for likely future occupants. There is an existing sliding south door within six inches of the west wall. Shifting the addition eastward would:

- require reconstruction of the door at additional expense
- require a jog in the west wall that would also be more expensive
- block much of the view of the back yard from the over sink kitchen windows
- unnecessarily isolate about fifty square feet of open space from the backyard grass
- require an additional joint between the extension wall on the southwest side of the house and the roof, facing the direction of most frequent storm-driven driving rain, and complicating sealing and future maintenance of the roof
- disturb the aesthetic of an otherwise seamless looking extension of the west wall
- make the house less of an asset to the neighborhood than with the planned addition.

*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.*

The special condition relating to the land and structure results from how the property in the Nuckoll's Subdivision that it sits in was subdivided and sold, and the house then constructed in its present configuration. Understanding this is thus important. Per our deed reproduced above and according previous property transactions available in the Recorder's office, the house is on a Lot platted as the Nuckoll's Subdivision in 1927 and on property originally sold to Charles Hopson by Charles Nuckoll's in 1941. Our mortgage records indicated that the house was built in 1953, at which time the City allowed it to be built in its present location. That was with its west side 5 feet east of the Lot line defined in our deed (which refers to Recorder's office Book "E" at page 186A, for which the associated plat diagram is attached as in figure 1). The special condition of this case is that our property ownership boundary is 3.86 feet east of the Lot line of the subdivision, which is an unusual condition because by far most property ownership boundaries in the neighborhood are coincident with the lot lines established upon subdivision. Per records in the Urbana Free Library, the Urbana Zoning Ordinance requirement of a side yard setback of 5 feet from the lot line has been consistent since 1940. The Recorder's office property records on the property transfers have been consistent since 1941. While we have no reason to believe that the house cannot be extended southward with its western edge in the location as originally built in any case, we are applying for a variance so as to leave no doubt in the future that the extension was proper. Figure 1 shows schematic of the house with the addition, superimposed on the plat diagram with the same dimensions as shown above, with a dashed outline of the eaves. With associated northeast carport shown in the upper right of figure 1, the footprint of the current house is rectangular. The interior walls of the addition will extend less than 11 feet to the south, and will be less than 17 feet wide. The added eave will extend no more than 12 inches west of the west wall. The south edge of the added eave will be less than 11 feet south of the existing south eave.

# Exhibit D: Application for Variance

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

As noted above, the relationship between the existing house structure and plat predate acquisition by the present owners.

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

The planned addition is in the rear of the house. Constructed according to plan, it will extend the west side of the existing house along the same line, not be noticeably different when viewed from in front, and is expected not to be seen at all except by along a narrow strip of sidewalk and street near the front of the house. The siding on the west and south sides of the addition will be chosen to match the existing siding. There is one window planned on the west side of the addition, to complement the west side window on the adjacent master bedroom. There are two adjacent windows tucked under the eaves and one more with as southern view of the garden, similar to the current mix on the south side of the house adjacent to the addition. As evident from figure 1, the floor area ratio open space ratios will be well within bounds for the neighborhood, which has a mix of housing styles.

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

The adjacent property at 701 W. Washington has been divided into rental apartments and sits at two feet higher elevation and over 31 feet west of our house at its closest proximity. It has a back yard that sits over 14 feet toward the street compared to back of the existing house at 613 W. Washington. The addition will be well separated from the house at 701 W. Washington and will not appreciably alter the aesthetics of that house's back yard.

*Does the variance represent the minimum deviation from the requirements of the Zoning Ordinance?*

The extension needs to be along the line of the existing west wall of the house, for the reasons noted above in answer to the first question in this section, so if a variance were required, what is described above would be the minimum variance needed.

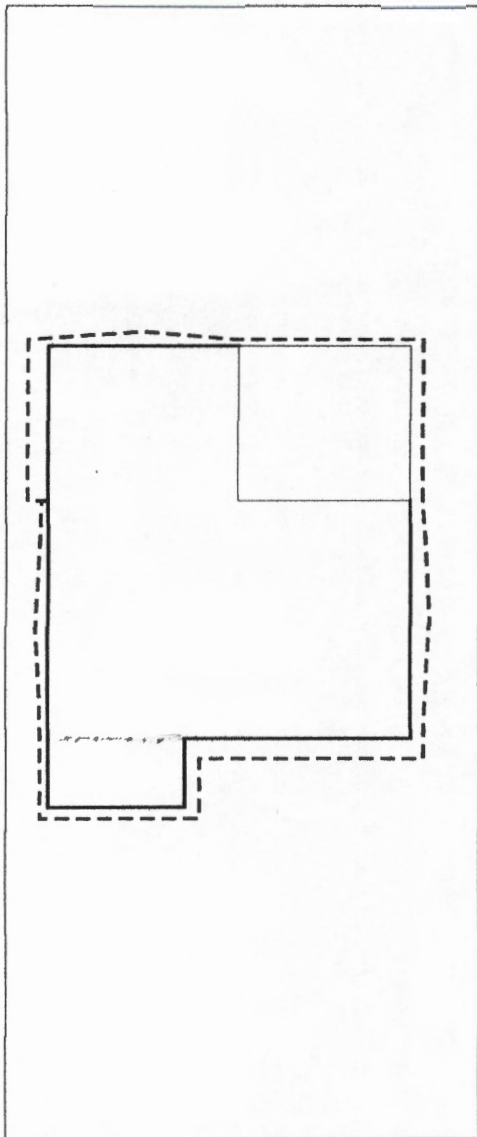
# Exhibit D: Application for Variance

Addendum concerning adjacent property owners:

Through the management company looking after the 701 W. Washington property for an absentee landlord in Virginia, we have previously agreed to equally split the cost of removing a tree that had dropped a limb that penetrated our kitchen wall. This has left an approximately six foot wide stump that we have notified the management company that are prepared to pay for the removal of, which will keep it from becoming a termite infestation hazard. There are three owner-occupier neighbors from whose houses the addition will be readily visible, and they have in agreement with our extension being built.

# Exhibit D: Application for Variance

North (toward Washington St.)

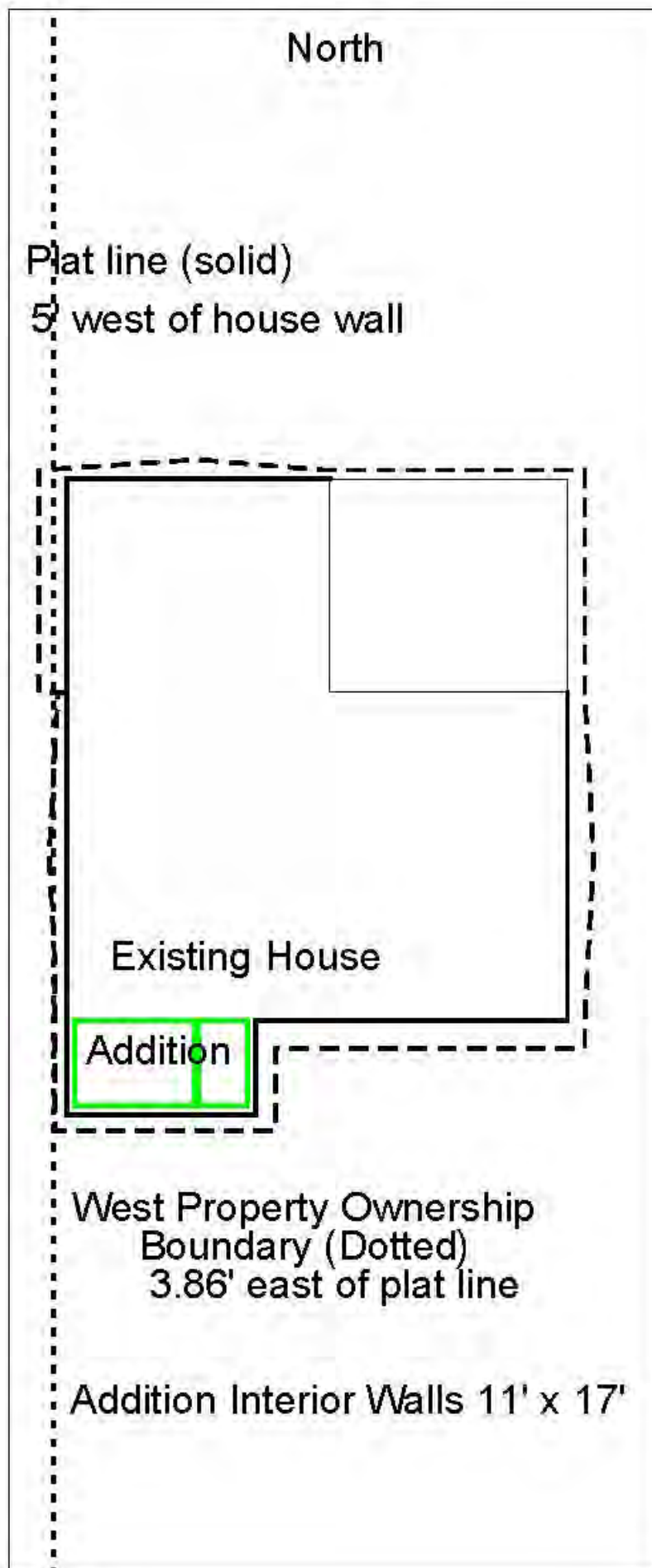


South

## Lot Description - Narrative

Fig. 1. 613 W. Washington St. house walls (solid line) and eaves overhang (dashed line) with addition to be built south of the original outline that is currently rectangular (including carport on northeast). The western property ownership boundary is 3.86 feet east of the Lot 2 lines (shown on the diagram) described in the property deed. The addition to the walls of the house is expected, as shown here, to be less than 11' (to the south) x 17' (east/west).

# Exhibit D: Application for Variance



**Lot Description -  
Graphic**

# Exhibit D: Application for Variance

May 8, 2017

Renovation Plan Drawings for 613 W. Washington, Urbana: Plan View

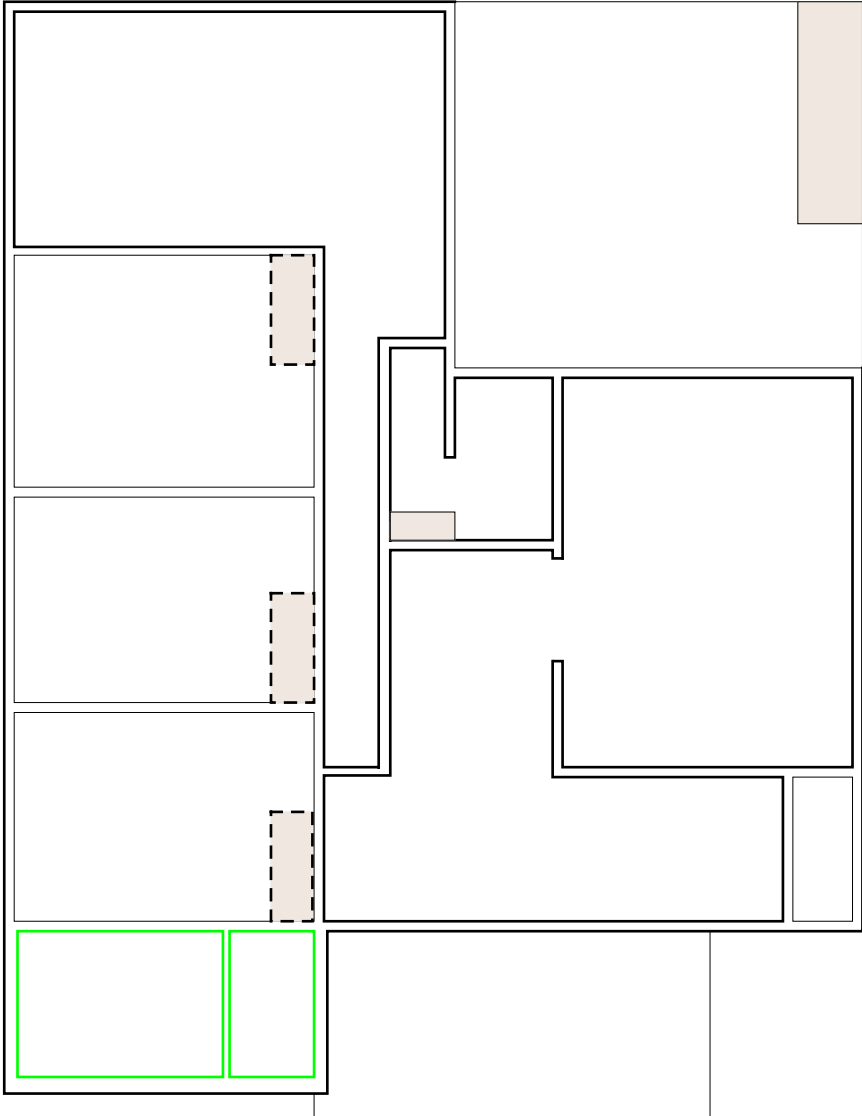


Fig. 1. Plan view of existing house (black, with closets in darker shade), including part of wooden deck that will remain and carport (light gray outlined exterior parts) and addition to south (bottom of drawing). See variance application for maximum dimensions of the addition.



# Exhibit D: Application for Variance

May 8, 2017

## Renovation Plan Drawings for 613 W. Washington, Urbana: Elevation Views

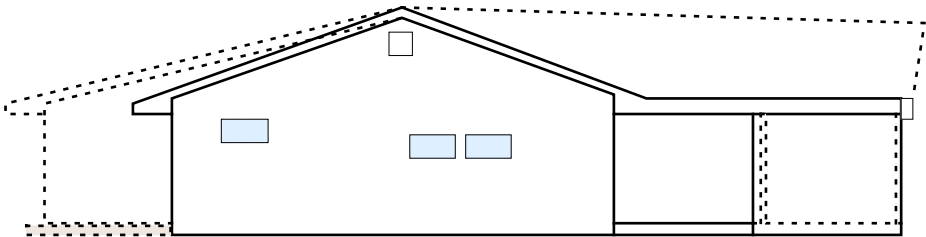


Fig. 2. Elevation view existing house viewed from outside from east looking west. Solid lines and dotted lines to the north of the roof peak, (to the right in the diagram, towards the street) are the existing house. The dotted roof line to the north is in the middle of the occupied (i.e. non-carport) part of the north part. Dotted lines to the south give an elevation view of the addition. The small rectangle is the location of possible heat

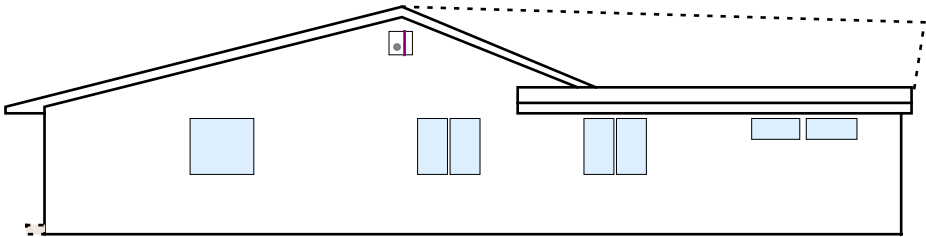


Fig. 3. Elevation view existing house viewed from **inside** from east looking west. Southern most window (to the left in the diagram) is in the addition. New roof line (solid line) runs from the roof peak to the south. Old north roof line (dotted) is in the middle of the occupied (non-carport) north part of existing house.

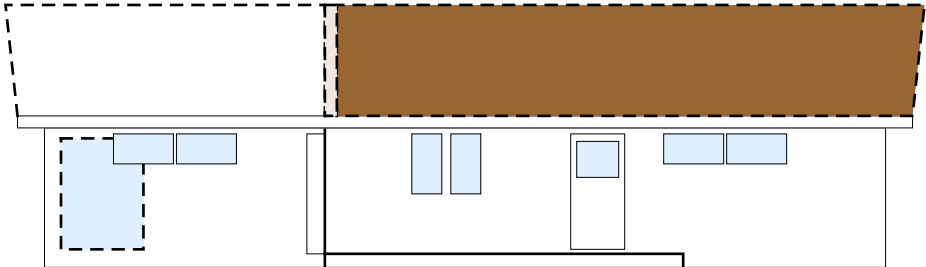


Fig. 4 . Elevation view existing of the house with addition, viewed from the south. New roof is outlined with dotted lines surrounding white space. Three new addition windows are shown. The existing double door that will open into the addition is shown with dotted outline, showing only the part not directly in back of the new windows. Locations of windows on the addition may change based on information obtained in the building permit application process.



# Exhibit D: Application for Variance



613 W. Washington (to the left), and 701 W. Washington (to the right), as seen from Washington Street.

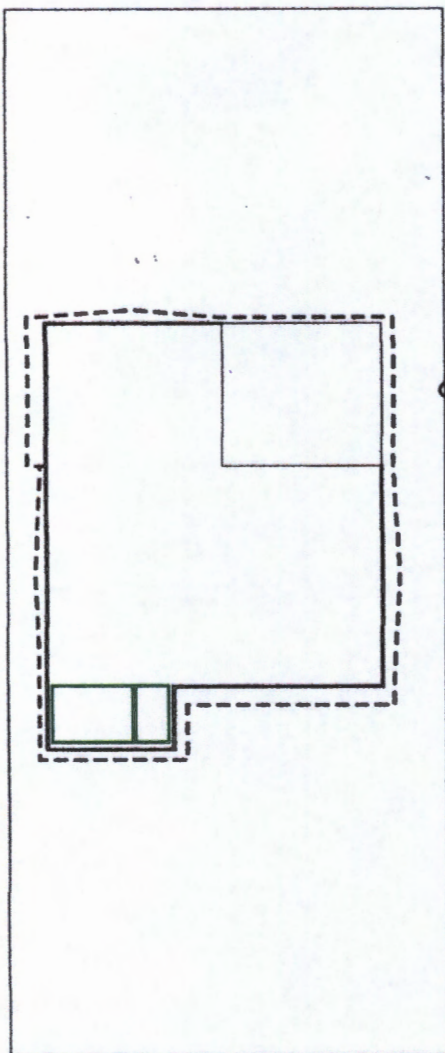


# Exhibit D: Application for Variance

Dear Neighbors,

We are planning to move into our one story house at 613 W. Iowa and add a new addition to include a walk-in shower and an adjacent closet, as shown below in green within an outline of the lot lines as subdivided in 1927. (The addition will be within our property ownership boundary, which is 3.86 feet east of the western line shown below.) The walls of the addition will extend the house to the south by less than 11 feet and will be less than 17 feet wide. Our renovation will also include a significant increase in the overall energy efficiency of the house. We will be applying to the City for permission and would appreciate an indication from you that you do not see this plan as a detriment to the neighborhood.

Brigitte Pieke and Cliff Singer



OK, Kevin Waspi 4-14-17  
'704 W. IOWA' URBANA

OK Calleen Be 4/14/17

OK G. Adams 4/14/17

611 W. Washington, URBANA

OK William Childers 4/15/17

702 W Iowa

OK Paul Harding Kapp

OK Phil Kapp 4/15/17

612 W. Iowa

# Exhibit D: Application for Variance

## 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.

Clifford Singer Brigitte Piebe  
Applicant's Signature

17 April 2017  
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



# Exhibit E: Site Photos



Figure 1. 613 W. Washington facing south



Figure 2. Facing backyard of 613 W. Washington



Figure 3. Back porch with proposed addition.



Figure 4. Location of proposed addition behind fence.

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

**DATE:** May 17, 2017

**DRAFT**

**TIME:** 7:30 p.m.

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

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

**MEMBERS PRESENT** Joanne Chester, Nancy Uchtmann, Jonah Weisskopf

**STAFF PRESENT** Lorrie Pearson, Planning Manager; Marcus Ricci, Planner II; Teri Andel, Administrative Assistant II

**OTHERS PRESENT** Brigitte Pieke, Clifford Singer

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

Chair Welch called the meeting to order at 7:34 p.m. Roll call was taken, and he declared a quorum of the members were present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF THE MINUTES**

The minutes from the March 15, 2017 regular meeting were presented for approval. Ms. McLaughlin moved to approve the minutes as written. Mr. Warmbrunn seconded the motion. The minutes were approved by unanimous voice vote as written.

**4. COMMUNICATIONS**

There were none.

**5. CONTINUED PUBLIC HEARINGS**

There were none.

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

**6. NEW PUBLIC HEARINGS**

**ZBA-2017-MAJ-03 – A request by Clifford Singer and Brigitte Pieke for a Major Variance to construct an addition which would encroach four (4) feet into the required five-foot west side yard setback at 613 West Washington Street in the R-2, Single-Family Residential Zoning District.**

Chair Welch opened this item on the agenda. Marcus Ricci, Planner II, presented the written staff report to the Zoning Board of Appeals. He began by stating the purpose for the proposed major variance request. He noted the location, zoning, existing land use and future land use of the subject property and for the surrounding adjacent properties. He discussed the proposed expansion and pointed out that there is a 30” storm sewer line that runs north-south through the subject property. Public Works staff plans to visit the site and locating the pipe to determine what construction can be done. He reviewed the variance criteria from Section XI-3 of the Urbana Zoning Ordinance that pertained to this case. He read the options of the Urbana Zoning Board of Appeals and presented City staff’s recommendation for approval along with the following condition:

1. The site is developed in general compliance with the revised Site Plan and Elevations, allowing any changes necessary to accommodate the storm sewer near the western property line but do not expand the encroachment further west.

Chair Welch asked if the members of the Board had questions for City staff. There were none, so Chair Welch opened the hearing for public input.

Clifford Singer, applicant, approached the Zoning Board of Appeals to speak. He stated that he would answer any questions that the Board members may have. City staff

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

Mr. Warmbrunn moved that the Zoning Board of Appeals forward Case No. ZBA-2017-MAJ-03 to the City Council with a recommendation for approval along with the condition as recommended by City staff. Ms. McLaughlin seconded the motion. Roll call on the motion was as follows:

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

The motion was approved by unanimous vote. Mr. Ricci noted that the case would be forwarded to City Council on June 5, 2017.

**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 7:54 p.m.

Respectfully submitted,

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