

**STAFF REPORT**  
**Decatur Zoning Board of Appeals**

**Hearing Date** August 13, 2020  
**Case No.** 20-06  
**Property Location** 4735 East Cantrell Street  
**Request** Reduce the required setback line of an Electronic Message Unit from a residential district/use from 100 feet to 75 feet of the boundary of a residentially zoned district or residential use to allow for the construction of a sign with an electronic message unit for the existing school  
**Petitioner** Mike Sotiroff, Decatur Public School District  
**Representative** Mark Ritz, BLDD Architects

**BACKGROUND**

The subject site is currently zoned R-2 Single-Family Residence District on an approximately 9.43-acre lot occupied by an existing school. The new proposed EMU sign will meet the required setback of ten (10) feet from the property line.

**Surrounding Land Use and Zoning**

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	School	R-2	Schools – Public & Private
North	Single-Family Residence, Church	R-2	Residential – Low Density
South	Decatur Park District	R-3	Open Space
East	Single-Family Residence	R-3	Residential – Low Density
West	Single-Family Residence, Decatur Park District	R-2	Open Space

**REQUEST**

The petitioner is requesting a variance from the provisions of the Zoning Ordinance to allow for the construction of an Electronic Messaging Unit (EMU) sign. The proposed new EMU sign would maintain seventy-five (75) feet to the boundary of a residentially zoned district instead of the required one hundred (100) foot setback line from a residential district or use. The proposed sign will be 7’6” in height. The existing sign and brick wall will be removed, and the existing foundation will be retrofitted for the new sign which will have some sort of brick/masonry-base.

Decatur Public School Districts goal is to update all of the Decatur Schools signs like the high schools’ signs, so that they can provide information to their parents and students.

**STAFF ANALYSIS**

According to the City of Decatur Zoning Ordinance, a variance must meet three standards in order to be granted. The first standard requires the applicant to show that the property in question is in harmony with the general purpose and intent of both City of Decatur Comprehensive Plan and regulations of the Zoning Ordinances. The property in question meets the desired future land use classification of “Institutional” in accordance with the Comprehensive Plan. The variance, if

granted, would not be in harmony with the general purpose and intent of the Zoning Ordinance. The general purpose and intent of the Zoning Ordinance in Section XXV.B.9.c. Signage-Generally-EMU Signs requires EMU signs to be no larger than thirty-two (32) square feet and cannot be located within one-hundred (100) feet of the boundary of any residentially-zoned district or residential use. The petitioner is maintaining that size limitation but, the proposed EMU will be seventy-five (75) feet from the right-of-way line of East Cantrell Street. As a result, the first standard can be met for the proposed EMU sign.

The second standard requires the applicant to demonstrate the existence of practical difficulties or a non-economic hardship. It could be argued that since the proposed EMU would sit back 100 feet from the residentially zoned district/use, it could be hard to see making the proposed sign overlooked by parents and students. The proposed EMU will meet the required 10-foot setback from the northern property line. As a result, this second standard can be met.

The third standard requires the applicant to show that the variance, if granted, would not alter the essential character of the locality or have a negative impact on the surrounding properties. Granting a variance for an EMU to be 75 feet away from a residential district/use instead of the required from 100 feet will not alter the essential character of the locality and will not negatively impact the neighboring properties. The proposed EMU will be constructed at the same location of the existing sign which has been at this location for a number of years. The variance, if granted, should not affect the adequate supply of air. Therefore, staff believes that the third standard can be met.

#### **STAFF RECOMMENDATION**

Staff recommends the approval of this requested variance for reduction of the required setback line of an Electronic Message Unit (EMU) from a residential district/use from 100 feet to 75 feet of the boundary of a residentially zoned district or residential use along the west property line.

#### **ZBA ACTION**

The Zoning Board can approve the variance request as presented, deny the variance request or modify the request as appropriate.

This report constitutes the testimony and recommendation of the Planning and Development Division, Community Development Department.

Joselyn Stewart  
Planner

#### **ATTACHMENTS**

1. Petition
2. Location Map



City of Decatur, Illinois

**PETITION FOR VARIANCE**

*Zoning Board of Appeals*

Economic and Urban Development Department  
 One Gary K. Anderson Plaza  
 Decatur, Illinois 62523-1196

424-2781  
 FAX 424-2728

**SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION**


<b>Petitioner</b>	Mike Sotiroff, Decatur Public School District				
<b>Address</b>	101 W Cerro Gordo St				
<b>City</b>	Decatur	<b>State</b>	IL	<b>Zip</b>	62523
<b>Telephone</b>	217-362-3000	<b>Fax</b>		<b>E-mail</b>	sotiroff@dps61.org
<b>Property Owner</b>	Same as above				
<b>Address</b>					
<b>City</b>		<b>State</b>		<b>Zip</b>	
<b>Telephone</b>		<b>Fax</b>		<b>E-mail</b>	
<b>Representative</b>	Mark Ritz, BLDD Architects				
<b>Address</b>	100 N Merchant St				
<b>City</b>	Decatur	<b>State</b>	IL	<b>Zip</b>	62523
<b>Telephone</b>	844-784-4440	<b>Fax</b>		<b>E-mail</b>	mark.ritz@bldd.com

**SECTION TWO: SITE INFORMATION**

<b>Street Address</b>	4735 E Cantrell St					
<b>Legal Description</b>	NW1/4 NE1/4 NE1/4 ~THOMAS JEFFERSON SCHOOL~BK1441 PG497					
<b>Present Zoning</b>	<input type="checkbox"/> R-1	<input checked="" type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Is this property a Planned Unit Development? <input type="checkbox"/> YES      Approval Date: _____ <input type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
<b>Please list all improvements on the site:</b>						
Existing: school building, parking lot, playground						
<b>Size of Tract</b>	9.43	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC			

<b>SECTION THREE: REQUESTED ACTION</b>			
<i>Check One:</i>	<input checked="" type="checkbox"/> Variation of Specified Site Requirements (e.g. setbacks)	<input type="checkbox"/> Variation of Parking & Loading Requirements	<input type="checkbox"/> Other - classification of use, off-street parking in an "R" zone, special circumstances, etc.
<b>Description</b>	<i>Please state the reason for exception, variation or appeal to the Zoning Board of Appeals. Be as specific as possible, detailing the circumstances that make an appeal necessary. Additional description pages may be attached.</i>		
<p>A new LED sign is intended to be placed in the same location as the existing sign to utilize the foundation, steel structure, and power. This location would require a 25' variance from the north.</p>			

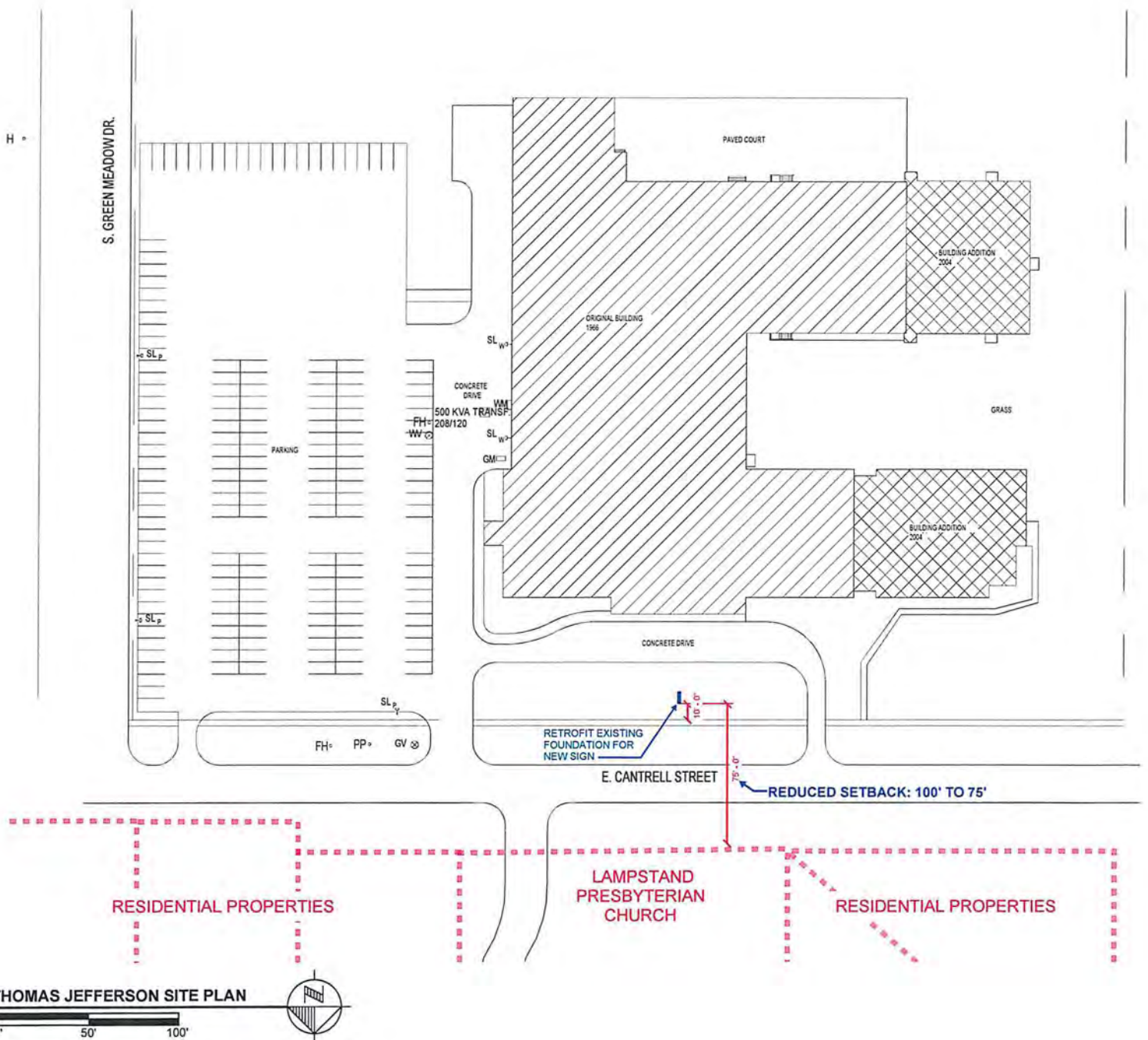
<b>SECTION FOUR: ATTACHMENTS</b>	
<b>Description</b>	<i>Please list any attachments and/or supporting documents below:</i>
	Attachment "A": Site plan with sign location, description, and photo
<p><i>Attachments to this petition should include a scaled sketch plan of your proposal showing property lines, lot dimensions, building dimensions, all buildings on the property, setbacks, requested changes in the requirements and other necessary information. Please label this sketch plan as "Exhibit A" and other supporting documents accordingly. Architectural or engineering drawings are preferred, but not required.</i></p>	

<b>SECTION FIVE: CERTIFICATION</b>			
	To be placed on the agenda of the regular meeting on the second Thursday of the month at 4:00 PM in the City Council Chamber, petition must be received on the first Thursday of the prior month. Petitioner or a representative must be present to make statements to the Board and to answer questions. Incomplete or erroneous petitions may delay items being heard by the Zoning Board of Appeals.		
<b>Petitioner's Signature</b>		<b>Date</b>	06/18/2020

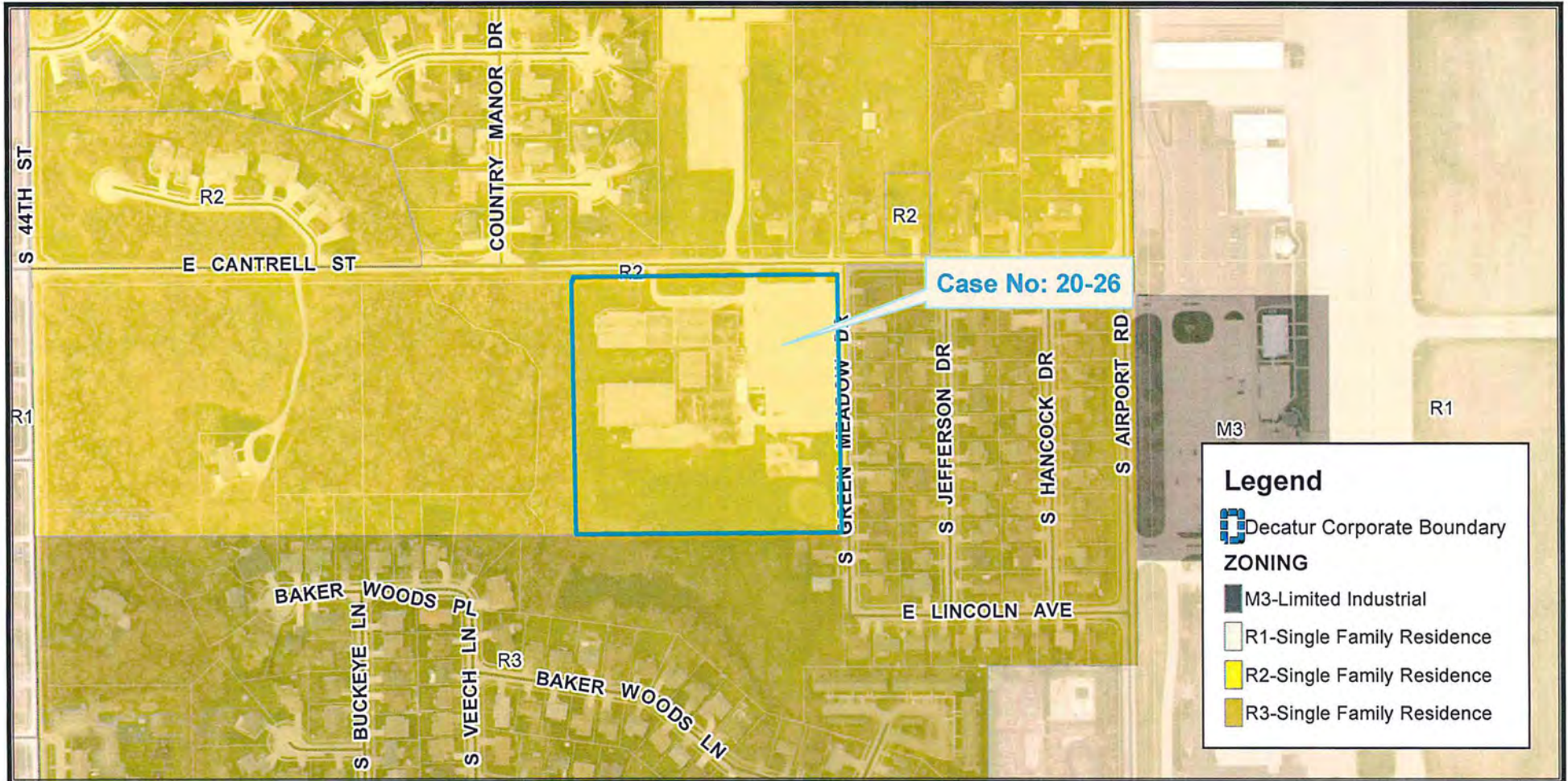
- NOTES:**
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. A filing fee of \$150.00 is charged for all requests for property in the R-1, R-2, R-3 and R-5 districts, and \$250.00 for property in all other districts. Please make checks payable to the City of Decatur.
  2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Zoning Board of Appeals hearing. Said sign will be removed within 15 days of the Zoning Board hearing.



Full color LED sign with back-lit Identification sign above



**Decatur Zoning Board of Appeals**  
**Thomas Jefferson School/Montessori Academy for Peace**  
**4735 E Cantrell St**



Case No: 20-26  
Date: August 13, 2020  
Petition of: Decatur School District  
Requested Action: Reduce required EMU setback from a residential district/use from 100 feet to 75 feet

