STAFF REPORT
Decatur Zoning Board of Appeals

Hearing Date	January 14, 2021
Case No.	21-01
Property Location	3575 Greenhill Road
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 church
Petitioner	Bendsen Signs & Graphics, Inc.
Representative	Bendsen Signs & Graphics, Inc.

BACKGROUND

The subject site is currently zoned R-1 Single-Family Residence District on an approximately 3.5-acre lot occupied by an existing church. The new proposed EMU sign will meet the required setback of ten (10) feet from the property line.

Surrounding Land Use and Zoning

Direction	*Existing Land Use*	*Zoning*	*Comprehensive Plan*
Subject Property	Church	R-1	Schools – Public & Private
North	Single Family Residence	R-1	Residential – Low Density
South	Single Family Residence	R-1	Residential – Low Density
East	Single Family Residence	R-1	Residential – Low Density
West	Single Family Residence	R-1	Residential – Low Density

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 41" H x 8'W (3'H x 8'W Viewing Area). There will also be an ID Topper that will be 1'H x 8'W. The existing sign will be removed, and the existing foundation will be retrofitted for the new sign which will have some sort of brick/masonry-base.

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 current land use of the property in question is in accord with the desired future land use classification of Schools-Public & Private in 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 Greenhill Road. 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 church members as well as visitors. 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 north 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					
Petitioner	Bendsen Signs & Graphics, Inc.				
Address	1506 E. McBride Avenue				
City	Decatur	State	Illinois	Zip	62526
Telephone	217-877-2345	Fax	217-877-2347	E-mail	jt@bsg1946.com
Property Owner	Hillside Bethel Tabernacle Church				
Address	3575 Greenhill Road				
City	Decatur	State	Illinois	Zip	62521
Telephone	217-429-5590	Fax		E-mail	
Representative	Bendsen Signs & Graphics, Inc.				
Address	1506 E. McBride Avenue				
City	Decatur	State	Illinois	Zip	62526
Telephone	217-877-2345	Fax	217-877-2347	E-mail	jt@bsg1946.com

SECTION TWO: SITE INFORMATION						
Street Address	3575 Greenhill Road					
Legal Description	L 0005 B 02 RADIO TOWERS SUBD ST DOC# 95-58-22 300X100					
Present Zoning	☑ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☑ NO
Please list all improvements on the site:						
Size of Tract	3.5 ☐ SF ☑ AC					

SECTION THREE: REQUESTED ACTION

Check One:	☑ Variation of Specified Site Requirements (e.g. setbacks)	☐ Variation of Parking & Loading Requirements	☐ Other - classification of use, off-street parking in an "R" zone, special circumstances, etc.
Description	*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 descr iption pages may be attached.*		

Applicant is seeking a variance for setback for an LED message center sign. The ordinance states that a message center must have a setback of 100-ft. from neighboring residential property lines. The location of the sign will be 75-ft. away from the neighboring residential line to the north. Therefore, the applicant is seeking a variance of 25-ft. in order that the LED message center might be installed into the existing brick monument structure.

SECTION FOUR: ATTACHMENTS

Description	*Please list any attachments and/or supporting documents below:*
	Sign rendering and current sign location map

Attachments to this petition should include a scaled sketch plan of your proposal showing property lines, lot dimensions, buildi ng 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.

SECTION FIVE: CERTIFICATION

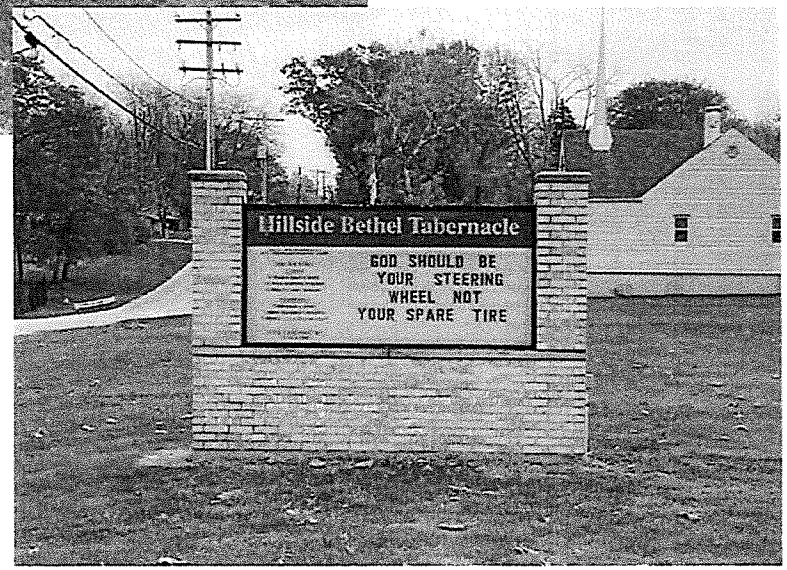
To be placed on the agenda of the regular meeting on the second Thursday of the month at 4:00 PM in the City Council Chamber, petition must be received on the first Thursday of the prior month. Petitioner or a representative must be present to make statements to the Board and to answer questions. Incomplete or erroneous petitions may delay items being heard by the Zoning Board of Appeals.

Petitioner's Signature		**Date**	12/2/2020

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.



EXISTING

Quantity: One (1) double sided, full color EMC with ID topper to replace existing signage

EMC - 41"H x 8'W (3'H x 8'W Viewing Area)
ID Topper - 1'H x 8'W

Bendsen
Signs & Graphics, Inc.
1506 E. McBride
Decatur, Illinois
62526
Phone: 217.877.2345
Fax: 217.877.2347
www.bsg1946.com

Project:
Hillside Bethel Tabernacle

Address:
3575 E. Greenhill Road
Decatur, IL

Account Manager:
Jason Tompkins

Designer:
E.S.

Scale: N.T.S.

Design No. HBT_100

Date: 11-17-20

Revisions:

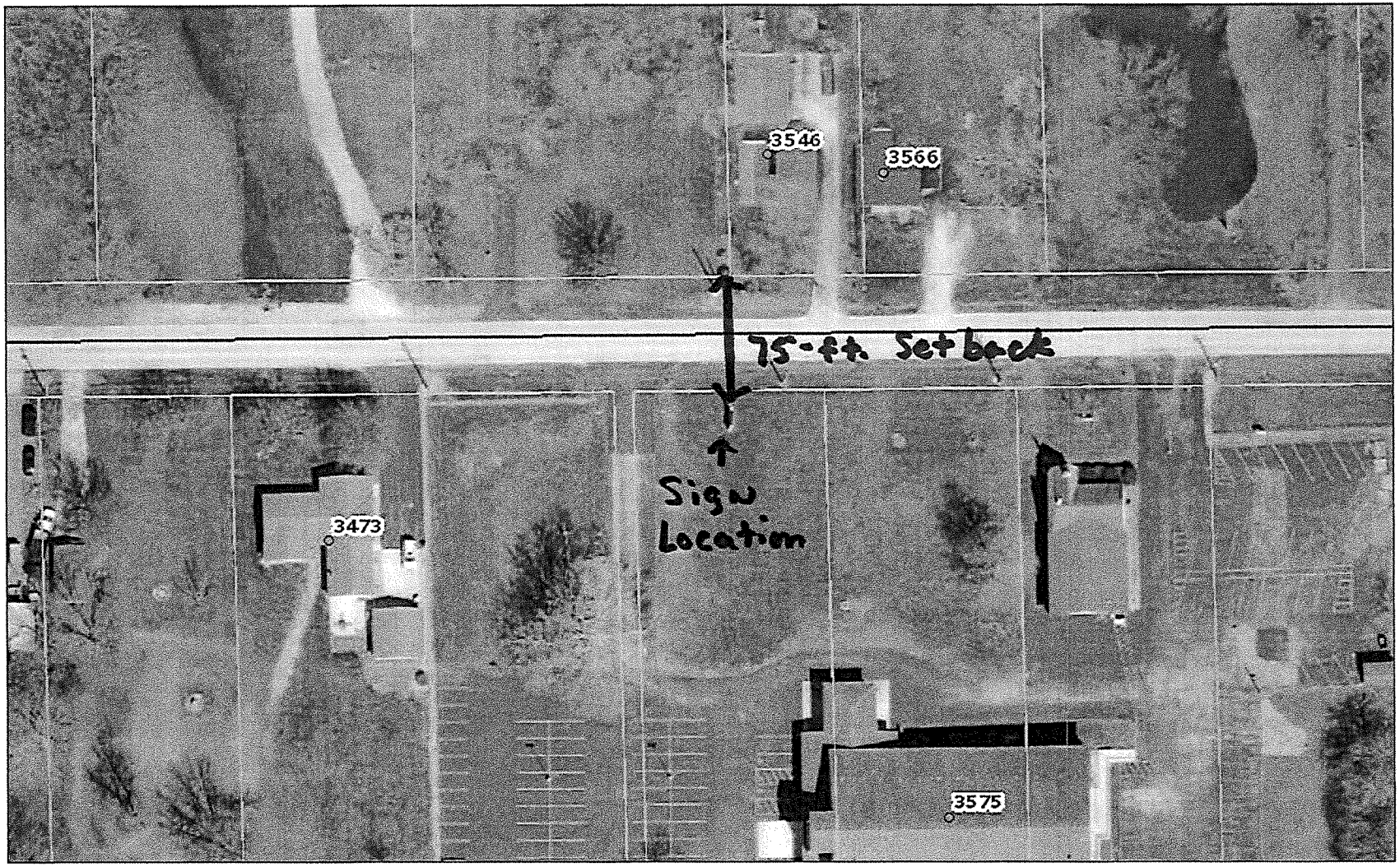
-APPROVALS-

ACCT. MANAGER	DATE
DESIGNER	DATE
CUSTOMER	DATE

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendsen Signs & Graphics, Inc. It is not to be shown or described to other nor is it to be used, reproduce, copied or exhibited in any fashion.

Note: Proofs will predict design layout, text accuracy, image proportion and placement. Colors on a digital screen or printed proof may not reflect actual color.

Decatur Digital Atlas



12/2/2020, 9:39:26 AM

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

City of Decatur, IL and County of Macon, IL

- Addresses
- **Roads (small scale)**
- <all other values>
- Interstate Highway
- State Route or U.S. Highway
- Arterial
- Residential
- County Highway

City of Decatur, IL
City of Decatur, IL and County of Macon, IL |

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3575 E Greenhill Rd

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Requested Action: Reduce the required setback line of an EMU from a residential district/use from 100 ft to 75 ft

N W E S

1 inch = 300 feet