

STAFF REPORT
Decatur Zoning Board of Appeals

Hearing Date October 14, 2021
Case No. 21-04
Property Location 945 South Jasper Street
Request Reduce the minimum front yard setback from ten (10) feet to three (3) feet and to reduce the required setback line from the boundary of a residentially zoned district or residential use from 100 feet to 60 feet to allow for the construction of a sign with an electronic message unit for the existing church
Petitioner Vintage Church
Representative New Era Signs

BACKGROUND

The subject site is currently zoned R-3 Single-Family Residence District on an approximately 0.76 acre (33,137 square feet) lot occupied by an existing church. The new proposed EMU sign will be three (3) feet from the property instead of the required setback of ten (10) feet.

Surrounding Land Use and Zoning

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Church	R-3	Institutional
North	Single Family Residence	R-3	Residential – Low Density
South	Single Family Residence	R-3	Residential – Low Density
East	Single Family Residence	R-3, O-1	Residential – Low Density
West	Single Family Residence	R-3	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 sixty (60) 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 and would be three (3) feet from the property line instead of the required ten (10) foot setback. The proposed sign will be 3' x 8' with a 3' x 6' tall pole cover. The proposed sign will have to 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 Institutional 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 sixty (60) feet from the right-of-way line of South Jasper 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 church members as well as visitors. The petitioner would also like to improve the property and to allow multiple ways to get their messages and information out to the community and members of their church. 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 60 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 minimum front yard setback from ten (10) feet to three (3) feet and to reduce the required setback line from the boundary of a residentially zoned district or residential use from 100 feet to 60 feet along the east property line with the following condition:

1. Electronic message unit signs located in any residentially-zoned district shall only be permitted in an electronic message unit monument style sign structure and constructed of stone and/or masonry or similar like materials.

ZBA ACTION

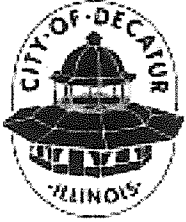
The Zoning Board can approve the variance request as presented, deny the variance request or modify the request as appropriate.

This report constitutes the testimony and recommendation of the Planning and Development Division, Economic and 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	Vintage Church				
Address	945 S Jasper St				
City	Decatur	State	IL	Zip	62521
Telephone		Fax		E-mail	esmpastorpat@gmail.com
Property Owner	Vintage Church				
Address	Same as above				
City		State		Zip	
Telephone		Fax		E-mail	
Representative	New Era Signs				
Address	3909 W. Main St				
City	Decatur	State	IL	Zip	62522
Telephone	(217) 521-4093	Fax		E-mail	math@newerasigns.com

SECTION TWO: SITE INFORMATION

Street Address	945 S Jasper St.					
Legal Description	L 0022 B 06 STARR & MILLS 1ST ADD LTS 2 & ST DOC# 90-58-71 152 x 76					
Present Zoning	<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 checked="" 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		
Please list all improvements on the site:						
Size of Tract	<input checked="" type="checkbox"/> SF		<input type="checkbox"/> AC			

SECTION THREE: REQUESTED ACTION

<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.
Description	<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>		

We would require a variance for setback for an EMU from residential property

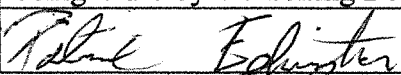
Also would require a variance for front yard setback of (10) feet for EMU

SECTION FOUR: ATTACHMENTS

Description	<i>Please list any attachments and/or supporting documents below:</i>
	Rendering of Proposed signage at specified location

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.

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	9-20-21

- 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.



VINTAGE CHURCH

(1) 4' x 8' double sided 9mm full color led display with wireless communication cloud based software 5 year warranty

(1) 6' x 3' x 1' painted aluminum pole cover

NOTE:
sign structure may require additional support

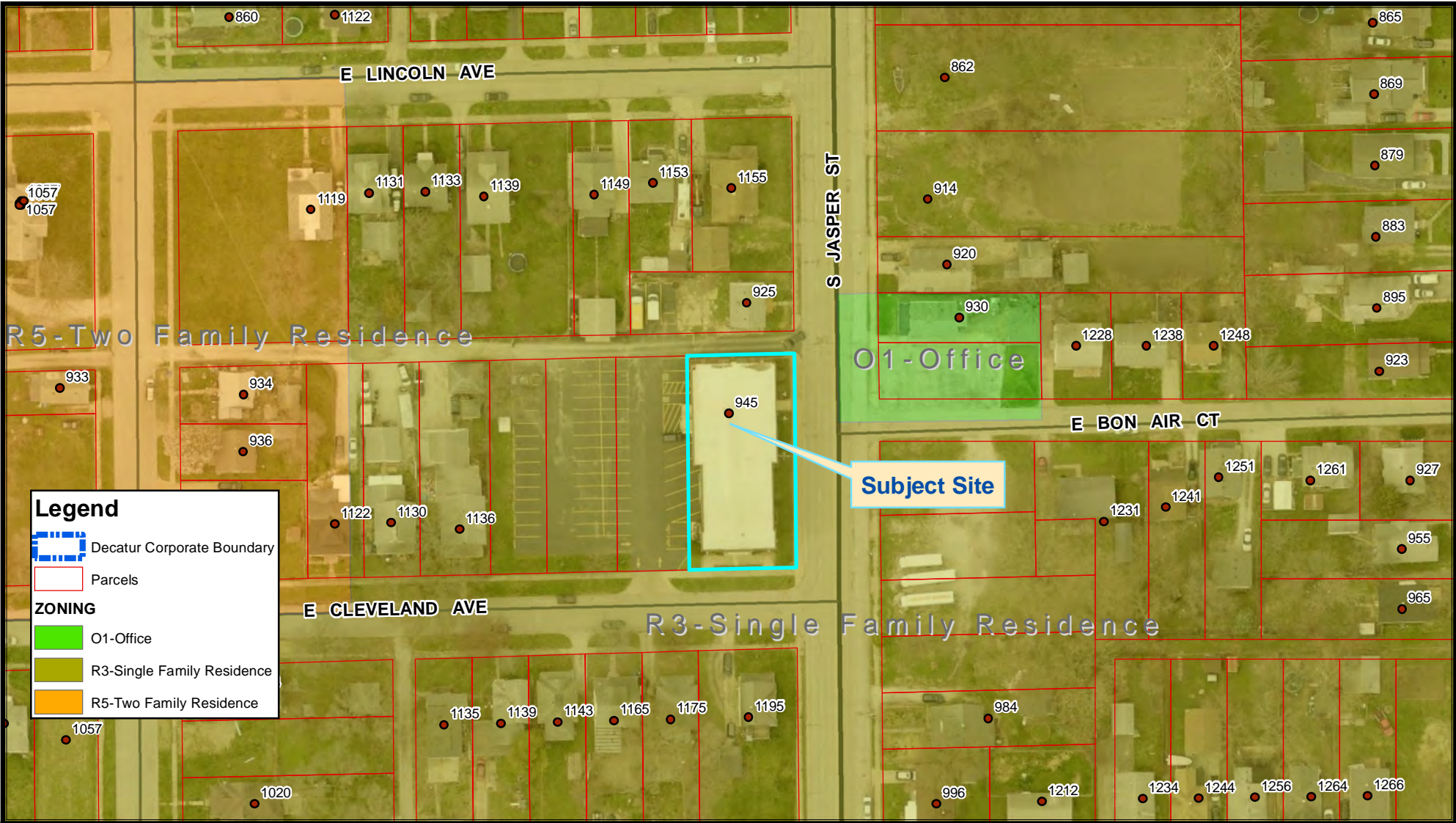
Option A



1. This document is the sole property of New Era Signs, Inc.
2. Use of this document or any of its parts without written consent is THEFT.
3. This document is for reference use only & may not exactly reflect the actual finished product.

City of Decatur Zoning Board of Appeals

945 S Jasper St




Legend

- Decatur Corporate Boundary
- Parcels

ZONING

- O1-Office
- R3-Single Family Residence
- R5-Two Family Residence

<u>Case No:</u>	21-04	 1 inch = 100 feet
<u>Date:</u>	October 14, 2021	
<u>Petition of:</u>	Vintage Church	
<u>Requested Action:</u>	Reduce the minimum front yard setback and reduce the required setback from a residentially zoned district or use for the construction of an electronic message unit	