

STAFF REPORT
Decatur Zoning Board of Appeals

Hearing Date October 14, 2021
Case No. 21-05
Property Location 2400 North Summit Avenue
Request Reduce the required setback line of an Electronic Message Unit from a residential district/use from 100 feet to 66 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 Decatur Public School District
Representative Kim Kurtenbach & Kayla Peck, BLDD Architects

BACKGROUND

The subject site is currently zoned R-1 Single-Family Residence District on an approximately 4.96-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-1 | Schools Public & Private |
| North | Single-Family Residence | R-1 | Residential - Low Density |
| South | Single-Family Residence | R-1, R-3 | Residential - Low Density |
| East | Single-Family Residence | R-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-six (66) 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 feet 6 inches (90”) in height. The existing sign will be has been removed and the new sign along with a new foundation (which has a brick/masonry-base) has already been erected.

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 “Schools Public & Private” 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 sixty-six (66) feet from the right-of-way line of North Summit Avenue. 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 western 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 66 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 has been 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 66 feet of the boundary of a residentially zoned district or residential use along the east 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, 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 | | | | |
| Address | | | | |
| City | State | | Zip | |
| Telephone | Fax | | E-mail | |
| Property Owner | | | | |
| Address | | | | |
| City | State | | Zip | |
| Telephone | Fax | | E-mail | |
| Representative | | | | |
| Address | | | | |
| City | State | | Zip | |
| Telephone | Fax | | E-mail | |

SECTION TWO: SITE INFORMATION

| | | | | | | |
|--|------------------------------|------------------------------|------------------------------|--------------------------------|------------------------------|---|
| Street Address | | | | | | |
| Legal Description | | | | | | |
| Present Zoning | <input type="checkbox"/> R-1 | <input 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 | | |
| Please list all improvements on the site: | | | | | | |
| Size of Tract | SF | | AC | | | |

SECTION THREE: REQUESTED ACTION

| | | | |
|--------------------|--|--|--|
| <i>Check One:</i> | <input 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> | | |

SECTION FOUR: ATTACHMENTS

| | |
|--------------------|---|
| Description | <i>Please list any attachments and/or supporting documents below:</i> |
| | |

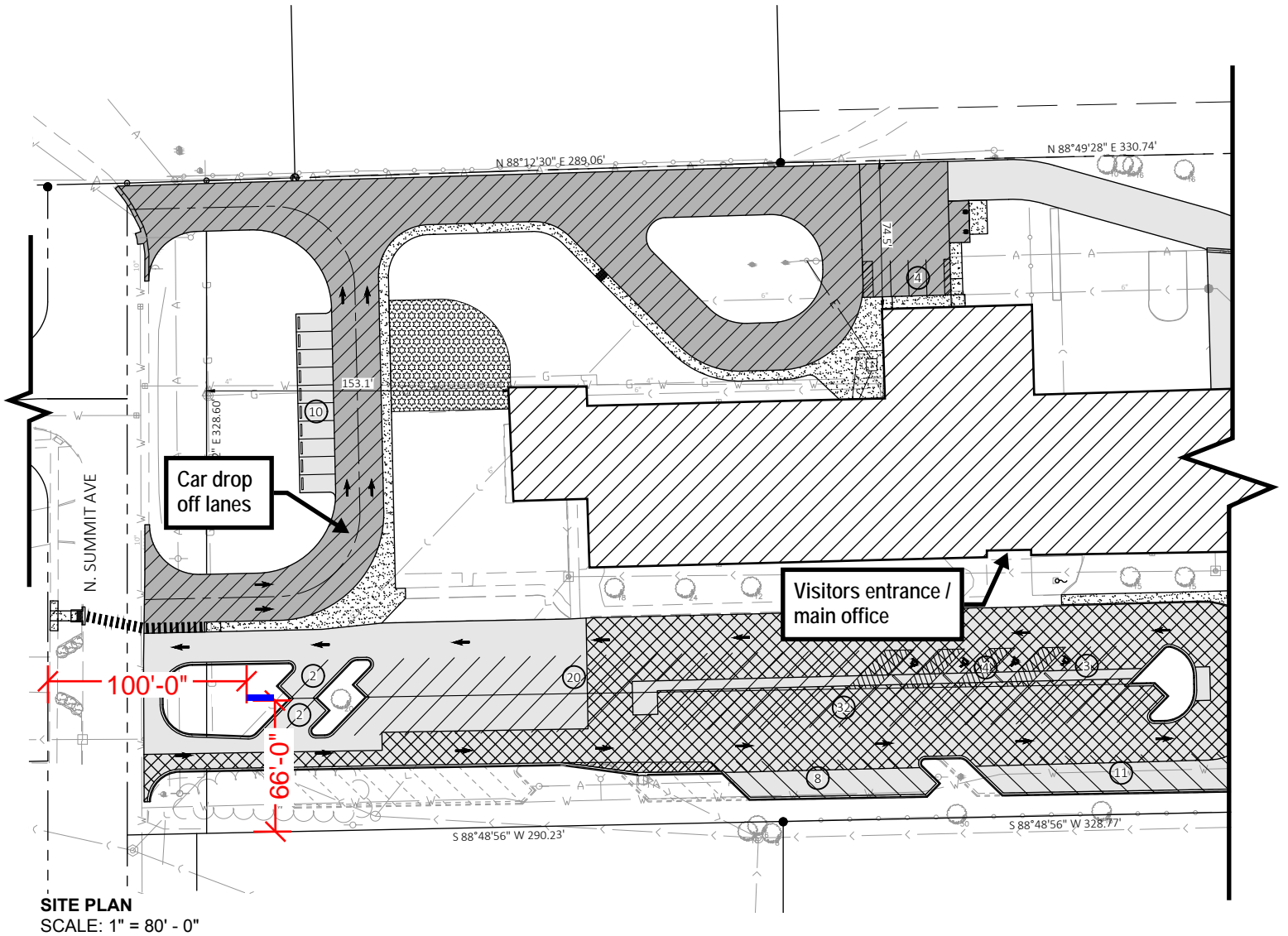
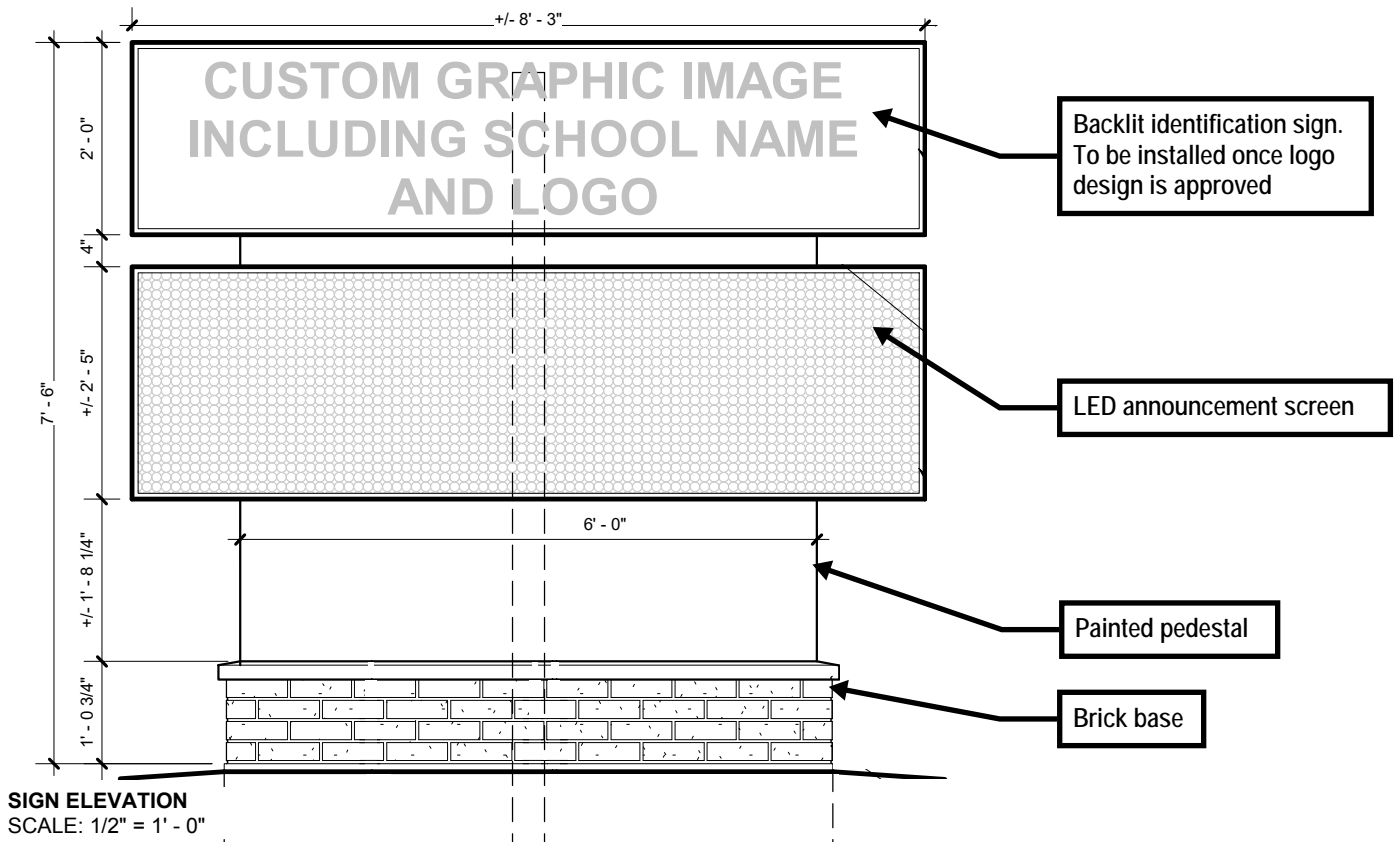
Attachments to this petition should include a scaled sketch plan of your proposal showing property lines, lot dimensions, building dimensions, all buildings on the property, setbacks, requested changes in the requirements and other necessary information. Please label this sketch plan as “Exhibit A” and other supporting documents accordingly. Architectural or engineering drawings are preferred, but not required.

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 | |

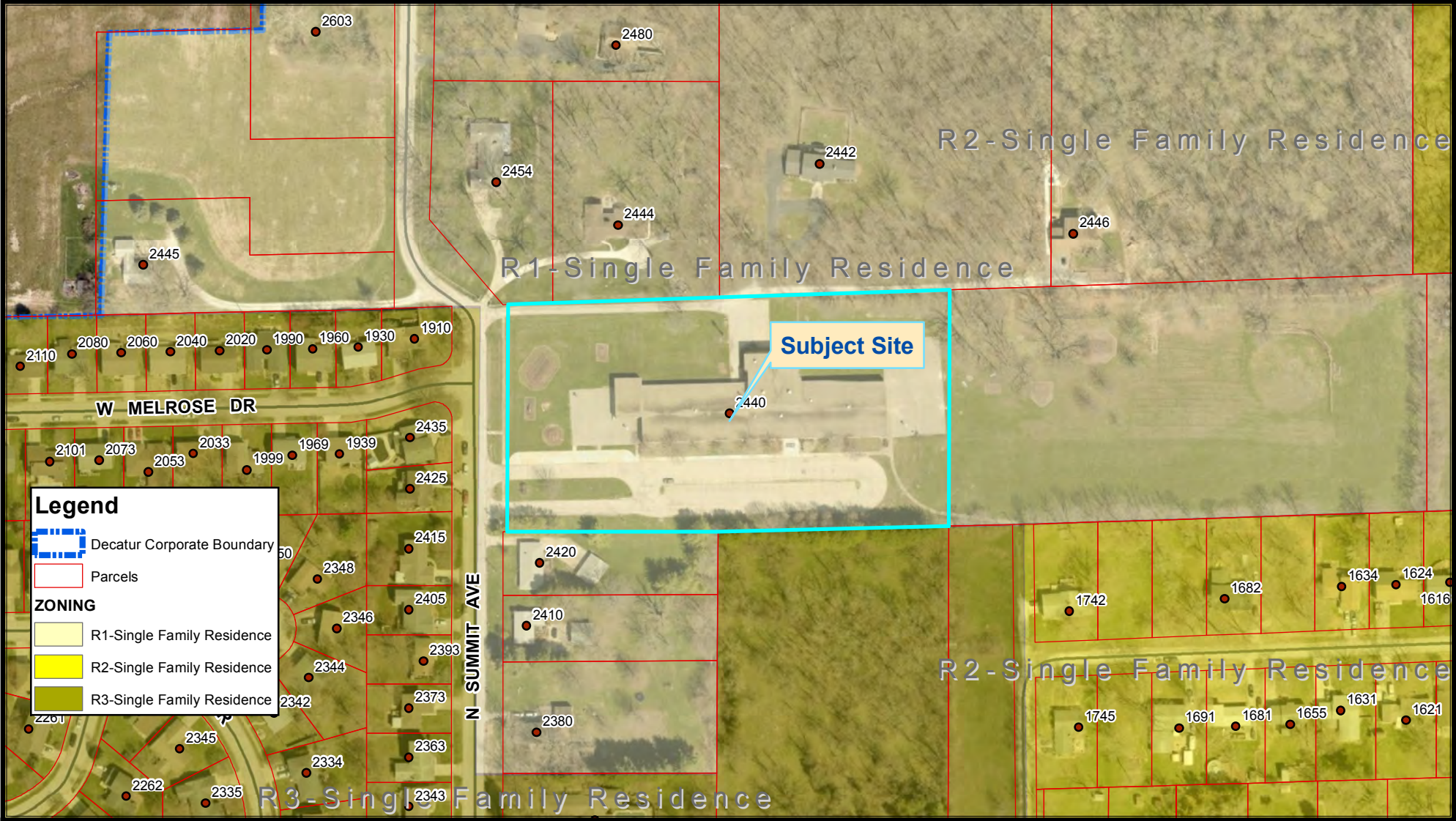
NOTES:

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.




City of Decatur Zoning Board of Appeals

2400 N Summit Ave



| | |
|--------------------------|---|
| Case No: | 21-05 |
| Date: | October 14, 2021 |
| Petition of: | Decatur Public School District |
| Requested Action: | Reduce the required setback from a residentially zoned district or use for the construction of an electronic message unit |



1 inch = 200 feet