

# CASE NO. 122-V-23

PRELIMINARY MEMORANDUM

December 6, 2023

Petitioner: **Edge-Scott Fire Protection District**

Request: **Authorize a variance for a proposed wall sign with an area of 48 square feet in lieu of the maximum allowed area of 20 square feet in the R-1 Single Family Zoning District, per Section 7.3.3 E. of the Champaign County Zoning Ordinance.**

Subject Property: **A 17,050 square feet (.39 acre) lot in the Jacob M. Smith's Estate Subdivision in the Southwest Quarter of the Southwest Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, commonly known as the Edge-Scott Fire Station with an address of 201 N Smith Rd, Urbana.**

Site Area: **17,050 square feet (.39 acre)**

Time Schedule for Development: **As soon as possible**

Prepared by: **Susan Burgstrom**, Senior Planner  
**John Hall**, Zoning Administrator

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## BACKGROUND

The Edge-Scott fire station has an existing unpermitted 24 square feet wall sign on which they have conveyed safety messages for many years. The wall sign faces south toward the intersection of East University Avenue and North Smith Road. The petitioner would like to replace this wall sign with a 48 square feet sign in the same location.

The property is located in the R-1 Single Family Residence Zoning District and therefore Business and Industrial sign standards do not apply. The Zoning Ordinance does not allow an institutional sign to have a face of greater than 20 square feet, so a variance is required.

No comments have been received from relevant jurisdictions or the public.

## EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Fire Station	R-1 Single Family Residence
North	Residential	R-1 Single Family Residence
South	Commercial/Industrial	I-1 Light Industry
East	Residential	R-1 Single Family Residence
West	Residential	R-1 Single Family Residence

## **EXTRATERRITORIAL JURISDICTION**

The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the City of Urbana, a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.

The subject property is located within Urbana Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

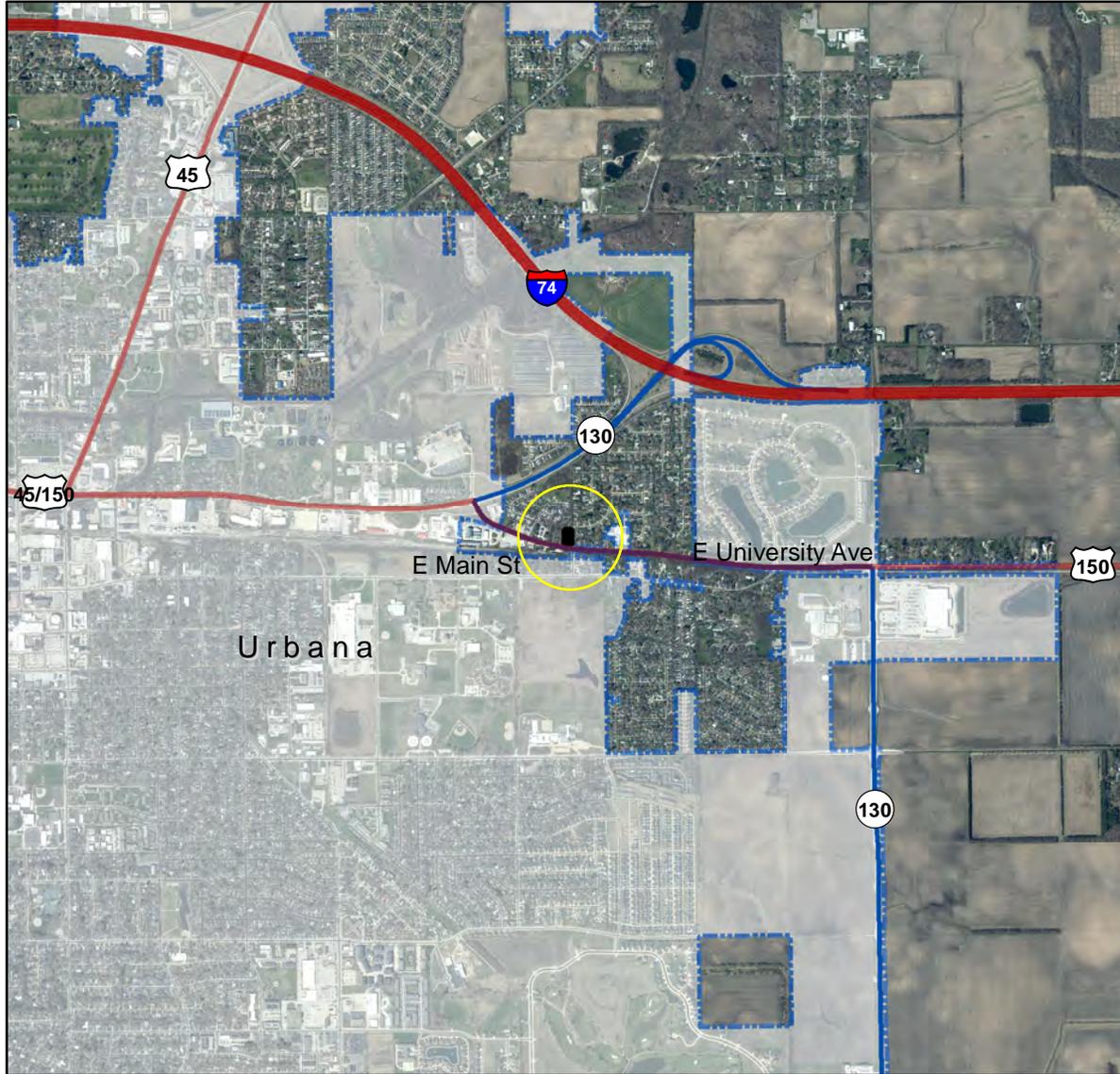
## **ATTACHMENTS**

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received October 19, 2023
- C Annotated 2023 aerial photo created by P&Z Staff on November 20, 2023
- D Images of Subject Property taken November 16, 2023
- E Draft Summary of Evidence, Finding of Fact, and Final Determination dated December 14, 2023

# Location Map

Case 122-V-23  
December 14, 2023

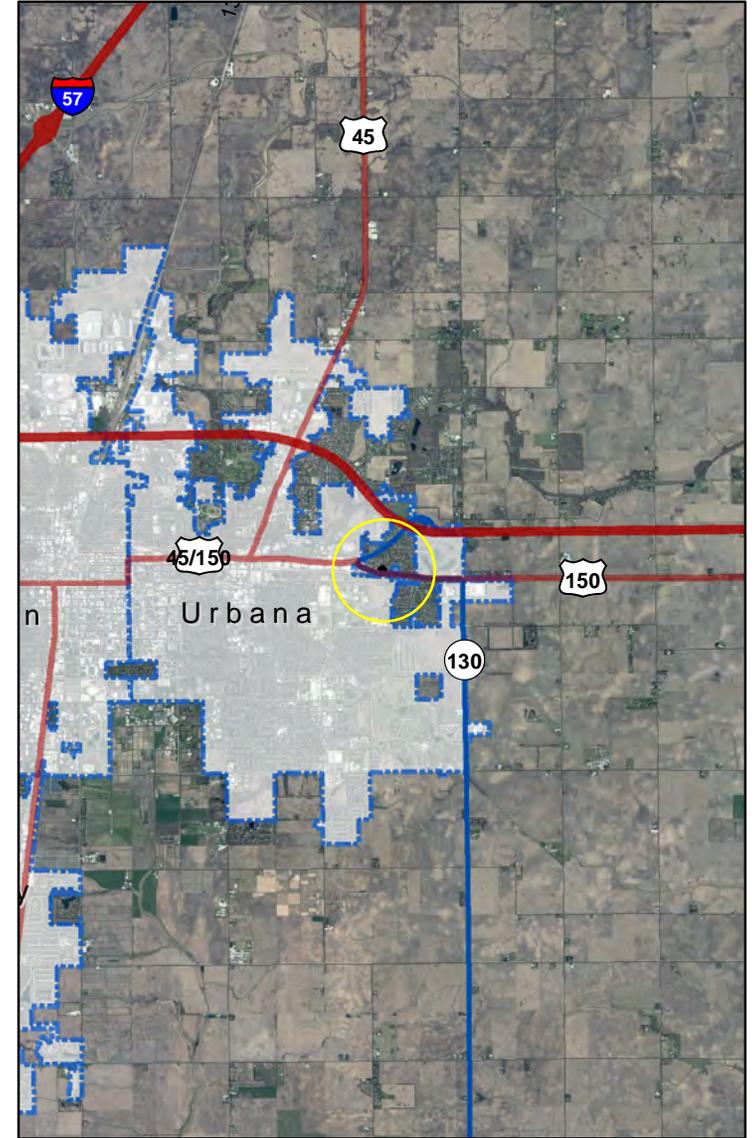
Subject Property



-  Subject Property
-  Municipal Boundary

0 0.25 0.5 Miles

Property location in Champaign County



0 0.5 1 2 Miles



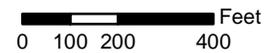
Champaign County  
Department of  
PLANNING &  
ZONING

# Land Use Map

Case 122-V-23  
December 14, 2023



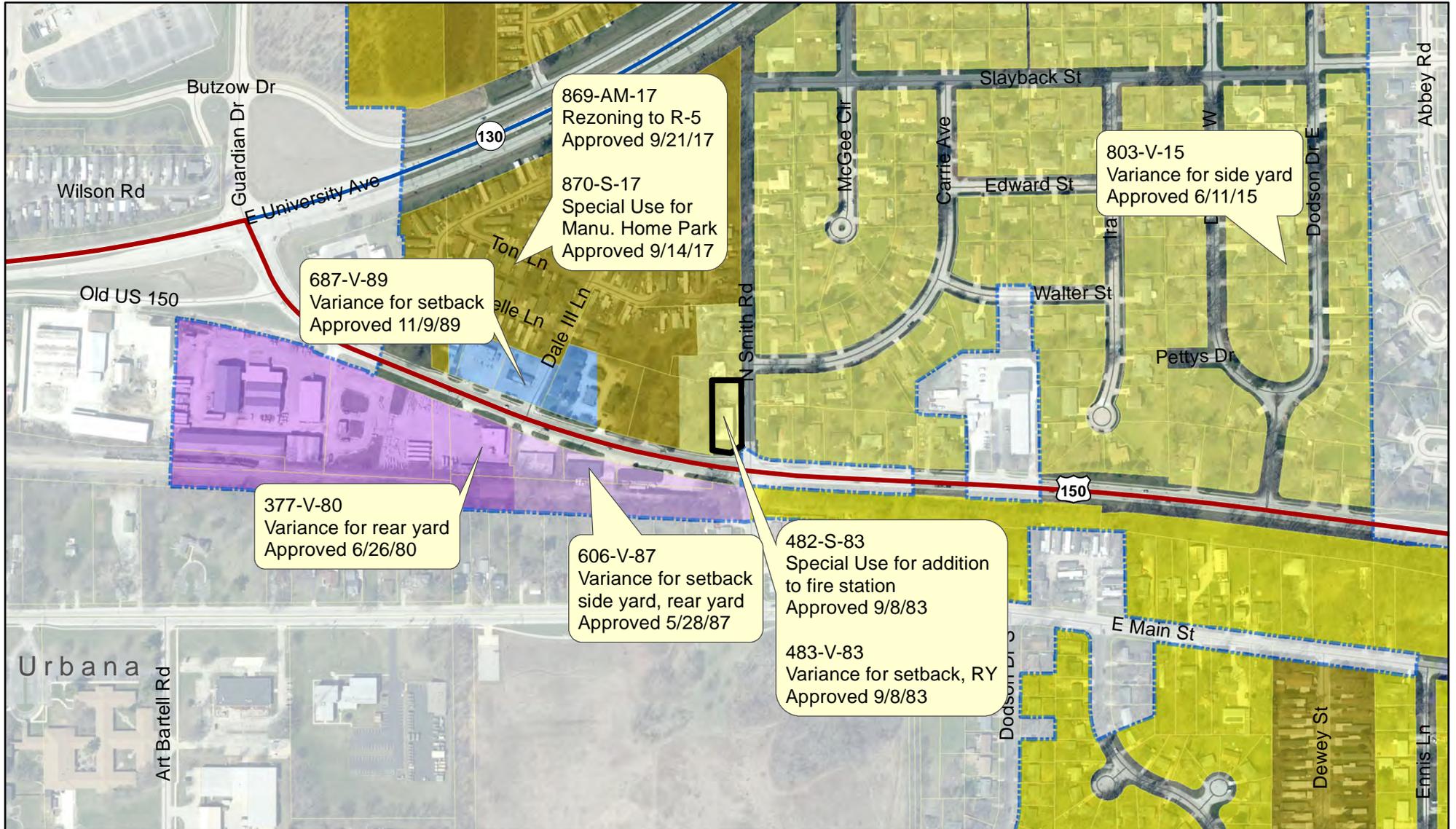
- Parcels
- Subject Property
- Municipal Boundary
- Residential
- Commercial
- Tax Exempt



Champaign County  
Department of  
PLANNING &  
ZONING

# Zoning Map

Case 122-V-23  
December 14, 2023



- |                           |                             |                             |
|---------------------------|-----------------------------|-----------------------------|
| Subject Property          | I-1 Light Industry          | R-2 Single Family Residence |
| Municipal Boundary        | I-2 Heavy Industry          | R-4 Multi Family Residence  |
| B-2 Neighborhood Business | R-1 Single Family Residence | R-5 Manufactured Home Park  |

0 100 200 400 Feet

Champaign County  
Department of  
**PLANNING &  
ZONING**

Option: 1

Wall area: 620.65 sq. ft. / sign area: 48 sq. ft.

Date: 8-25-2023

Client:

Edge Scott Fire District  
201 N. Smith Rd.  
Urbana, IL

Project:

Wall sign.

Notes:

Internally LED illuminated wall sign cabinet with flat decorated face and changeable readerboard.



Drawing Location:

FILESERV\Data\AmDow2022\MKite\  
Drawings\Edge Scott Fire Dept\Edge  
Scott Fire Dept

SCALE: 1/8" = 1' (+/-)

Approval Signature:

Sales & Design:



Mack Kite  
mkite@americandowell.com

217-359-6696  
217-643-2345  
4812 N. Cunningham Ave.  
Urbana, IL 61802



RECEIVED

OCT 19 2023

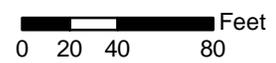
CHAMPAIGN CO. P & Z DEPARTMENT

# 2023 Annotated Aerial

Case 122-V-23  
December 14, 2023



-  Subject Property
-  Parcels



### 122-V-23 Site Images



From intersection of East University Avenue and North Smith Road facing north



Existing 4' x 6' sign on south side of building

**PRELIMINARY DRAFT**

**122-V-23**

**SUMMARY OF EVIDENCE, FINDING OF FACT  
AND FINAL DETERMINATION  
of  
Champaign County Zoning Board of Appeals**

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Final Determination: ***{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}***

Date: ***{December 14, 2023}***

Petitioners: **Edge-Scott Fire Protection District**

Request: **Authorize a variance for a proposed wall sign with an area of 48 square feet in lieu of the maximum allowed area of 20 square feet in the R-1 Single Family Zoning District, per Section 7.3.3 E. of the Champaign County Zoning Ordinance.**

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**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 14, 2023**, the Zoning Board of Appeals of Champaign County finds that:

1. Edge-Scott Fire Protection District owns the subject property.
2. The subject property is a 17,050 square feet (.39 acre) lot in the Jacob M. Smith's Estate Subdivision in the Southwest Quarter of the Southwest Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, commonly known as the Edge-Scott Fire Station with an address of 201 N Smith Rd, Urbana.
  - A. Edge-Scott Fire Protection District purchased the property in 1981.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
  - A. The subject property is within the one and one-half mile extraterritorial jurisdiction (ETJ) of the City of Urbana, a municipality with zoning. Municipalities do not have protest rights on a variance and are not notified of such cases.
  - B. The subject property is located within Urbana Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights on a variance and are notified of such cases.

**GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY**

4. Land use and zoning on the subject property and in the vicinity are as follows:
  - A. The .39-acre subject property is zoned R-1 Single Family Residence. Land use is a fire station.
  - B. Land to the north, east and west of the subject property is also zoned R-1 Single Family Residence and is residential in use.
  - C. Land to the south is zoned I-1 Light Industry and is commercial/industrial in use.

**GENERALLY REGARDING THE PROPOSED SITE PLAN**

5. Regarding the site plan for the subject property:
  - A. The Site Plan received October 19, 2023, indicates the following:
    - (1) An existing fire station with a proposed 4 feet by 12 feet "internally LED illuminated wall sign cabinet with flat decorated face and changeable readerboard."
  - B. There is one previous Zoning Use Permit for the subject property:
    - (1) Zoning Use Permit #255-83-01 was approved on September 12, 1983 to construct an addition to the fire station.
    - (2) The original building housing the fire station was constructed prior to the adoption of the Zoning Ordinance on October 10, 1973.
    - (3) There is an existing four feet by six feet (24 square feet) unpermitted wall sign in the same location as the proposed wall sign.

**PRELIMINARY DRAFT****Case 122-V-23**

Page 3 of 9

- C. There are two previous zoning cases for the subject property:
- (1) Case 482-S-83 was a Special Use Permit approved on September 8, 1983 to allow an addition to the fire station.
  - (2) Case 483-V-83 was a variance approved on September 8, 1983 to allow a setback of 46 feet in lieu of 55 feet and a rear yard of 8 feet 3 inches in lieu of 20 feet.
- D. The required variance is for an average lot width of 130 feet in lieu of the minimum required 200 feet in the AG-1 Agriculture Zoning District, per Section 5.3 of the Zoning Ordinance.

**GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS AND ZONING PROCEDURES**

6. Regarding authorization for the proposed variances:
- A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Variance (capitalized words are defined in the Ordinance):
    - (1) “SIGN” is any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a BUILDING, STRUCTURE or land which is placed out-of-doors and in view of the general public and which directs attention to a product, place, activity, person, institution, or business.
    - (2) “SIGN, WALL OR WALL MOUNTED” is a SIGN displayed on or visible through a wall of a BUILDING or STRUCTURE so as to be seen primarily from the direction facing that wall of the BUILDING or STRUCTURE. A wall SIGN attached to the exterior wall of a BUILDING or STRUCTURE does not project more than 20 inches therefrom.
    - (3) “VARIANCE” is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.
  - B. The R-1 Single Family Residence DISTRICT is intended to provide areas for single FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.
  - C. Paragraph 9.1.9 D. of the *Zoning Ordinance* requires the ZBA to make the following findings for a variance:
    - (1) That the requirements of Paragraph 9.1.9 C. have been met and justify granting the variance. Paragraph 9.1.9 C. of the *Zoning Ordinance* states that a variance from the terms of the *Champaign County Zoning Ordinance* shall not be granted by the Board or the hearing officer unless a written application for a variance is submitted demonstrating all of the following:
      - a. That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district.
      - b. That practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot.

**PRELIMINARY DRAFT**

- c. That the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the Applicant.
  - d. That the granting of the variance is in harmony with the general purpose and intent of the *Ordinance*.
  - e. That the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
- (2) That the variance is the minimum variation that will make possible the reasonable use of the land or structure, as required by subparagraph 9.1.9 D.2.
- D. The maximum sign size requirement for Institutional SIGNS is established in Section 7.3.3. E. of the Zoning Ordinance per the following:
- (1) Any SIGN or bulletin board setting forth or denoting the name of or simple announcement for any public, charitable, educational, or religious institution when located on the PREMISES of such institution, provided such SIGN or bulletin board or both shall not exceed a total of 20 square feet in display surface. If BUILDING mounted, these SIGNS shall be flat wall SIGNS and shall not project above the roofline or front façade of the BUILDING. If FREESTANDING, the total HEIGHT shall not exceed six feet.

**GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT**

7. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
- A. The Petitioner has testified on the application, **“We are a fire station and use the message board for fire safety messages that increase the public awareness to fire safety.”**
  - B. The existing wall sign has been providing safety messages for many years without complaint.
  - C. The property is located in the R-1 Single Family Residence Zoning District and therefore Business and Industrial sign standards do not apply.

**GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE**

8. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
- A. The Petitioner has testified on the application, **“We currently have a message board in the fire station that is very old and not in working order.”**
  - B. Regarding the proposed variance for a sign face of 48 square feet in lieu of the maximum allowed 20 square feet: without the proposed variance, the petitioner would be limited to a smaller sign that would reduce the ability to convey fire safety messages.

**PRELIMINARY DRAFT****GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT**

9. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
- A. The Petitioner has testified on the application, **“The message board has just aged and needs to be replaced.”**
  - B. The petitioner applied for a permit for the 48 square feet sign and P&Z Staff notified them at that time of the sign size requirement.

**GENERALLY PERTAINING TO WHETHER OR NOT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE**

10. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **“We are not sure how the fire station fits into the residential zoning as it is a public building with the specific design and use as a fire station not a residential property.”**
  - B. Regarding the proposed variance for a sign face area of 48 square feet in lieu of the maximum allowed 20 square feet: the requested variance is 240% of the maximum allowed, for a variance of 240%.
  - C. Regarding the proposed variance for sign face area:
    - (1) Since the adoption of the Zoning Ordinance on October 10, 1973, the Institutional SIGN has always had a maximum sign face area of 20 feet.
    - (2) The Zoning Ordinance does not clearly state the considerations that underlie the square footage requirements for the proposed sign. In general, the maximum sign area is presumably intended to ensure the following:
      - a. Minimizing distractions for motorists: The proposed sign is replacing an existing sign that parallels and faces East University Avenue. The most likely people to view the sign are those stopped at the traffic signal facing northbound on Smith Road at the intersection of East University Avenue.
      - b. Aesthetic: larger signs can disrupt the desired landscape of the surrounding area.
        - (a) The sign faces south toward businesses and a few residences. There have been no complaints regarding the existing wall sign and no comments have been received regarding the proposed larger wall sign.

**GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED VARIANCE ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE**

11. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:

- A. The Petitioner has testified on the application: **“The message board will enhance public awareness of fire safety. The message board will be on a time and will turn on/off by use of a timer.”**
  
- B. The Urbana Township Road Commissioner and IDOT have been notified of this variance and no comments have been received.

***GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE***

- 12. Generally regarding and other circumstances which justify the Variance:
  - A. The Petitioner has testified on the application: **“The fire department requests the variance to improve communication with the general public by providing fire safety information.”**

***GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL***

- 13. Regarding proposed special conditions of approval:  
  
**No special conditions are proposed at this time.**

***PRELIMINARY DRAFT***

**DOCUMENTS OF RECORD**

1. Variance Application received November 6, 2023
2. Site Plan received October 19, 2023 as part of Zoning Use Permit application for the sign
3. Preliminary Memorandum dated December 6, 2023, with attachments:
  - A Case Maps (Location, Land Use, Zoning)
  - B Site Plan received October 19, 2023
  - C Annotated 2023 aerial photo created by P&Z Staff on November 20, 2023
  - D Images of Subject Property taken November 16, 2023
  - E Draft Summary of Evidence, Finding of Fact, and Final Determination dated December 14, 2023

**PRELIMINARY DRAFT****FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **122-V-23** held on **December 14, 2023**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
  - a. *The existing wall sign has been providing safety messages for many years without complaint.*
  - b. *The property is located in the R-1 Single Family Residence Zoning District and therefore Business and Industrial sign standards do not apply.*
2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
  - a. *Without the proposed variance, the petitioner would be limited to a smaller sign that would reduce the ability to convey fire safety messages.*
3. The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
  - a. *The petitioner applied for a permit for the 48 square feet sign and P&Z Staff notified them at that time of the sign size requirement.*
4. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{IS / IS NOT}* in harmony with the general purpose and intent of the Ordinance because:
  - a. *The proposed sign is replacing an existing sign that parallels and faces East University Avenue. The most likely people to view the sign are those stopped at the traffic signal facing northbound on Smith Road at the intersection of East University Avenue.*
  - b. *There have been no complaints regarding the existing wall sign and no comments have been received regarding the proposed larger wall sign.*
5. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{WILL / WILL NOT}* be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
  - a. *Relevant jurisdictions were notified of the variance case, and no comments have been received.*
6. The requested variance ~~*{SUBJECT TO THE PROPOSED CONDITION}*~~ *{IS / IS NOT}* the minimum variation that will make possible the reasonable use of the land/structure because:
  - a. *This is the minimum sign face area the fire department considers sufficient for conveying fire safety messages.*
7. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***

**FINAL DETERMINATION FOR CASE 122-V-23**

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval in Section 9.1.9.C **{HAVE/HAVE NOT}** been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **122-V-23** is hereby **{GRANTED / GRANTED WITH CONDITIONS / DENIED}** to the petitioner, **Edge-Scott Fire Protection District**, to authorize the following:

**Authorize a variance for a proposed wall sign with an area of 48 square feet in lieu of the maximum allowed area of 20 square feet in the R-1 Single Family Zoning District, per Section 7.3.3 E. of the Champaign County Zoning Ordinance.**

***{SUBJECT TO THE FOLLOWING CONDITION(S):}***

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date