



**MINUTES OF REGULAR MEETING  
URBANA ZONING BOARD OF APPEALS**

**APPROVED**

**DATE:** May 21, 2025

**TIME:** 7:00 P.M.

**PLACE:** Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

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|--------------------------|--------------------------------------------------------------------------------|
| <b>MEMBERS ATTENDING</b> | Joanne Chester, Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn, Harvey Welch |
| <b>MEMBERS EXCUSED</b>   | Nancy Uchtmann                                                                 |
| <b>MEMBERS ABSENT</b>    | Matthew Cho                                                                    |
| <b>STAFF PRESENT</b>     | Marcus Ricci, Planner II; Teri Andel, Planning Administrative Assistant II     |
| <b>OTHERS PRESENT</b>    | Annie Gregor, David Huber, Dale Huff, Candace Ziegler                          |

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**A. CALL TO ORDER and ROLL CALL**

Chair Welch called the meeting to order at 7:03 p.m. Roll call was taken, and a quorum was declared present.

**B. CHANGES TO THE AGENDA**

There were none.

**C. APPROVAL OF PREVIOUS MINUTES**

**Minutes of January 15, 2025, Regular Meeting**

Ms. McLaughlin moved to approve the minutes of January 15, 2025, regular meeting as written. Mr. Warmbrunn seconded the motion. The motion was approved by unanimous voice vote.

**Minutes of April 9, 2025, Special Meeting**

Ms. McLaughlin moved that the Zoning Board of Appeals approve the minutes of April 9, 2025, Special Meeting as written. Mr. Warmbrunn seconded the motion. The motion was approved by unanimous voice vote.

#### **D. WRITTEN COMMUNICATIONS**

- Email from Dallas Jackson Jr. regarding ZBA-2025-C-02
- Spreadsheet of ZBA Case Status from ZBA-2023-C-04 through ZBA-2025-C-02

#### **E. CONTINUED PUBLIC HEARINGS**

There were none.

NOTE: Chair Welch reviewed the procedure for a public hearing and swore in members of the audience who wished to speak on a case.

#### **F. NEW PUBLIC HEARINGS**

##### **ZBA-2025-C-02 – A request by David Huber, on behalf of Middle Group 2003 E Washington LLC, for a Conditional Use Permit to allow multiple principal structures at 1003 East Washington Street in the R-3 (Single and Two-Family Residential) Zoning District.**

Chair Welch opened the public hearing for Case No. ZBA-2025-C-02. Marcus Ricci, Planner II, presented the case to the Zoning Board of Appeals. He began by explaining the reason for the proposed Conditional Use Permit, which is to allow two principal structures, two detached single-family homes, on a single lot at 1003 East Washington Street. He reviewed the site history, noting that the previous two-story home had deteriorated, been registered as vacant and abandoned, and received multiple property maintenance violations and neighbor complaints, before being demolished in 2024. He described the surrounding land uses, zoning classifications, and the mix of single-family homes, duplexes, and parcels with two dwellings in the vicinity. He showed photos of the site and surrounding area.

Ms. Chester asked if the applicant would be allowed to put a duplex on the site. Mr. Ricci replied yes, if he received approval for a minor variance for the lot width. The applicant needs approval of the proposed conditional use permit to construct two single family dwellings on the site.

Mr. Ricci continued with the staff presentation by talking about the development regulations and showed drawings of the two proposed structures. He mentioned another option the applicant would have is to construct the two dwellings with a three-foot wide and ten-foot-long bridge or catwalk on the second level and be built by right as a single-family home. The difference between this and the proposed development is not in the buildings, but in the occupancy of the buildings.

Mr. Rusch asked for clarification in that since each house would be considered a separate unit, it would allow for one family plus three unrelated people to live in each unit despite the fact that the two units would be on one lot. Mr. Ricci said this is correct. The standard Zoning Ordinance regulations for occupancy would apply.

Mr. Ricci reviewed the Conditional Use Permit criteria from Section VII-2 of the Urbana Zoning Ordinance and summarized the applicant's statements regarding public convenience, neighborhood compatibility, and compliance with R-3 development standards. He summarized staff findings and read the options of the Zoning Board of Appeals. He presented staff's recommendation for approval with the following condition:

1. Construction shall be in general conformance with the submitted site plan.

He noted that the applicant was present to answer questions. Chair Welch asked if members of the Zoning Board of Appeals had questions for City staff.

Mr. Warmbrunn inquired about the driveway configurations and the middle strip in between the two driveways. He asked what material the middle strip would be. Mr. Ricci replied that it would be grass.

Mr. Warmbrunn asked if there would be a pedestrian door to the garage as shown differently in the written staff report. Mr. Ricci deferred this question to the applicant. He stated that the City's Public Works staff approved of the driveway configuration as being proposed.

Mr. Warmbrunn asked if the main entrance into the house would be in the middle. Mr. Ricci said that is how he understood it.

With no further questions for staff, Chair Welch opened the hearing for public input. He invited the applicant to speak.

Dave Huber, applicant, approached the Zoning Board of Appeals. He explained that he initially intended to retain the original house, but structural deficiencies, including the lack of a proper foundation and extremely narrow setbacks, made rehabilitation infeasible. He stated that the former house was nonconforming and had been a source of neighbor complaints.

Mr. Huber emphasized that the site is zoned R-3 and located near commercial zoning, and Washington Street is a busier corridor than nearby residential streets. He talked about other options and stated that constructing two smaller homes is more economically viable than a single four-bedroom home for him. He described the design rationale, including the side-by-side configuration, the portal feature, and the 10-foot separation between buildings, which could allow future subdivision though he has no plans to pursue it. He talked about the benefits of having a viable housing development versus leaving the site vacant with regards to an increase of property tax and providing more housing for residents to shop Urbana businesses.

Mr. Huber stated that while there could be disagreements over the configuration style of the development, the Zoning Ordinance does not mandate particular styles. He felt that the conditional use permit merely would allow the two structures to be addressed individually and to separate the utilities, which makes it viable for two families.

Chair Welch asked if the Zoning Board of Appeals members had any questions for the applicant.

Mr. Warmbrunn asked if the two driveways would be concrete for both garages with grass in between. Mr. Huber replied yes. The Zoning Ordinance allows two drives on a property in the City regardless of the zoning district; however, there is a regulation on the maximum width combined of the driveways.

Mr. Warmbrunn asked if there would be a pedestrian door on the garage side. Mr. Huber replied that there would be a portal. Mr. Ricci showed an illustration of the "portico".

Ms. Chester asked if there would be a second floor above the portico. Mr. Huber said yes, there would be above the walkway of the portico.

Mr. Warmbrunn asked if the second floor of each dwelling structure would be ten feet apart. Mr. Huber replied no. He showed an illustration and indicated where the second floor of each structure would extend. He went on to say that the City code requires a three-foot path for accessibility reasons.

With no further questions for the applicant, Chair Welch opened the hearing for public input.

Dale Huff approached the Zoning Board of Appeals to speak. He showed photos of a house (nicknamed the Blueberry House because it is blue) where a second structure, which is two stories, was built on a property in his neighborhood. He expressed concern that recent two-story construction in the neighborhood does not fit the existing character of the neighborhood and that multiple properties are being redeveloped as rentals. He stated that he feared the neighborhood was becoming a “cash cow” for developers. The proposed homes might function as apartments, and there currently are not any apartment buildings in the neighborhood.

Candace Ziegler approached the Zoning Board of Appeals to speak in opposition. She stated that she lives next to the “Blueberry House,” which was also renovated by the applicant. The second structure built behind it is out of scale with the neighborhood and is a monstrosity. The character of the neighborhood is one-story owner-occupied homes. She expressed concern that the area is being transformed into a rental district, and that long-term homeowners were not being considered.

She went on to say that it seems that the City does not care about this neighborhood. No one is asking the homeowners in the area what their opinions are. She believes the City should consider who buys up properties in this neighborhood.

Annie Gregor approached the Zoning Board of Appeals to speak in opposition. She cited concerns about neighborhood change, decreasing property values due to more rentals being allowed in the neighborhood, and the cumulative effect of two-story structures being constructed blocking neighbors’ views. She stated that she moved to Urbana for its small-scale residential character and feared that additional rental-oriented development would harm the neighborhood.

With no further public input, Chair Welch invited the applicant to respond.

Mr. Huber re-approached the Zoning Board of Appeals to address concerns regarding rentals, zoning allowances, and building height. He emphasized that two-story homes are permitted by right in the R-3 Zoning District. There are other two-story homes in the neighborhood, and the proposed two-story dwellings would be well below the maximum height allowed.

Mr. Huber stated that he has encountered a lot of fear of rentals despite the City of Urbana being a transient community. Of the properties that he now owns, only one of the properties was not a rental property when he purchased it. There is not a mass of gobbling up of owner-occupied homes and converting them into rentals. He pointed out that he builds new housing rather than converting owner-occupied homes to rentals, and that the project would not reduce the number of owner-occupied homes in Urbana.

Mr. Huber emphasized that this meeting is not the time or place to tackle changing the maximum building height or who can purchase properties or whether properties have to be owner-occupied or can be converted into rentals. He encouraged the City of Urbana to update the Zoning Ordinance and by doing so address some of the issues.

Mr. Rusch asked for clarification on whether the applicant had any plans to construct a catwalk. Mr. Huber stated that it depends on the decision of the Zoning Board of Appeals. He does not currently have any plans submitted to the City for building permits. Mr. Rusch stated that the proposed development is for two two-story housing structures without a catwalk. Mr. Huber said that is correct.

Mr. Rusch asked how many people could live in each unit. Mr. Ricci replied that no more than one family and three unrelated people could live in each unit. He did not recommend placing a condition on fewer people being allowed because there was no way the City could logistically enforce it.

Mr. Rusch asked if the applicant had any plans to subdivide the property. Mr. Huber said no.

Mr. Ricci clarified that the second structure at 907 East Washington (the “Blueberry” house) was approved by conditional use permit in 2023. The dwelling structure was built in conformance with the submitted Site Plan. The Zoning Ordinance does not regulate design. The City does not discriminate or regulate between ownership and rentals. The City acknowledges that not everyone can afford to own their own home, which is why we have a rigorous rental registration program in Urbana. He researched this area and found that 30% of the properties are rental properties.

Mr. Ricci stated that the R-1 (Single-Family Residential), R-2 (Single-Family Residential) and R-3 (Single and Two-Family Residential) Zoning Districts have a maximum height restriction of 35 feet, which allows two-story homes, so the City cannot prohibit them just because a neighborhood is primarily one-story homes. Conversion to an apartment building would require rezoning a R-3 zoned property to R-4 (Medium Density Multiple Family Residential) or higher, so the Zoning Board of Appeals can be assured that the two proposed structures would not be converted into apartment buildings.

Mr. Warmbrunn asked if there was a Site Plan. Mr. Ricci showed the Site Plan.

With no further questions, Chair Welch closed the public input portion of the hearing and opened the floor for discussion and/or motion(s).

Ms. McLaughlin moved that the Zoning Board of Appeals approve the proposed conditional use in Case No. ZBA-2025-C-02, finding that the application meets all three criteria for a conditional use permit with the condition that construction be in general conformance with the submitted site plan. Mr. Rusch seconded the motion. Roll call on the motion was as follows:

|                |   |     |           |   |     |
|----------------|---|-----|-----------|---|-----|
| Ms. McLaughlin | – | Yes | Mr. Rusch | - | Yes |
| Mr. Warmbrunn  | – | Yes | Mr. Welch | – | Yes |
| Ms. Chester    | – | Yes |           |   |     |

The motion passed by unanimous vote.

## **G. OLD BUSINESS**

There was none.

## **H. NEW BUSINESS**

There was none.

**I. AUDIENCE PARTICIPATION**

There was none.

**J. STAFF REPORT**

Mr. Ricci reported on the following:

- **Case Status Spreadsheet** – Mr. Ricci reviewed the status of each case from ZBA-2023-C-04 through ZBA-2025-C-02

Mr. Ricci concluded by noting that, with two exceptions, projects approved by the Zoning Board of Appeals have moved forward successfully and that the Board's work has resulted in meaningful development outcomes.

Mr. Warmbrunn inquired about the status of the bylaws. Mr. Ricci explained that staff are waiting until a new Director for Community Development Services is hired upon which things may change and allow for more staff time to work on updating them.

Mr. Rusch inquired about the status of the Zoning Board of Appeals vacancies and if there is a plan to refill them, if any. Mr. Ricci said there were no vacancies. Some members are up for re-appointment by June 30, 2025.

**K. STUDY SESSION**

There was none.

**L. ADJOURNMENT**

The meeting was adjourned at 8:22 p.m.

Respectfully submitted,

*Olivia Jovine*

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Olivia Jovine, Secretary  
Zoning Board of Appeals