



ZONING BOARD OF APPEALS REGULAR MEETING

DATE: Wednesday, July 15, 2026

TIME: 7:00 PM

PLACE: Council Chambers, City Hall, 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Roll Call and Declaration of Quorum

B. Changes to the Agenda

C. Approval of Minutes of the Previous Meeting

Minutes of the April 15, 2026 Regular Meeting

D. Written Communications

E. Continued Public Hearings

F. New Public Hearings

ZBA-2026-C-01 – A request by Philip Grier for a Conditional Use Permit to allow a second principal structure at 1506 South Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

ZBA-2026-MIN-01 – A request by Philip Grier for a Minor Variance for a reduction from five feet to four feet in the required side yard setback at 1506 South Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

G. Old Business

H. New Business

I. Audience Participation

J. Staff Report

K. Study Session

L. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

Email Input

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: **Planning@urbanail.gov**. The subject line of the email must include the words **“ZONING BOARD OF APPEALS - PUBLIC INPUT”** and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should state so. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Public Hearing

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specifically to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under “Verbal Input”. Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker’s microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If any accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2440

Email: Planning@urbanail.gov

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at **<https://www.urbanail.gov/executive-department/page/urbana-public-television>**.



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

DRAFT

DATE: April 15, 2026

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Adam Rusch, Nancy Uchtmann, Charles Warmbrunn, Harvey Welch

MEMBERS EXCUSED: Joanne Chester, Ashlee McLaughlin

STAFF PRESENT: Olivia Jovine, Director of Community Development Services | Zoning Administrator; Aimirou Sy, Planner II; Kate Himick, Planner I

OTHERS PRESENT: Dennis Cummins

A. CALL TO ORDER and ROLL CALL

Chair Welch called the meeting to order at 7:02 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 May 21, 2025 Regular Meeting

Ms. Uchtmann moved that the Zoning Board of Appeals approves the minutes of the May 21, 2025 regular meeting as written. Mr. Rusch seconded the motion. The motion to approve the minutes as written was passed by unanimous voice vote.

D. WRITTEN COMMUNICATIONS

- Housing Needs Study Community Survey Flyer

E. CONTINUED PUBLIC HEARINGS

There were none.

F. NEW PUBLIC HEARINGS

ZBA-2026-MAJ-01 – A request by Jenna Joo, on behalf of the City of Urbana’s Public Works Department, for a Major Variance from the requirements in the Urbana Zoning Ordinance to provide shade trees within parking areas at 706 South Glover Avenue in the IN-1 (Light Industrial/Office) Zoning District.

Chair Welch swore in members of the audience who wished to speak to the Zoning Board of Appeals and opened Case No. ZBA-2026-MAJ-01.

Aimirou Sy, Planner II, presented the case to the Zoning Board of Appeals by stating facts from the written staff report. Mr. Sy began by stating the purpose for the major variance request. He discussed the location, current use, and zoning of the subject property as well as the surrounding area. He noted that the proposed project is part of a set of improvements to the Public Works’ campus. As the City of Urbana continues to grow, the need for Public Works’ staff and equipment has increased. These improvements include upgrades to the building systems, expansion of the fleet facilities, new salt storage for winter operations, and parking circulation improvement for vehicles and employees. The parking improvements support the modernization of the Public Works campus.

Mr. Sy talked about the proposed parking configuration. He noted that it includes 150 parking spaces. The site currently contains 77 existing parking spaces. This project would add 73 new parking spaces. Under Article VIII of the City’s Zoning Ordinance, parking lots with more than 20 parking spaces must provide one shade tree for every nine parking spaces. In this case, the applicant proposes no interior shade trees. According to the applicant, interior shade trees would interfere with the maneuverability of large municipal vehicles. Vehicles with large wheelbases require large turning radii. These vehicles include snowplows, vector trucks and other municipal vehicles.

Mr. Sy stated that the Public Works facility also includes material storage, salt storage, and detention areas which reduce available space. Maintaining unobstructed large, paved areas is necessary for operational efficiency and safety.

He reviewed the six criteria for granting a variance from Section XI-3 of the Urbana Zoning Ordinance and explained how the proposed major variance satisfied each criterion. He found that five (5) out of the six (6) are satisfied. However, he concluded that the criterion requiring the variance to represent the minimum deviation from the requirements of the Zoning ordinance was only partially satisfied because the applicant proposed to eliminate all required interior shade trees rather than provide a reduced number of shade trees or an alternative landscaping plan.

He read the options of the Zoning Board of Appeals and presented staff recommendation for approval with the following conditions:

1. *Construction must be in general conformance with the Site Plan.*
2. *Landscaping shall be provided along the perimeter of the expanded parking area where feasible. The number of shade trees shall be generally based on the number of new parking spaces added as part of the project. Based on the 73 new parking spaces, up to eight (8) shade trees should be provided, depending on the site constraint. Final tree placement and feasibility shall be determined by the Zoning Administrator in consultation with the City Arborist and City Engineer.*

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

Mr. Warmbrunn stated that staff are recommending up to 8 shade trees, so if only 4 shade trees can fit on there correctly, then that would be allowed. Mr. Sy said yes.

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

Dennis Cummins, of the Farnsworth Group, approached the Zoning Board of Appeals to speak on behalf of the applicant, the City of Urbana Public Works Department. He stated that the plans include a sizeable addition to the Public Works building and more parking to accommodate their expanding needs. There will be a total of 150 parking spaces scattered throughout the lot. The largest group of 67 parking spaces will be in the northeast corner of the lot, another 26 spaces in the northwest corner, and the other lots are smaller than 20 spaces each. The site has been designed to accommodate the large apparatus that Public Works has, including a fire truck apparatus and their vector truck amongst other vehicles that are large. He noted that there is a large area given for storage of salt on the site. So, all these things have precluded the City from being able to put trees throughout the lot.

Mr. Rusch asked as part of the proposed plan, has the applicant identified places where trees might be installed or is this something that will be determined when the project is finished. Mr. Cummins replied that when looking at the site, they formed some ideas of where trees might go, but some of the existing trees that they take out may be replaced with new trees. He pointed out that the current site has several trees located towards the front of the lot for screening. So, one lot in the northwest corner of the site could have some small trees put around it. He said that there is not very much space left between the building and the parking lot and between the parking lot and the street. There are also some overhead lines along the west side of the lot and east side of Glover Street. So, these preclude the City from making plans to scatter some trees throughout there. He added that they maximized the use of the site at the request of the Public Works Department. By doing so, they tried to gain as many parking spaces as possible.

Mr. Warmbrunn asked if there are two site plans in the packet or two pages to one site plan. Mr. Cummins said two pages for the one site plan because the information does not fit on one page.

Mr. Warmbrunn asked if the dark area is concrete. Mr. Cummins explained that the dark area around the northwest and around the building is asphalt. The center entrance would be concrete. The north entrance would be concrete, and the lighter shade three parking lots along Glover are alternates.

Mr. Warmbrunn asked about the turning radius being located in the middle of the “backwards C”. Mr. Cummins said that the whole area is slated to be open for Public Works to use in turning their apparatus (end loader, backhoe, and long trailers).

Chair Welch asked if there are any additional comments from staff.

Olivia Jovine, Director of Community Development, mentioned that one of the many goals of the Public Works facilities expansion and improvement is to allow all of the Public Works’ staff to be together in one location with the absence of the landscape recycling facility, which is obviously location specific. Public Works is also looking to expand staff; so, there is a need for additional parking spaces.

Mr. Warmbrunn asked if required trees would be in the parking lot areas or could they be anywhere on the site. Mr. Sy stated that the trees cannot be planted within the parking lots, so Public Works is requesting to eliminate the requirement for interior shade trees. Depending on the site constraint, the Zoning Administrator, the City Arborist, and the engineers would identify the best areas for the shade trees.

Mr. Rusch noted that the proposed variance is a reasonable request given that Public Works is maximizing use of the existing site and expanding the existing site as opposed to getting a new site, which would be the alternative. So, it makes sense to weigh the benefits of utilizing an existing site and not having to find a different site, which adds weight to the case for the proposed variance.

Mr. Rusch moved the Zoning Board of Appeals forwards Case No. ZBA-2026-MAJ-01 to the City Council with a recommendation for approval of the major variance with the following conditions:

1. Construction must be in general conformance with the Site Plan.
2. Landscaping shall be provided along the perimeter of the expanded parking area where feasible. The number of shade trees shall be generally based on the number of new parking spaces added as part of the project set at 73 new parking spaces, resulting in up to 8 shade trees. Final tree placement and feasibility shall be determined by the Zoning Administrator in consultation with the City Arborist and City Engineer.

Mr. Rusch bases his motion on the findings in the written staff report. Mr. Warmbrunn seconded the motion. Roll call on the motion was as follows:

Ms. Uchtmann	-	Yes	Mr. Welch	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Rusch	-	Yes

The motion passed by unanimous vote 4-0.

Mr. Sy stated that Case No. ZBA-2026-MAJ-01 will be forwarded to the Committee of the Whole for their review on Monday, May 4, 2026.

G. OLD BUSINESS

There was none.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Olivia Jovine, Director of Community Development, presented the following:

- Introduction of New Planning Staff – She introduced herself as the Director of Community Development Services and Interim Principal Planner; Aimirou Sy, Planner II, and Kate Himick Planner I, as the new planners for the City. She noted that staff profiles were included in the meeting packet. She gave a brief background on her experience and education and asked that Mr. Sy and Ms. Himick to do so as well.

- Principal Planner – She stated that a new Principal Planner is expected to join the department at the end of the month.
- Statement of Economic Interest – She noted that annual filing of this form is mandatory for all commissioners with zoning approval authority, and the deadline is May 1, 2026. She emphasized that significant fines may be assessed for late filing and encouraged commissioners to submit the form promptly to the City Clerk’s Office, the County Office, or by email.
- Urbana Housing Needs Study – She mentioned that the survey is currently underway in partnership with the Regional Planning Commission. A QR code linking to the community survey was handed out. She explained that the study will combine quantitative data with qualitative input from residents including tenants, homeowners, and unhoused individuals to assess current housing conditions and identify gaps in the local housing market. Survey responses will be accepted through April 30, 2026. She noted that the study is a key implementation item from the Comprehensive Plan adopted in July 2025 and that its findings will be of significant interest to City Council and staff.

Mr. Warmbrunn noted that for the past two years he has raised the need to update the Zoning Board of Appeals’ Bylaws. He stated that previous delays were due to the absence of legal counsel, followed by limited staff capacity. He expressed concern that the current Bylaws, now four to five years old, do not address issues such as member attendance, which recently became a problem. He asked how staff wished to proceed and whether commissioners should submit suggested revisions. Ms. Jovine thanked him for raising the issue and stated that staff would ask commissioners to review the bylaws and bring comments or suggested changes to a future Study Session. She explained that a study session can be scheduled even if there are no active cases, and that the Board could hold a meeting solely for bylaw review, if needed.

She noted that the future new Principal Planner will determine which staff will serve as the Board’s permanent secretary, after which communication regarding bylaw revisions can be directed to that person. In the meantime, she encouraged commissioners to mark up a copy of the Bylaws and identify areas for discussion. Staff would then compile the feedback and prepare materials for a Study Session. She added that the City Attorney could review any legal questions, with the understanding that such review may require several weeks.

Ms. Jovine also reported that the Board currently has vacancies, and Staff will begin recruitment efforts. She noted that no cases were scheduled for the next meeting but that commissioners would be notified if any applications were received before the deadline.

Mr. Rusch inquired as to who the official members are on the Zoning Board of Appeals. Ms. Himick confirmed that the following individuals are officially serving on the Zoning Board of Appeals: Joanne Chester, Ashlee McLaughlin, Adam Rusch, Nancy Uchtmann, Charles Warmbrunn, and Harvey Welch.

K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

Respectfully submitted,

April 15, 2026

Olivia Jovine

Olivia Jovine, Secretary
Zoning Board of Appeals

Kate Himick

From: Melody Pinks <[REDACTED]>
Sent: Sunday, July 5, 2026 2:06 PM
To: Planning
Subject: ZBA-2026-C-01, -MIN-01

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Kate, In Progress

You don't often get email from mpinks@yahoo.com. [Learn why this is important](#)

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

To whom it may concern:

I, Melody Pinks, am completely against the permit and variance requested by Philip Grier. My house is at
[REDACTED]

That house has had BAD tenants in the past. We do not need additional "rentals" by this landlord. A garage should NOT be allowed to be on converted to residential.

PLEASE DO NOT ALLOW!!!!

Melody Pinks
Property owner
[Yahoo Mail: Search, Organize, Conquer](#)



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals

FROM: Kate Himick, Planner I

DATE: July 7, 2026

SUBJECT: **ZBA-2026-C-01:** A request by Philip Grier for a Conditional Use Permit to allow a second principal structure at 1506 S. Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

ZBA-2026-MIN-01: A Minor Variance request by Philip Grier for a reduction from five feet in the required side yard setback to a four foot and one inch setback at 1506 S. Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

Introduction

Philip Grier is requesting a Conditional Use Permit to allow a second principal structure on this lot in the form of a new dwelling unit in the existing detached garage. More than one principal structure on a lot requires a Conditional Use Permit.¹ Mr. Grier is also requesting a Minor Variance to reduce the required five-foot side yard setback to a four-foot, one-inch side yard setback, as principal structures in the R-3 Zoning District are required to be five feet from the side lot line.²

As the Conditional Use Permit and Minor Variance are related requests, they have been combined for review in this memorandum. Staff recommends that the Zoning Board of Appeals approve the Conditional Use Permit and Minor Variance, after finding that the conditional use and variance criteria have been met.

Background

Mr. Grier would like to convert his existing one-story garage into a dwelling unit for use as a “granny flat” for his parents and parents-in-law to use when visiting, with the possibility of renting in the future. The garage is already in existence and is currently classified as an accessory structure, allowing a distance of 18” between the structure and the property line. However, converting the existing garage to a dwelling unit would change the structure’s classification from an accessory structure to a principal structure,³ and the structure would then be subject to the required 5-foot side yard development regulation. As such, the garage would either need to be physically relocated to meet the side yard requirement, or the side yard requirement would need to be reduced through the minor variance proposed here.

Description of Site and Area

The lot at 1506 S. Curtiss Drive is approximately 6,945 square feet and is located along Curtiss Drive between the intersections of Curtiss and E Florida Avenue to the south and Curtiss and E Vermont Avenue to the

¹ Section V-3.C of the Zoning Ordinance.

² Section VI-5.B and Table VI-3 of the Zoning Ordinance.

³ Section V-2.A of the Zoning Ordinance considers every extra, detached dwelling unit to be an additional principal structure.

north. The property has a single family home, a one-story garage, and a driveway. Exhibit E shows the site plan submitted by the property owner.

The following is a summary of zoning and land uses for the subject site and surrounding area:

Location	Zoning	Existing Land Use	Place Type
Site	R-3, Single- and Two-Family Residential	Single Family Home	Neighborhood I
North	R-3, Single- and Two-Family Residential	Single Family Home	Neighborhood I
South	R-3, Single- and Two-Family Residential	Single Family Home	Neighborhood I
East	R-3, Single- and Two-Family Residential	Single Family Home	Neighborhood I
West	R-3, Single- and Two-Family Residential	Single Family Home	Neighborhood I

Discussion

Conditional Use Permit

The proposed garage dwelling unit would allow Mr. Grier’s parents and parents-in-law to have their own separate space from the main house. While two dwelling units in one building (a duplex) would be permitted by right on this lot,¹ two dwelling units in separate buildings requires a Conditional Use Permit (CUP), because the current principal use of the lot is a single-family home, and the Zoning Ordinance considers a garage dwelling to be a second principal structure. Per Section V-3.C of the Zoning Ordinance, a second principal structure on a lot requires a CUP. While a duplex and additional dwelling unit have different use classifications, they are of the same functional density.

Secondary dwelling units (more frequently known as “accessory dwellings units” or “ADUs”) allow homeowners to add a small housing unit on their property, and are typically detached from the primary house. Examples include a converted garage or a standalone studio or cottage. Sometimes, a secondary or accessory dwelling unit can function as a “granny flat,” referring to a place for older family members to live or visit while remaining close to family. If rented, secondary or accessory dwelling units also increase the supply of housing in the neighborhood and promote infill development.

It should be noted that in the past ten years, seven Conditional Use Permits have been approved by the Zoning Board of Appeals to establish a second principal structure for a dwelling unit in the R-3 district. Of these Conditional Use Permits, four have approved the conversion of an existing garage to a new dwelling unit as a second principal structure.

Additionally, on July 28, 2025, the Urbana City Council approved the *Imagine Urbana* comprehensive plan, which identifies Place Types across Urbana. This neighborhood’s Place Type is Neighborhood I, which is envisioned as consisting of primarily single houses, with “some duplexes, smaller apartments, townhomes, and accessory dwelling units (e.g. garage apartments, backyard cottages)” interspersed.

Minor Variance

When a use is established, expanded, or erected, the structure is required to meet all development regulations of its zoning district. Because an additional dwelling unit would establish a new use in an existing building, the garage would need to meet all applicable development regulations for a principal structure. The northeast

¹ Section VI-3.B of the Zoning Ordinance.

corner of the garage is 6'5" from the property line, but the northwest corner of the garage is 4'1" from the property line, which is within the development regulation standards for an accessory structure in a residential zoning district, but not within regulation for a principal structure.¹ Should the CUP be approved and the garage be converted into a second dwelling unit, the structure would then be subject to the five foot side yard requirement. Only one corner of the existing garage would not meet the five foot side yard development requirement for principal structures. If the minor variance is granted, the property would meet all other development regulations (FAR, OSR, and yard requirements). The minor variance would allow the applicant to keep the existing garage/proposed dwelling unit where it currently sits on the lot.

The following is a summary of the development regulations for the proposed garage dwelling unit:

	FAR	OSR	Yards (ft.)		
			Front	Side	Rear
R-3 Requirements	0.40 (max.)	0.40 (min.)	15 (min.)	5 (min.)	10 (min.)
Existing	0.15	0.63	30	5	8
Proposed	0.24	0.54	30	4' 1"	5

Requirements for a Conditional Use Permit

According to Section VII-2 of the Zoning Ordinance, an application for a CUP shall demonstrate the following requirements. Staff analysis follows each criterion.

1. That the proposed use is conducive to the public convenience at that location.

The requested CUP is conducive to the public convenience because the garage dwelling unit will not add any more density than what is currently allowed on this lot if it contained a duplex, which is allowed by right. The existing garage also already matches the form of the other buildings on the lot and in the neighborhood.

2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.

The proposed use is designed, located, and proposed to be operated in a manner in keeping with the intent of the R-3 zoning district. A duplex is a permitted use on a lot of this size in the R-3 zoning district, and the proposed use will not be operated in a detrimental fashion to the district or the public welfare.

3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-3.

The proposed second principal structure will conform with all applicable development regulations, except for the required side yard from the northwest property line. The minor variance requested by the applicant would allow the owners to keep the existing garage in its current location without the costly options of relocating the structure or building a new structure. This will help preserve the character of the neighborhood.

¹ Section VI-5.B.9 of the Zoning Ordinance.

Variance Criteria

Section XI-3 of the Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The following is a review of the variance criteria as they pertain to this case:

1. Are there special circumstances or special practical difficulties with reference to the parcel concerned in carrying out the strict application of the ordinance?

The Zoning Ordinance requires a five foot side yard in the R-3 zoning district, meaning that no principal structure may be built or established within five feet of the side property line. This lot is located along a curved portion of Curtiss Drive, and the lot is irregularly shaped, with the rear of the lot being roughly 32 feet narrower than the front of the lot. Most lots along Curtiss Drive are in a standard rectangular configuration. The garage is already in existence, and would usually be classed as an accessory structure, allowing a distance of 18" between the structure and the property line. However, the structure's proposed conversion to an additional principal structure requires a 5 foot side yard setback for principal structures, meaning that the irregular lot line and placement of the existing garage now pose a barrier. The pre-existence of the garage and the irregularity of the lot line create a practical difficulty in carrying out the requirements of the Zoning Ordinance. The existing owner would either be required to relocate the garage or request a variance, as the applicant has done.

2. The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.

The proposed reduction in the side yard will not be a special privilege to the applicant. The variance is needed to keep the existing structure in its current location, and because the garage is pre-existing, the variance will not cause new construction to be built where it does not already exist. Because the existing garage already matches the form of the other buildings on the lot and in the neighborhood, the 4'1" side yard setback will not alter the existing character of the lot.

3. The variance request is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.

The variance request is not the result of a situation or condition knowingly or deliberately created by the Petitioner but rather due to the configuration of the lot and the longstanding placement of the garage in its current location. The existing garage pre-dates the applicant's ownership of the property by several decades.

4. The variance will not alter the essential character of the neighborhood.

If granted, the variance would not alter the essential character of the neighborhood. Two-family residences are allowed by right in the neighborhood. The garage would continue to exist in its current location, and several other garages and accessory structures in the neighborhood are less than five feet of the side property line. There are also homes in the neighborhood which appear to be less than five feet from the property line, so the proposal will not be out of character for either an accessory structure or a dwelling unit.

5. The variance will not cause a nuisance to the adjacent property.

The variance should not cause a nuisance as the proposed garage/additional dwelling unit has existed in its current location for many decades. The proposed conversion of the garage will maintain the established building footprint, and the proposed minor variance will only bring into compliance one corner of the

garage. The other corner of the garage that faces the side lot line is already in compliance with the current five foot side yard requirement.

6. The variance generally represents the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.

The garage is located four feet and one inch from the side lot line, meaning that the proposed variance request of a side yard requirement of four feet and one inch is the minimum deviation from the Zoning Ordinance to accommodate this request. It would not be possible to increase the side yard requirement any further without relocating the structure.

Consideration of the Conditional Use Permit

According to Section XII-2 of the Zoning Ordinance, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the Conditional Use Permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Ordinance, including but not limited to the following:

1. Regulation of the location, extent, and intensity of such uses;
2. Requirement of the screening of such uses by means of fences, walls, or vegetation;
3. Stipulation of required minimum lot sizes;
4. Regulation of vehicular access and volume;
5. Conformance to health, safety, and sanitation requirements, as necessary;
6. Increases to the required yards; and
7. Any other conditions deemed necessary to effect the purposes of this Ordinance (Section VII-6).

Public Notice and Input

Staff published a legal ad in The News-Gazette to notify the public of the request and public hearing 15 days prior to the Zoning Board of Appeals meeting. Staff sent letters to 43 neighboring property owners (within 250 feet of the subject property) notifying them of the request, and posted two public hearing signs on the property. As of the date of this memo, Staff have received one email response against the Conditional Use Permit and variance and answered two telephone calls to answer questions about the case.

Summary of Staff Findings

1. The property is zoned R-3, Single- and Two-Family Residential;
2. Philip Grier requests a Conditional Use Permit to allow a second principal structure on the lot;
3. The use is conducive to the public convenience at that location;
4. The use is designed, located, and proposed to be operated so that it will not be unreasonably injurious

or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare;

5. The use will conform to all applicable zoning, building, and development codes; except the side yard setback for principal structures for which a Minor Variance is requested;
6. Philip Grier also requests a Minor Variance to reduce the required side yard from five feet to four feet and one inch;
7. The Minor Variance will allow the existing garage to remain in its current location, where it has been located for several decades;
8. The variance request would not serve as a special privilege to the property owner if granted, as there are special circumstances relating to the land or structure involved such as the configuration of the lot, the narrowing of the lot towards the rear, and the location of the pre-existing garage;
9. The property owner did not deliberately create this situation;
10. The Minor Variance will not alter the essential character of the neighborhood;
11. The Minor Variance will not create a nuisance; and
12. The Minor Variance represents a minimum deviation from the zoning ordinance.

Options

The Zoning Board of Appeals has the following options in case ZBA-2026-C-01:

1. Approve the Conditional Use Permit; or
2. Approve the Conditional Use Permit along with any conditions as are appropriate for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. Deny the Conditional Use Permit.

The Zoning Board of Appeals has the following options in case ZBA-2026-MIN-01:

1. Approve the Minor Variance request, based on the findings outlined in this memorandum; or
2. Deny the Minor Variance request, and if so, articulate findings supporting the denial.

Staff Recommendation

Based on the analysis and findings presented above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the Conditional Use Permit with the following condition:

- That the proposed structure's location and construction generally conform to the attached site plan and specifications.

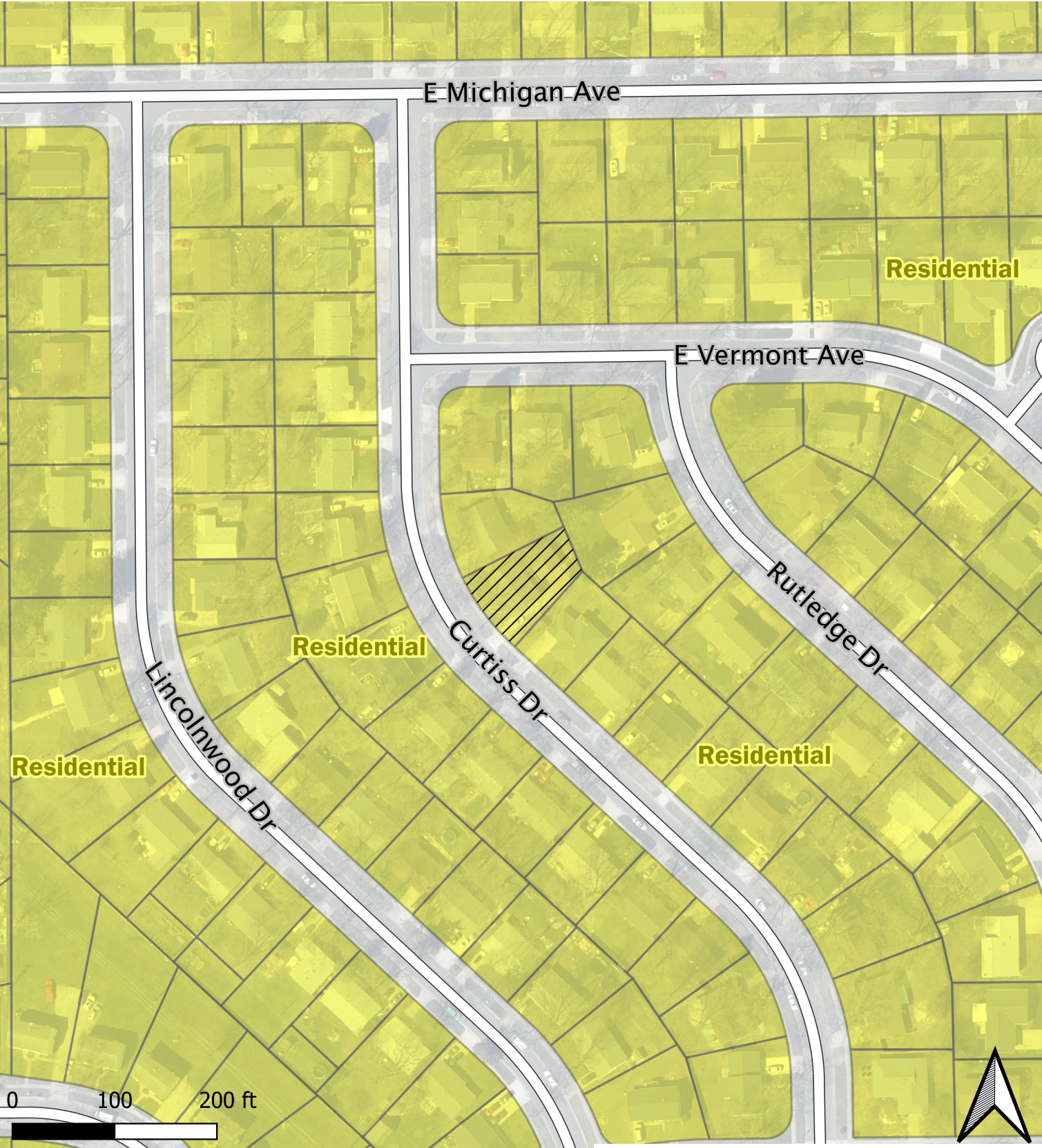
Staff also recommends that the Zoning Board of Appeals **APPROVE** the Minor Variance based on the findings outlined in this memorandum.

Attachments: A: Location and Land Use Map

B: Zoning Map
C: Place Types
D: Aerial Imagery with Lot Lines
E: Site Plan
F: Conditional Use Permit Application
G: Minor Variance Application

cc: Philip Grier, Owner/Applicant

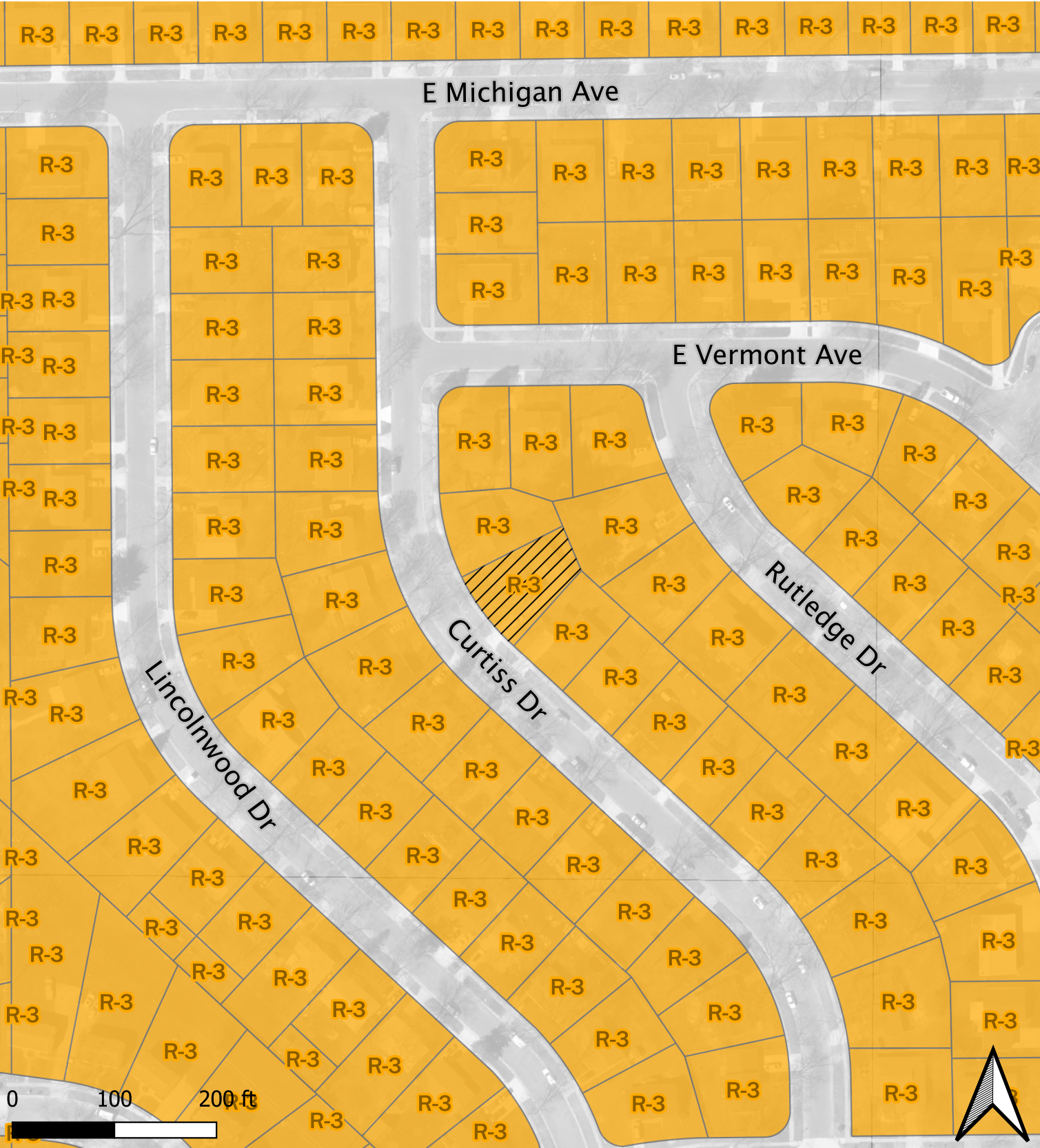
Exhibit A - Location & Land Use



Case: ZBA-2026-C-01 and ZBA-2026-MIN-01
Subject: Conditional Use Permit & Minor Variance
Location: 1506 S Curtiss Drive
Applicant: Philip Grier

- | | | |
|-----------------------|---------------|---------------|
| //// Subject Property | Commercial | Mass assembly |
| Land use | Institutional | Leisure |
| Residential | Parking | |

Exhibit B - Zoning



Case: ZBA-2026-C-01 and ZBA-2026-MIN-01
Subject: Conditional Use Permit & Minor Variance
Location: 1506 S Curtiss Drive
Applicant: Philip Grier

Subject Property	B-3	R-2
Zoning_View	B-4	R-3
B-1	CRE	R-4
B-2	MOR	R-5

Exhibit C - Place Types



Case: ZBA-2026-C-01 and ZBA-2026-MIN-01
Subject: Conditional Use Permit & Minor Variance
Location: 1506 S Curtiss Drive
Applicant: Philip Grier

 Subject Property Place Types
Place Types
 Neighborhood I (N

Exhibit D - Aerial Imagery and Lot Lines



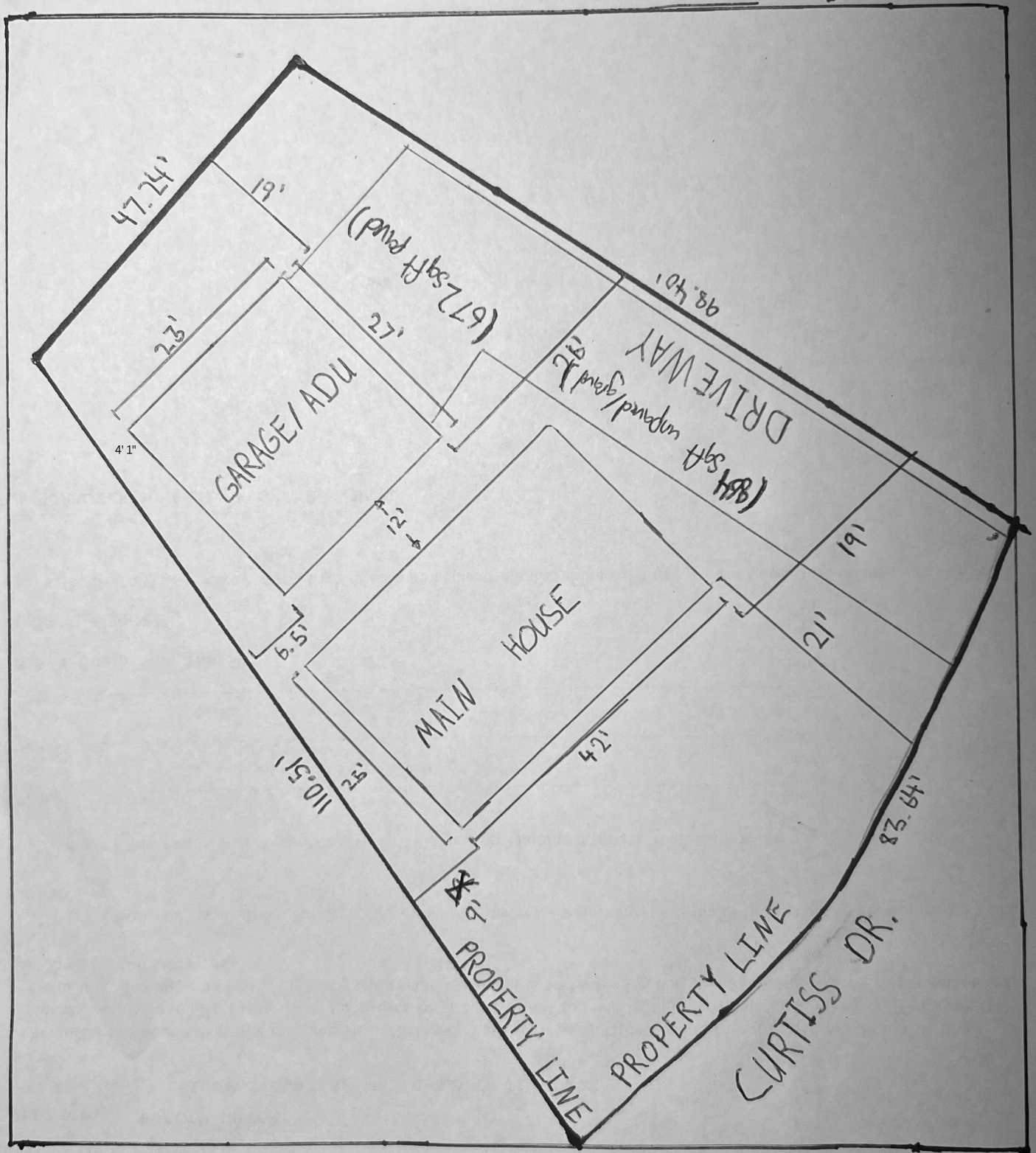
Case: ZBA-2026-C-01, -MIN-01
Subject: Second Principal Structure
Location: 1506 S Curtiss Drive
Applicant: Philip Grier

 Subject Property

Exhibit E -
Site Plan

Driveway:
1,536 sqft

1506 S CURTISS DR.





Navigate to...



VIEW PERMIT

Home / Services / Development Permits / View Permit



Make a payment



Request an inspection



Upload documents



Leave message

Permit #: CUP26-000001

Project #: 26-001363

Status: Online Application Received

Balance Due: \$0.00

Address: 1506 South Curtiss Drive 

Description: Convert detached garage to living space



Permit	Reviews	Documents	Inspections
--------	---------	-----------	-------------

Permit #:**CUP26-000001**

Permit Type:

Conditional Use Permit

Sub Type:

Conditional Use

Issue Date:

Expiration Date:

The application fee must be paid when submitting the application. For the current fee amount, please refer to the most recent version of the City's 'Schedule of Fees - Excluding Liquor License Fees', which can be found at <https://www.urbanailinois.us/fees> (<https://www.urbanailinois.us/fees>).

The applicant is also responsible for paying the cost of the legal ad publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up.

If you need assistance completing this form, please contact the Planning Department at Planning@urbanailinois.us (<mailto:Planning@urbanailinois.us>) or (217) 384-2440.

PROPOSED USE

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you are planning a business, what will your hours of operation be?

Current Zoning District:

R-3 - Single and Two Family Residential

Current Land Use:

Single family home with 621sqft detached garage

Proposed Use:

I'd like to convert the detached garage to living space / Accessory Dwelling Unit

PROPERTY LEGAL DESCRIPTION

A legal description is the geographical description of a real estate property for the purpose of identifying the property for legal transactions such as deeds, mortgages and other legal documents. A legal description will refer to the name of the subdivision and the lot number.

If your legal description is long, please type "See Attached Legal Description," in the Legal Description Provided by Applicant field and upload a separate document with legal description.

Legal Description Provided by Applicant:

Lot 95 Lincolnwood, Weller's

Legal Description attachment:

PERMIT INFORMATION

Purpose for Request:

I'd like approval to begin converting my garage into an Accessory Dwelling Unit

Number of Applicants:

1

Applicant Name:

Philip Grier

PROPERTY OWNER INFORMATION

If the applicant is not the sole owner, please attach documentation for contact information including **name, email and phone numbers** of every owner.:

1506 S Curtiss Dr Owners.pdf

CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name, Email and Phone:

Engineer Name, Email and Phone:

Surveyor Name, Email and Phone:

Site Planner Name, Email and Phone:

Attorney Name, Email and Phone:

REASONS FOR CONDITIONAL USE PERMIT

Below are the criteria that the Zoning Board of Appeals will base their decision on. Your answers should be as detailed as possible.

Explain how the proposed use is conducive to the public convenience at the location of the property. In other words, why is this a good location for what you are proposing, for the overall good of the community and for people coming to the property? Is it easy to get to? Does it fill a need that is missing in the neighborhood? Are there other similar or complementary uses nearby?:

The proposed conversion of the existing detached garage into an Accessory Dwelling Unit (ADU) will support public convenience by adding a modest, flexible housing option within an established residential neighborhood with many other multi-family properties. The property is already served by existing utilities and infrastructure, allowing efficient use of resources without placing additional strain on public services. The ADU will help meet community needs for diverse and attainable housing, accommodating uses such as extended family, caregivers, or renters. The conversion reuses an existing structure, supporting sustainable land use. The scale and design will remain subordinate to the primary residence and consistent with neighborhood character. The project is not expected to significantly impact traffic, noise, or parking. Overall, the proposed ADU enhances the property while contributing to community housing needs in a compatible and efficient manner.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare. In other words, how will the building and site design, and the operation of the proposed use be done so they do not

cause a nuisance to the neighborhood and the community in general? Will it operate at hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?:

The proposed Accessory Dwelling Unit (ADU) is designed and located to remain compatible with the existing residential character of the neighborhood. The conversion will utilize an existing detached garage, maintaining the established building footprint and ensuring the structure remains clearly subordinate to the primary residence. Any exterior modifications will be modest and consistent with the surrounding homes in scale and appearance. The ADU will be operated as a long-term residential unit, which is consistent with the intended use of the district. It is not expected to generate excessive traffic, noise, or activity beyond typical residential levels. Adequate parking and access will be maintained on-site, minimizing any impact on surrounding properties or public streets. Because the project relies on existing infrastructure and services, it will not place undue strain on public utilities or facilities. Overall, the design, location, and operation of the proposed ADU ensure that it will not be unreasonably injurious or detrimental to the neighborhood or the public welfare, and will instead provide a low-impact, beneficial addition to the community's housing options.

Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located. In other words, how well will the proposed use fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?:

The proposed Accessory Dwelling Unit (ADU) conforms to applicable zoning regulations and development standards. The subject property meets the minimum lot area and width requirements for residential use within the district, consistent with the standards for lots platted prior to December 21, 1970. The ADU itself will not exceed 1,000 square feet, ensuring compliance with size limitations for accessory dwelling units. The project involves the conversion of an existing detached garage, maintaining the current building footprint and avoiding overdevelopment of the site. The structure will remain clearly subordinate to the primary residence, with design elements that are consistent in scale and appearance with surrounding homes. By preserving the existing layout and limiting the size and intensity of the use, the proposed ADU maintains the essential character of the district. It introduces a low-impact, secondary dwelling that is compatible with the neighborhood's residential nature while fully adhering to applicable regulations.

ATTACHMENTS

Please include any attachments relevant to your conditional use permit request: supporting documents, site plans, photos, etc.:

Aerial view.pdf

Garage Plan v6.pdf

CERTIFICATION

I am:

1. The property owner.

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief.

Agree:

Yes

I acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

Agree:

Yes

I grant permission for City staff to post a temporary yard sign on the subject property announcing the public hearing to be held for my request.

Agree:

Yes

Applicant Signature Upload:

signature.png

Signer Name:

Philip Grier

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Terms of Use (<https://www4.citizenserve.com/Portal/TermsOfUse.pdf>)

Privacy Policy (<https://www4.citizenserve.com/Portal/PrivacyPolicy.pdf>)

Exhibit G - Minor Variance Application



PERMIT PROJECT
FILE #: 26-001862
1506 SOUTH CURTISS DRIVE URBANA IL 61802
CONVERT DETACHED GARAGE TO LIVING SPACE



PERMIT #: VAR26-000002

Permit Type
Variance

Subtype
Minor Variance

Work Description:
Convert detached garage to living space

Applicant
Philip Grier - Philip Grier

Status
Online Application Received

Valuation
0.00



FEES & PAYMENTS

Plan Check Fees
0.00

Permit Fees
195.00

Total Amount
195.00

Amount Paid
195.00

Balance Due
0.00

☐ Non-Billable



PERMIT DATES

Application Date
06/09/2026

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

OFFICE USE ONLY

PLANNING CASE NUMBER

Neighbor Notice Mailed

Sign Posted Date

Legal Ad Published

i ZBA Meeting Date

ZBA Action



City Council Action



City Council Action Date

Ordinance Number

Recorded Document Number

Date Recorded

Planning Case Notes

APPLICATION

The application fee must be paid when submitting the application. For the current fee amount, please refer to the most recent version of the City's 'Schedule of Fees - Excluding Liquor License Fees', which can be found at <https://www.urbanairillinois.us/fees>.

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If you need assistance completing this form, please contact the Planning Department at Planning@urbanairillinois.us or (217) 384-2440.

[Click Here to see the difference between major and minor variances.](#)

PROPOSED USE

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you are planning a business, what will your hours of operation be?

| Current Zoning District

R-3 - Single and Two Family Residential



i Current Land Use
Single family home with 621sqft detached garage

Proposed Use
I'd like to convert the detached garage to an Accessory Dwelling Unit

PROPERTY LEGAL DESCRIPTION

A legal description is the geographical description of a real estate property for the purpose of identifying the property for legal transactions such as deeds, mortgages and other legal documents. A legal description will refer to the name of the subdivision and the lot number.
If your legal description is long, please type "See Attached Legal Description," in the Legal Description Provided by Applicant field and upload a separate document with legal description.

Legal Description Provided by Applicant
Lot 95 Lincolnwood, Weller's

i Legal Description attachment

Verified Legal Description by Planner

PERMIT INFORMATION

Purpose for Request
I'd like to convert my detached garage to living space (Accessory Dwelling Unit) and one corner of the garage doesn't meet the side yard setback requirements for the R-3 districts of 5 feet due to an irregular plot shape.

Number of Applicants
1

Applicant Name
Philip Grier

Applicant

OWNER INFORMATION

i If the applicant is not the sole owner, please attach documentation for contact information including **name, email** and **phone numbers** of every owner.

1506 S Curtiss Dr Owners.pdf



CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name, Email and Phone

Architect



Engineer Name, Email and Phone

Engineer



Surveyor Name, Email and Phone

Surveyor



Site Planner Name, Email and Phone

Site Planner



Attorney



REASONS FOR VARIANCE

Below are the criteria that the Zoning Board of Appeals will base their decision on. Your answers should be as detailed as possible.

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel

The distance from one corner of the currently standing detached garage to the side property line is 4 feet and 1 inch which falls below the required side yard setback requirement of 5 feet for district zoned R-3. All other corners and sides of the structure conform with standard setback requirements.

I'd like this variance granted to make use of the already built structure and maintain the overall character of the site and neighborhood.

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district

This variance is necessary due to the unique shape and configuration of the property, which results from its location along the curve of S. Curtiss Drive. Unlike most properties in the neighborhood, which are located on straight sections of roadway and have generally rectangular lot configurations, this parcel has an irregular shape that creates atypical setback conditions. As a result, one corner of the existing detached garage encroaches into the required setback area. This condition stems from the property's unique geometry and the longstanding placement of the structure, rather than circumstances generally applicable to other properties in the district. Therefore, the requested variance is necessary to allow the continued use and conversion of the existing garage to an accessory dwelling unit.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner)

The need for this variance was not knowingly or deliberately created by me. The detached garage has existed in its current location since the original development of the property and predates my ownership. The setback condition requiring the variance results from the longstanding placement of the structure and the unique shape of the lot, which is influenced by its location along the curve of S. Curtiss Drive. I have not altered the location of the garage or taken any action to create or increase the existing encroachment. The requested variance is necessary to allow the adaptive reuse of an existing structure as an accessory dwelling unit while maintaining its historic location on the property.

Explain why the variance will not alter the essential character of the neighborhood

The requested variance will not alter the essential character of the neighborhood because it relates to the conversion of an existing detached garage into an accessory dwelling unit rather than the construction of a new structure. The garage has existed in its current location for many years and is already part of the established character of the property and surrounding area. The proposed conversion will maintain the existing building footprint, scale, and general appearance, resulting in little to no visible change from the street or neighboring properties. The variance affects only a minor setback encroachment at one corner of the existing structure and will not adversely impact neighboring properties or the overall residential character of the neighborhood.

Explain why the variance will not cause a nuisance to adjacent property

The requested variance will not cause a nuisance to adjacent properties because it pertains to an existing detached garage that has been in its current location for many years. The proposed project involves converting the existing structure into an accessory dwelling unit without expanding its footprint or increasing the extent of the existing setback encroachment. The conversion will not create excessive noise, traffic, lighting, or other adverse impacts. In fact, the addition of insulation and other residential building materials is likely to reduce noise transmission from the structure compared to its current use as a garage. Because the structure already exists and the variance affects only a minor encroachment at one corner of the building, the project is not expected to negatively affect neighboring properties or interfere with neighboring owners' use and enjoyment of their property.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain

Yes, The required side yard in the R-3 district is 5 feet, and the maximum threshold of reduction while still being considered a minor variance is -25%. A 25% reduction from 5 feet would be 3.75 feet, or 3 feet and 9 inches.

The corner in question is 4 feet and 1 inch away from the side yard property line so it meets the requirements for a Minor Variance.

ATTACHMENTS

- i** Please include any attachments relevant to your variance permit request: supporting documents, site plans, photos, etc.

Site Plan, Minor Variance.pdf





CERTIFICATION

I am

1. The property owner.



I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief.

☒ Agree

I acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

☒ Agree

I grant permission for City staff to post a temporary yard sign on the subject property announcing the public hearing to be held for my request (if required).

☒ Agree

Applicant Signature Upload

[signature.png](#)

Signer Name

Philip Grier

FEES



FEE	CREATED	CREATED BY	QUANTITY	AMOUNT	TOTAL
Minor Variance Application Fee	06/09/2026	System User			195.00
Plan Check Fees				0.00	
Permit Fees				195.00	
Total Fees				195.00	

PAYMENTS

DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT
06/09/2026					Philip Grier	195.00
Amount Paid						195.00
Balance Due						0.00