



**CITY OF URBANA
ZONING BOARD OF APPEALS SPECIAL
MEETING**

DATE: Wednesday, April 09, 2025
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

- A. Roll Call and Declaration of Quorum**
- B. Changes to the Agenda**
- C. Approval of Minutes**
- D. Written Communications**
- E. Continued Public Hearings**
- F. New Public Hearings**

[Case No. ZBA-2025-C-01](#) - A request by Zainab Calcuttawala for a Conditional Use Permit to allow a second principal structure at 602 West High Street 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**

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>.

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 so state. 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 specific 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 an 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**



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Marcus Ricci, AICP, Planner II
DATE: March 19, 2025
SUBJECT: **ZBA-2025-C-01:** A request by Zainab Calcuttawala for a Conditional Use Permit to allow a second principal structure at 602 West High Street in the R-3 (Single- and Two-Family Residential) Zoning District.

Introduction

Zainab Calcuttawala requests a conditional use permit to create a second principal structure on the property by adding a bathroom and kitchenette to the existing detached garage. Section V-3.C of the Urbana Zoning Ordinance allows more than one principal structure on a lot with a conditional use permit. The proposed construction would meet all other R-3 development regulations.

The Zoning Board of Appeals (“ZBA”) must review the conditional use permit application and hold a public hearing. The ZBA may vote to approve, approve with conditions, or deny the application. The Board should either accept the specific staff findings or articulate their own specific findings based on the application’s criteria. Staff recommend the ZBA approve the conditional use permit, finding that the conditional use criteria have been met.

Background

Description of Site and Area

The site is approximately 10,990 square feet (0.25 acres); it is located at the southeast corner of West High and South Orchard Streets, in the West Urbana Neighborhood (see Exhibit A). The property was platted in 1858. The one-and-a-half-story home was built in 1903 and has approximately 1,960 square feet of floor area. In 2005, Daniel & Tori Corkery were granted a minor variance to replace the existing garage with a larger garage with a height exceeding the maximum height of 15 feet, on the condition that the style of the garage generally conform to the architectural style of the home.¹ The applicant wants to modify the existing living area to add a dwelling in the upper story of this garage; the first floor would continue to be used as a garage.

The surrounding area contains predominantly single homes; there are also some duplexes, apartment buildings, and a church in the surrounding area. The north side of West High Street is zoned R-3 (Single- and Two-Family Residential) while the south side is zoned R-2 (Single-Family Residential). West Green Street to the north is zoned MOR (Mixed Office Residential). The table below shows this zoning and the 2005 Comprehensive Plan future land use designations of the site and surrounding land (Exhibits B and C).

¹ ZBA 2005-MIN-01, Corkery Garage Variance.

Direction	Zoning	Existing Land Use	Future Land Use
Site	R-3, Single- and Two-Family Residential	Single home	Residential
North	MOR, Mixed Office Residential	Church; Low- and Medium-Density Residential	Mixed Residential
East	R-3, Single- and Two-Family Residential	Low- and Medium-Density Residential	Residential
South	R-2, Single-Family Residential	Low- and Medium-Density Residential	Residential
West	R-3, Single- and Two-Family Residential	Low- and Medium-Density Residential	Residential

Table 1. Zoning and Land Use

Discussion

The applicant requests a conditional use permit to allow a second, detached dwelling on the property. The R-3 zoning district permits an *attached* second dwelling by right, in the form of a duplex: because the proposed activity is *detached*, a conditional use permit is required to allow a second principal structure (i.e., house) on the lot. The total number of people who could potentially live on the property would be the same as a duplex would allow.

The proposed dwelling would have a bathroom, kitchenette, and sleeping area upstairs, with parking and storage downstairs (see Exhibit D – Application). The building footprint would not change. The required parking would be provided by two spaces in the garage and two on the access drive. On-street parking is available through the West Urbana Residential Parking permit program.

The proposal complies with all other R-3 development regulations, including lot area and width, floor-area ratio, open space, parking, and yard requirements. The property also meets the additional lot area and width requirements that apply to duplexes. If the conditional use permit is approved, the construction would be subject to required building safety and zoning reviews typical for any renovation.

Requirements for a Conditional Use Permit

According to § VII-2 of the Urbana Zoning Ordinance, an application for a conditional use permit shall demonstrate the following requirements shown in italics.

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

The proposed use is conducive to the public convenience. The location is only three blocks from campus, so it is a convenient option for students, staff, or faculty who could reside in the new dwelling. It is also close to Downtown. Transit stops are less than two blocks away, and West Illinois, West Elm and South Coler are designated by Google Maps as “bicycle-friendly roads.” In addition, adding one new dwelling unit to an existing lot, in a building that already exists, is an example of the small-scale, incremental development envisioned in the City’s draft comprehensive plan, *Imagine Urbana*.

Staff find this criterion met.

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 second dwelling would not be unreasonably detrimental to the neighborhood. Other than a new window, construction would be limited to the interior of the building, and would occur during normal business hours. Occupancy would be regulated by the Urbana Zoning Ordinance, and excessive noise would be regulated by Urbana City Code, as well as by a proposed “no loud party” clause in the rental agreement.

Staff find this criterion met.

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 § VII-3.*

The R-3 Single- and Two-Family Residential District “is intended to provide areas for low-density residential development, including single-family attached and detached dwellings *and two-family dwellings.*” Within a one-block radius of the property, there are 14 duplexes, 18 apartment buildings, and a condominium complex: converting an existing garage into one more dwelling would be in character with the neighborhood.

Staff find this criterion met.

Consideration

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 (see 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 46 neighboring property

owners (within 250 feet of the subject property) notifying them of the request, and posted a public hearing sign on the property. Staff received one letter of objection to the request (see Exhibit J).

Summary of Findings

1. The proposed use would be conducive to the public convenience, as the property is easily accessible by people walking, biking, driving, or taking the bus, especially for potential residents who want to travel to the University and Downtown.
2. The proposed use would not be injurious or detrimental to the neighborhood, as construction would be limited to the interior of the building and conducted during business hours, and occupancy and noise would be regulated by municipal code and private contract.
3. The proposed use would conform to the regulations and standards of, and preserve the essential character of, the R-3 zoning district.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2025-C-01:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

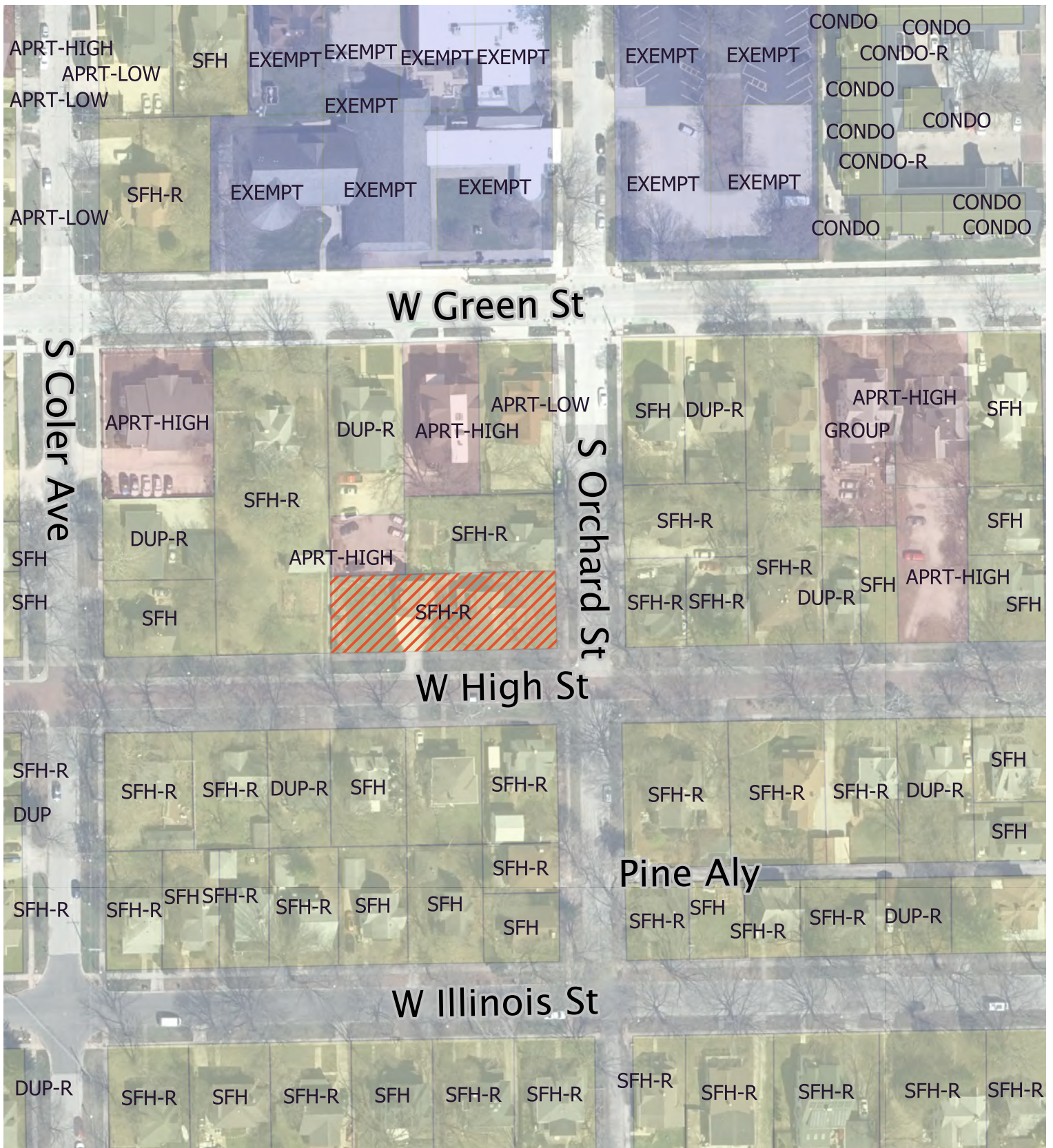
Recommendation

Based on the evidence presented in the discussion 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 proposed conditional use in case ZBA-2025-C-01.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application for Conditional Use Permit
Exhibit E: Public Input
Exhibit F: Site Photos

Cc: Zainab Calcutawala, Applicant/Property Owner

Exhibit A - Location & Land Use



Case: ZBA-2025-C-01
 Subject: Second Principal Structure
 Location: 602 West High Street
 Applicant: Zainab Calculttawalla, Applicant





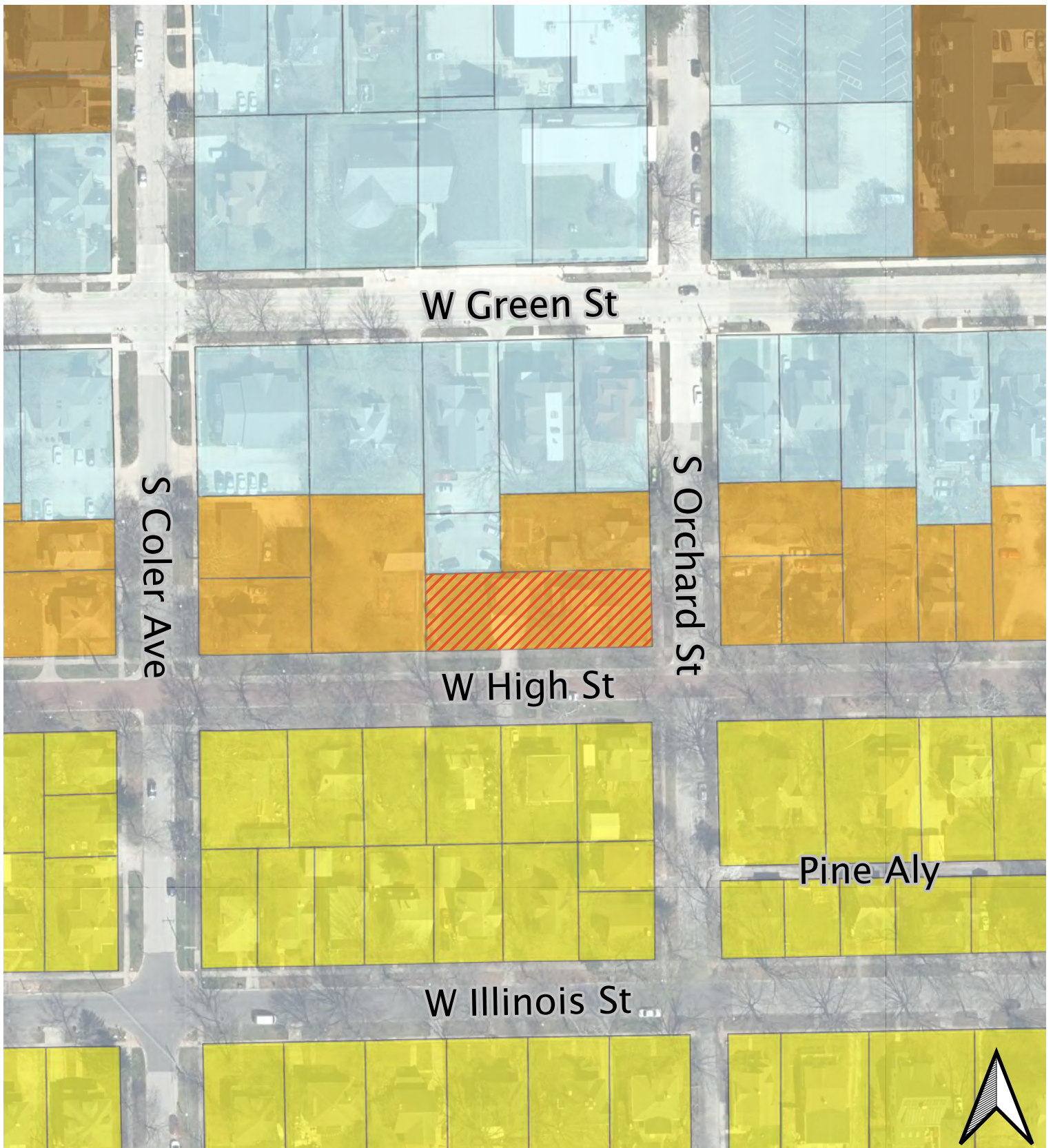
-  Subject property
-  Residential
-  Commercial
-  Institutional

Exhibit B - Zoning



Case: ZBA-2025-C-01
 Subject: Second Principal Structure
 Location: 602 West High Street
 Applicant: Zainab Calcultawalla, Applicant

- Subject property
- MOR
- R-2
- R-3
- R-4

Exhibit C - Future Land Use



Case: ZBA-2025-C-01
Subject: Second Principal Structure
Location: 602 West High Street
Applicant: Zainab Calcultawalla, Applicant




-  Subject property
-  Mixed Residential
-  Residential


Exhibit D - Application for Conditional Use Permit





Navigate to... 


VIEW PERMIT

Home / Services / Development Permits / View Permit

 Make a payment

 Request an inspection

 Upload documents

 Leave message

Permit #: CUP25-000001

Project #: 25-000239

Status: Online Application Received

Balance Due: \$0.00

Address: 602 West High Street 

Description: Creating a second Principal Structure on a single lot (by adding bathroom and kitchenette to upper floor of detached garage) - UZO S. V-C.3



Exhibit D - Application for Conditional Use Permit

Permit

Reviews

Documents

Inspections

Permit #:

CUP25-000001

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.urbanaininois.us/fees> (<https://www.urbanaininois.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@urbanaininois.us (<mailto:planning@urbanaininois.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:

Residential

Proposed Use:

I'm proposing to create a secondary inhabitable space in the upper floor of the detached garage structure within the existing lot by adding a bathroom and a kitchenette to the large area there. The space would be used as housing for relatives on a semi-permanent basis and potentially be rented out to a student tenant with an attached parking spot.

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:

The South Half of Lot 4, Lot 5 and Lot 6 in Block 4 in Joseph W. Sim's Jr.'s Addition to the City of Urbana, as per Plat recorded April 28, 1858 in Deed Record "O", Page 124 - 125, situated in Champaign County, Illinois.

Exhibit D - Application for Conditional Use Permit

Legal Description attachment:

PERMIT INFORMATION

Purpose for Request:

I'm proposing to create a secondary inhabitable space in the upper floor of the detached garage structure within the existing lot by adding a bathroom and a kitchenette to the large area there. The space would be used as housing for relatives on a semi-permanent basis and potentially be rented out to a student tenant with an attached parking spot.

Number of Applicants:

1

Applicant Name:

Zainab Calcuttawala

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.:

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:

Tony Moenck Company: 217, Inc. 303 N. Country Fair Dr. Champaign, IL 61821 tony@217inc.com 309-351-4469

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 construction would be enhancing the inside of the detached garage, which would not be accessible to the general public, but to invited guests and potential tenants only. With a bathroom and a kitchenette, it would be a complete space for a person to be able to live. There is a shortage in housing units for students at the University of Illinois, especially for first-year students who are required to live on campus. This also becomes an issue for more-tenured students who need to find housing close to campus. 602 W High St. is just 3 blocks from campus. Within the 3-block walk to campus there are several other existing student housing options so a new unit would not be out of the ordinary.

Exhibit D - Application for Conditional Use Permit

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 outside of the building would be largely unchanged by the new construction. A casement window would be added to the building by replacing an existing window to allow for a second form of egress to and from the building. The parking spot for a tenant (if the space is rented) would be offered within the current garage and / or driveway. Post-construction, the space would become a large studio apartment with limited ability to host loud or late-night parties (a guest limit would be stipulated in the lease as well if possible). Tenants and rental units are already a normal part of the community. Construction would occur during normal business hours (9am-5pm) and would take place mainly on the inside of the structure, complying with the neighborhood's noise rules. When in use, the space would be a secondary inhabitable area, which is similar to the residential nature of the area. The driveway, garage and (potentially) a part of the street closest to the house would suffice to park the cars of the contractors and skilled workers employed for the project.

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?:

There is no new construction on the outside of the building, so the character of the building would be largely unchanged. Hosting family members is also a normal activity at a personal residence. Tenants are already part of the community already so its potential use as a rental space would not introduce a new element to the area.

ATTACHMENTS

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

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

Exhibit D - Application for Conditional Use Permit

Applicant Signature Upload:

signature.png

Signer Name:

Zainab Calcuttawala

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[Terms of Use \(TermsofUse.pdf\)](#)
[Privacy Policy \(PrivacyPolicy.pdf\)](#)

Exhibit E: Public Input

C. K. Gonsalus & Michael W. Walker

<REDACTED>

<REDACTED>

March 12, 2018

Zoning Board of Appeals,
Re Case ZBA-2025-C-01: request by Zainab Calcuttawala for a Conditional Use Permit

Dear Board Members:

As nearby neighbors of the property at 602 W. High Street who were notified of the upcoming hearing, we wish to express our support for the conditional use permit requested to allow a second principal structure.

We appreciate very much the process that alerts us and allows us to comment on proposed changes that could have an immediate impact on us, our property, and the surrounding neighborhood.

The request relates to the existing detached garage, which is within the current footprint of structures on this very large lot. This structure was built to match the historic style and character of the house and is an asset to the area. We do not believe that creating an additional dwelling unit there will unduly increase the density nor affect the historical nature of the neighborhood. Finally, the use seems entirely appropriate given the R-3 zoning of the property and that it meets all R-3 regulations.

We support this request by our neighbors for a conditional use permit.

Thank you for your service.

Cordially,



C. K. Gonsalus



Michael W. Walker

Exhibit F – Site Photos



Figure 1. From southwest



Figure 2. From south

Exhibit F – Site Photos



Figure 3. From southeast



Figure 4. From southeast – intersection