STAFF REPORT
Decatur Zoning Board of Appeals

Hearing Date	April 8, 2021
Case No.	21-02
Property Location	2400 South Franklin Street
Request	Reduce the required setback line of an Electronic Message Unit from a residential district/use from 100 feet to 84 feet of the boundary of a residentially zoned district or residential use to allow for the construction of a sign with an electronic message unit for the existing church
Petitioner	Bendsen Signs and Graphics, Inc.
Representative	Bendsen Signs and Graphics, Inc.

BACKGROUND

The subject site is currently zoned R-3 Single Family Residence District on an approximately 9.92-acre lot occupied by an existing church and school. The new proposed EMU sign will meet the required setback of ten (10) feet from the property line.

Surrounding Land Use and Zoning

Direction	*Existing Land Use*	*Zoning*	*Comprehensive Plan*
Subject Property	Church	R-3	Schools – Public & Private
North	Single Family Residence	R-3	Residential – Low Density
South	DPS District 61	R-3	Open Space
East	Single Family Residence	R-3	Residential – Low Density, Open Space
West	Single Family Residence, Church	R-3	Residential – Low Density, Institutional

REQUEST

The petitioner is requesting a variance from the provisions of the Zoning Ordinance to allow for the construction of an Electronic Messaging Unit (EMU) sign. The proposed new EMU sign would maintain eighty-four (84) feet to the boundary of a residentially zoned district instead of the required one hundred (100) foot setback line from a residential district or use. The proposed cabinet will be 33"H x 94"W and the viewing area of the sign will be 24"H x 84"W. The existing sign will be retrofitted for the new sign which will have some sort of brick/masonry-base.

STAFF ANALYSIS

According to the City of Decatur Zoning Ordinance, a variance must meet three standards in order to be granted. The first standard requires the applicant to show that the property in question is in harmony with the general purpose and intent of both City of Decatur Comprehensive Plan and regulations of the Zoning Ordinances. The property in question meets the desired future land use classification of "Schools – Public & Private" in accordance with the Comprehensive Plan. The variance, if granted, would not be in harmony with the general purpose and intent of the Zoning Ordinance. The general purpose and intent of the Zoning Ordinance in Section XXV.B.9.c.

Signage-Generally-EMU Signs requires EMU signs to be no larger than thirty-two (32) square feet and cannot be located within one-hundred (100) feet of the boundary of any residentially-zoned district or residential use. The petitioner is maintaining that size limitation but, the proposed EMU will be eighty-four (84) feet from the right-of-way line of South Franklin Street. As a result, the first standard can be met for the proposed EMU sign.

The second standard requires the applicant to demonstrate the existence of practical difficulties or a non-economic hardship. It could be argued that since the proposed EMU would sit back 100 feet from the residentially zoned district/use, it could be hard to see making the proposed sign overlooked by parishioners, parents, and students. Also, changing the messages manually is more taxing on the staff. This is especially true during inclement weather. The petitioner will be able to change the EMU electronically from their office. The proposed EMU will meet the required 10-foot setback from the western property line. As a result, this second standard can be met.

The third standard requires the applicant to show that the variance, if granted, would not alter the essential character of the locality or have a negative impact on the surrounding properties. Granting a variance for an EMU to be 84 feet away from a residential district/use instead of the required from 100 feet will not alter the essential character of the locality and will not negatively impact the neighboring properties. The proposed EMU will be constructed at the same location of the existing sign which has been at this location for a number of years. The variance, if granted, should not affect the adequate supply of air. Therefore, staff believes that the third standard can be met.

STAFF RECOMMENDATION

Staff recommends the approval of this requested variance for reduction of the required setback line of an Electronic Message Unit (EMU) from a residential district/use from 100 feet to 84 feet of the boundary of a residentially zoned district or residential use along the west property line with the following condition:

1. Electronic message unit signs located in any residentially-zoned district shall only be permitted in an electronic message unit monument style sign structure and constructed of stone and/or masonry.

ZBA ACTION

The Zoning Board can approve the variance request as presented, deny the variance request or modify the request as appropriate.

This report constitutes the testimony and recommendation of the Planning and Development Division, Community Development Department.

Joselyn Stewart
Planner

ATTACHMENTS

1. Petition
2. Location & Zoning Map

	City of Decatur, Illinois
	PETITION FOR VARIANCE
	Zoning Board of Appeals
	Economic and Urban Development Department One Gary K. Anderson Plaza 424-2781 Decatur, Illinois 62523-1196 FAX 424-2728

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION					
Petitioner	Bendsen Signs & Graphics, Inc.				
Address	1506 E. McBride Avenue				
City	Decatur	State	Illinois	Zip	62526
Telephone	217-877-2345	Fax	217-877-2347	E-mail	jt@bsg1946.com
Property Owner	Roman Catholic Diocese of Springfield/Holy Family Parish of Decatur				
Address	1615 W. Washington				
City	Springfied	State	Illinois	Zip	62702
Telephone	217-698-8500	Fax		E-mail	info@dio.org
Representative	Bendsen Signs & Graphics, Inc.				
Address	1506 E. McBride Avenue				
City	Decatur	State	Illinois	Zip	62526
Telephone	217-877-2345	Fax	217-877-2345	E-mail	jt@bsg1946.com

SECTION TWO: SITE INFORMATION						
Street Address	2400 S. Franklin Street					
Legal Description	L 0077 B 00 SOUTH SHORES 10TH ADD IRREG					
Present Zoning	✓ **R-1**	☐ **R-2**	☐ **R-3**	☐ **R-5**	☐ **R-6**	Is this property a Planned Unit Development?
	☐ **B-1**	☐ **B-2**	☐ **B-3**	☐ **B-4**	☐ **O-1**	☐ YES Approval Date: _____
	☐ **M-1**	☐ **M-2**	☐ **M-3**	☐ **PMR-1**		☐ NO
Please list all improvements on the site:						
Size of Tract	9.92 ☐ SF ✓ AC					

SECTION THREE: REQUESTED ACTION

Check One:	☑ Variation of Specified Site Requirements (e.g. setbacks)	☐ Variation of Parking & Loading Requirements	☐ Other - classification of use, off-street parking in an "R" zone, special circumstances, etc.
Description	*Please state the reason for exception, variation or appeal to the Zoning Board of Appeals. Be as specific as possible, detailing the circumstances that make an appeal necessary. Additional descr iption pages may be attached.*		

Applicant is seeking a setback variance for an LED message center to be installed into the existing freestanding sign structure. The sign ordinance states that an EMU sign must have a 100-ft. setback from the nearest residential property line. The current sign location is 84-ft. away from the nearest residential property line. The applicant is therefore seeking a 16-ft. setback variance.

SECTION FOUR: ATTACHMENTS

Description	*Please list any attachments and/or supporting documents below:*
	Sign rendering and location map.

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

SECTION FIVE: CERTIFICATION

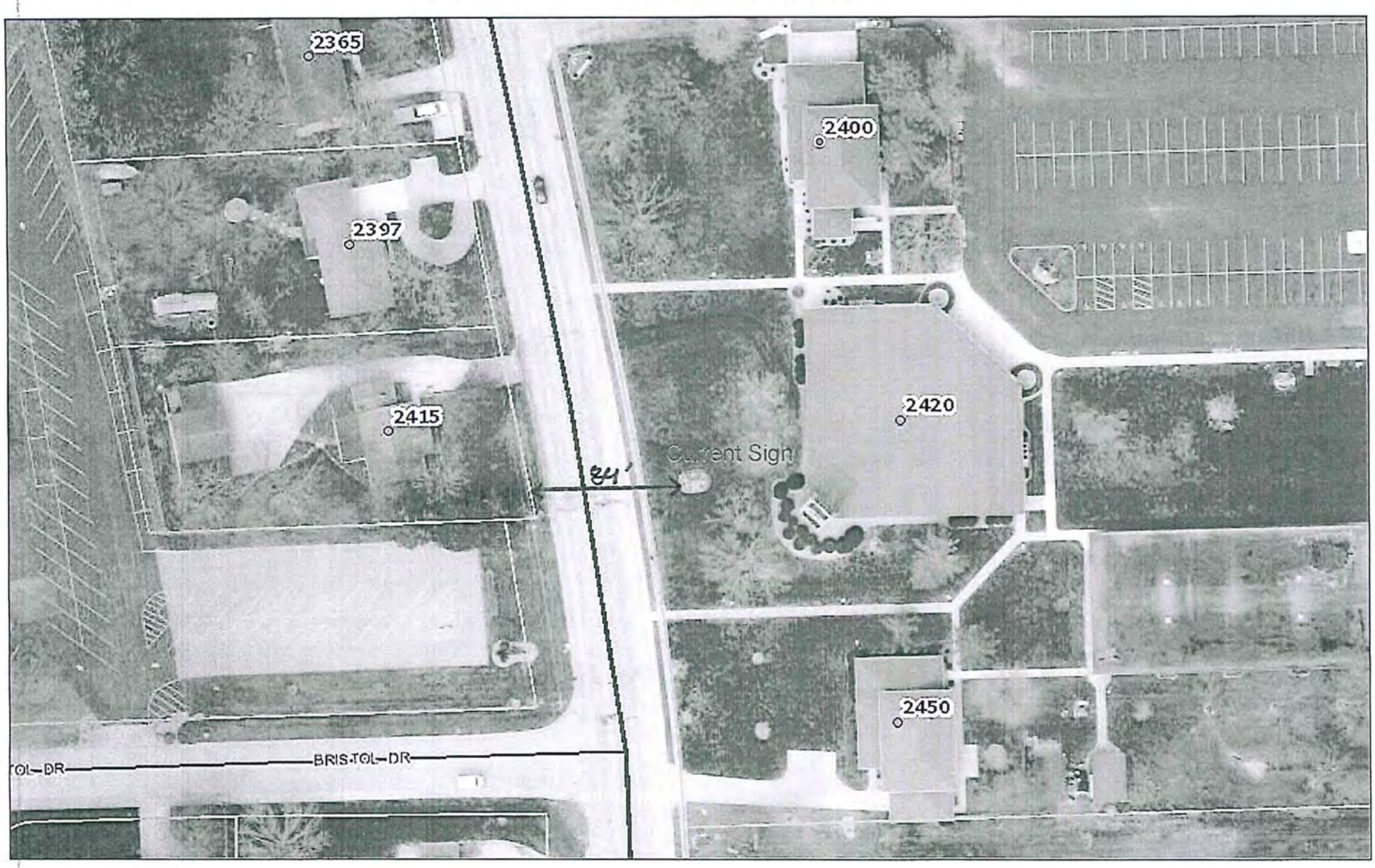
	To be placed on the agenda of the regular meeting on the second Thursday of the month at 4:00 PM in the City Council Chamber, petition must be received on the first Thursday of the prior month. Petitioner or a representative must be present to make statements to the Board and to answer questions. Incomplete or erroneous petitions may delay items being heard by the Zoning Board of Appeals.		
Petitioner's Signature		**Date**	3/3/2021

NOTES:

1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. A filing fee of **$150.00** is charged for all requests for property in the R-1, R-2, R-3 and R-5 districts, and **$250.00** for property in all other districts. Please make checks payable to the City of Decatur.

2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Zoning Board of Appeals hearing. Said sign will be removed within 15 days of the Zoning Board hearing.

Decatur Digital Atlas



3/3/2021, 10:57:18 AM

- Addresses
- **Roads (small scale)**
- <all other values>
- Interstate Highway
- State Route or U.S. Highway
- Arterial
- Residential
- County Highway

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

City of Decatur, IL and County of Macon, IL

City of Decatur, IL
City of Decatur, IL and County of Macon, IL |

EXISTING

Quantity: One (1) double sided, full color EMC to replace existing changeable letter section

Cabinet - 33"H x 94"W

Viewing Area - 24"H x 84"W

Bendsen
Signs & Graphics, Inc.
1506 E. McBride
Decatur, Illinois
62526
Phone: 217.877.2345
Fax: 217.877.2347
www.bsg1946.com

Project:
Holy Family

Address:
Decatur, IL

Account Manager:
Jason Tompkins

Designer:
E.S.

Scale: N.T.S.

Design No. HF_100

Date: 2-26-21

Revisions:

-APPROVALS-

ACCT. MANAGER	DATE

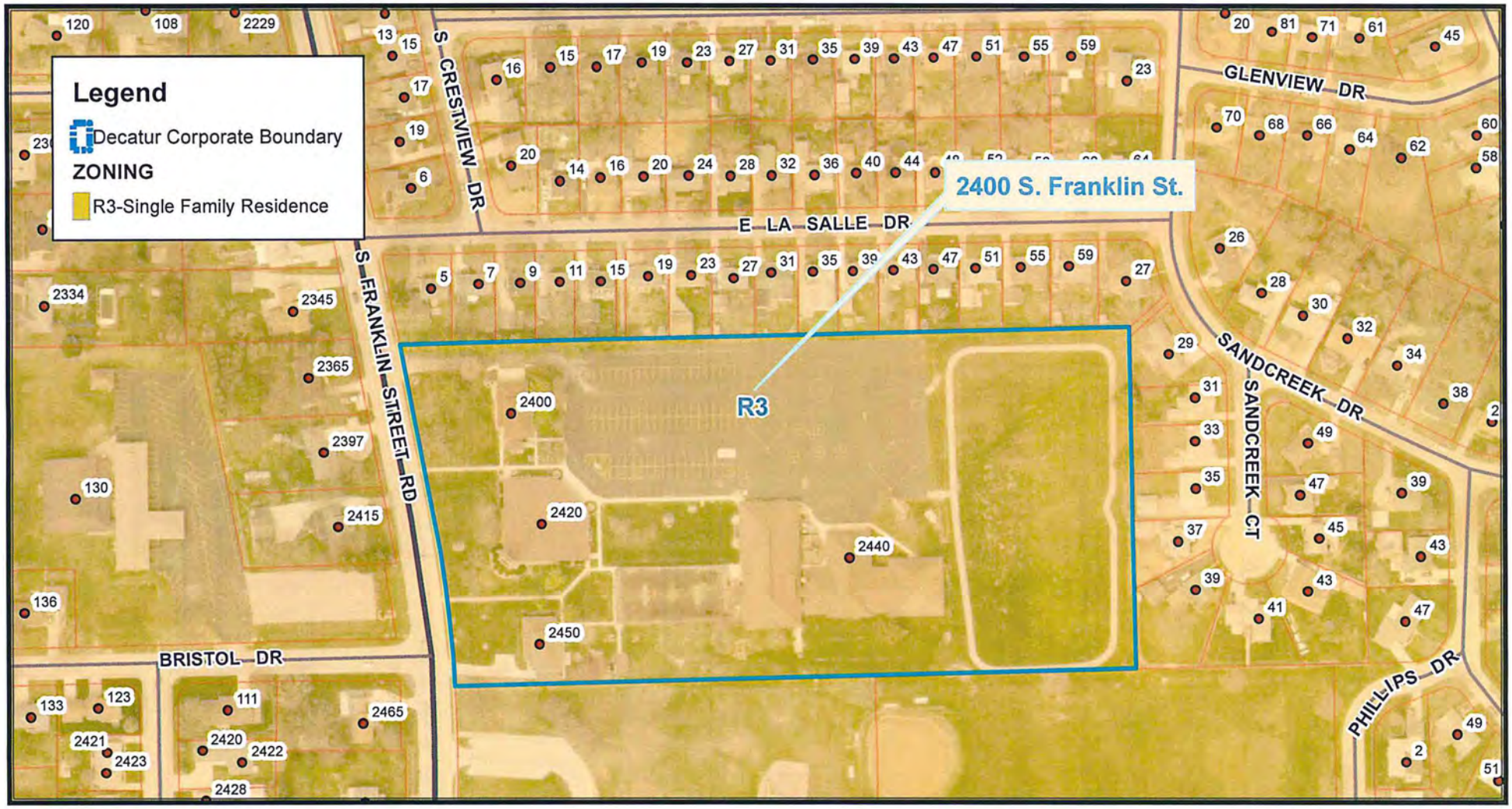
DESIGNER	DATE

CUSTOMER	DATE

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendsen Signs & Graphics, Inc. It is not to be shown or described to other nor is it to be used, reproduce, copied or exhibited in any fashion.

Note: Proofs will predict design layout, text accuracy, image proportion and placement. Colors on a digital screen or printed proof may not reflect actual color.

Decatur Zoning Board of Appeals
2400 S. Franklin St.



Case No:	21-02
Date:	April 8, 2021
Petition of:	Bendsen Signs and Graphics, Inc.
Requested Action:	Reduce the required setback line of an EMU from a residential district/use from 100 ft to 84 ft

N
W E
S

1 inch = 200 feet