

**MINUTES
ZONING BOARD OF APPEALS
REGULAR MEETING
Wednesday, August 17, 2016, 4:00 P.M.
Council Chambers, City Hall
109 East Olive Street, Bloomington, Illinois**

Members present: Chairman Briggs, Mr. Brown, Mr. Bullington, Ms. Meek, Mr. Kearney

Members absent: Mr. Simeone

Also present: Mr. Tom Dabareiner, Community Development Director
Mr. George Boyle, Assistant Corporation Counsel
Ms. Katie Simpson, City Planner

Mr. Dabareiner opened the meeting at 4:02 p.m. and called the roll. With five members in attendance, a quorum was present.

PUBLIC COMMENT: None

The Board reviewed the minutes from July 20, 2016. Ms. Meek offered two corrections. A motion to approve the minutes with corrections was made by Ms. Meek; seconded by Mr. Bullington, and was **approved** by a 5-0 vote as follows: Mr. Bullington—yes; Mr. Ireland—yes; Mr. Kearney—yes; Ms. Meek—yes; Chairman Briggs—yes.

Chairman Briggs confirmed today's case had been published and explained the meeting procedures. City staff introduced themselves. Mr. Dabareiner stated all items were properly published.

REGULAR AGENDA:

SP-05-16 Consideration, review and approval of the petition submitted by Daniel and Linda Maxedon for a Special Use Permit to allow a single family dwelling in the B-1, Highway Business District for the property located at 1101 Morrissey Drive.

Chairman Briggs introduced the case. Daniel Mazedon, petitioner, was sworn in. He explained that they wish to sell the home but prior to the buyer's ability to obtain financing the special use is needed to assure the residence could be rebuilt. He added that his mother-in-law lived there. He asked the Board for their approval.

Ms. Simpson presented the staff report and recommended in favor of the Special Use. She stated the current residence is a nonconforming use, which is what most people think of as being "grandfathered" but to bring it into conformity, which is what the financing entity requires, a Special Use is required. She described the lot noted that all lot requirements and building setbacks are met. She described the neighboring uses and presented photos of the property and the surrounding area. Ms. Simpson reviewed the standards and found that the request meets each, which she described briefly.

Chairman Briggs asked why the Special Use was needed; Ms. Simpson noted that the building is legal nonconforming but, without the Special Use, it could not be rebuilt if it were destroyed by fire or other reason. Chairman Briggs asked whether an addition would need to come before the ZBA; Ms. Simpson confirmed that expansion of a nonconforming structure is prohibited but with the Special Use awarded the property can build a legal addition without coming before the ZBA. She added that maintenance is allowed, but the use and structure could not change.

Chairman Briggs requested a roll call vote on Case SP-05-16, which was **approved** by a 5-0 vote as follows: Mr. Bullington—yes; Mr. Brown—yes; Mr. Kearney—yes; Ms. Meek—yes; Chairman Briggs—yes.

OLD BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT: 4:14PM

Respectfully,

Tom Dabareiner AICP