

**AGENDA
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, MARCH 21, 2018
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES:** Consideration, review and approval of Minutes from the February 21, 2018 meeting.
- 5. REGULAR AGENDA**
 - A. Z-04-18** Consideration, review and action of a petition submitted by EA Architecture and Design for a variance to allow a reduction in parking by 25 spots at 2301 Castleton Dr.(**Ward 3**). **WITHDRAWN**
 - B. Z-08-18** Consideration, review and action of a petition submitted by John Reynolds for a variance to allow a four foot reduction in the front yard for a room addition at 1106 E Taylor St. (**Ward 4**).
 - C. SP-03-18** Consideration, review and action of a petition submitted by Krishna Balakrishnan, Terra, LLC for a special use permit to allow for condominium development in the B-1, Highway Business District (**Ward 3**).
- 6. OTHER BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**

For further information contact:

Izzy Rivera, Assistant City Planner
Department of Community Development
Government Center
115 E. Washington Street, Bloomington, IL 61701
Phone: (309) 434-2226 Fax: (309) 434-2857
E-mail: irivera@cityblm.org

**DRAFT MINUTES
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, FEBRUARY 21, 2018
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Mr. Jeff Brown, Ms. Victoria Harris, Ms. Barbara Meek, Mr. Robert Schultz, Mr. Richard Veitengruber, and Chairman Tristan Bullington

Members absent: Mr. Michael Butts

Also present: Mr. George Boyle, Assistant Corporation Counsel
Mr. Bob Mahrt, Interim Community Development Director
Ms. Katie Simpson, City Planner
Ms. Izzy Rivera, Assistant City Planner

Ms. Simpson called the roll at 4:05 p.m. With six members present, the Zoning Board of Appeals established a quorum.

PUBLIC COMMENT: None.

MINUTES: The Zoning Board of Appeals reviewed the January 17, 2018 regular meeting minutes. Mr. Brown motioned to approve the minutes; Ms. Meek seconded the motion. The Board approved the minutes by voice vote, 6-0.

REGULAR AGENDA:

SP-02-18 Consideration, review and action of a petition submitted by 616 IAA Dr. LLC for a special use permit to allow offices in R-3B, High Density Multiple Family Residence District at 616 IAA Dr. (Ward 5)

Z-06-18 Consideration, review and action of a petition submitted by 616 IAA Dr. LLC for a variance to allow no screening from adjacent residential districts at 616 IAA Dr.. (Ward 5)

Chairman Bullington opened the public hearing and introduced cases SP-02-18 and Z-06-18. The petitioner's Attorney Mr. Todd Bugg, 1001 N. Main St. Bloomington, IL, and Mr. Mark Fetzer, 1305 Winterberry Rd, Bloomington, IL, were sworn in. Mr. Bugg provided background on the subject property. He stated the building was built in 1969 as a daycare but had also been used for office purposes. Mr. Bugg explained that the petitioner is requesting a special use permit because the property's previous special use permit expired when the property was vacant for more than six months while listed for sale. Mr. Bugg described the surrounding topography and uses, and the existing setbacks. Mr. Bugg stated he and his client request a waiver of the screening requirement. He expects no change in the value, use, or nature of the property and surrounding properties as a result of granting the variance. He explains that the use will continue as it was prior to being listed for sale. Mr. Bugg fears that the screen will block the view of the adjoining apartment complex and requests that the variance is granted.

Mr. Schultz confirmed the location of the proposed screen is on the north and west lines of the property. Mr. Schultz stated that the screen, either a fence or a hedge, could obscure the

apartment complex resident's vision of the cars parked behind the office building. Mr. Bugg affirmed and stated he thinks the fence might obscure the first floor occupant's general views. Ms. Harris stated that she thinks the hedges may serve as noise barrier and an improvement to the property. She believes an obstruction to the parking lot may not be a detriment to the residents. Ms. Harris asked if the apartment complex density had increased recently. Mr. Bugg stated he believed the population has remained the same.

Ms. Meek asked if the variance requested applied to screening between the apartment complex and the single-family residences west of the site. Mr. Bugg affirmed and stated his client would prefer the variance is granted along both side; however, he feels a variance is especially warranted along the west boundary because the physical separation between the single-family homes and the parking lot is greater and that the creek serves as a small buffer. Mr. Brown asked if the petitioner is concerned with the cost of the screening. Mr. Bugg affirmed that the fence could cost about \$6,000.00. Mr. Schultz asked if shrubs or trees could be used. Mr. Bugg stated a fence is preferred because it is compliant and requires less maintenance than shrubs or trees. Chairman Bullington asked if installation would require changes to the property. Mr. Bugg stated he did not believe any changes would be required.

No one spoke in favor of the petition. No one spoke in opposition of the petition.

Ms. Rivera presented the staff recommendation and report for both cases. She stated staff is supportive of the Special Use permit but recommends against the variance request. Ms. Rivera described the general purpose and intent of the zoning ordinance and the sign ordinance. She shared pictures of 616 IAA Drive and a zoning map of the area. Ms. Rivera described the surrounding uses and the property. Ms. Rivera shared pictures of the parking lot and neighboring apartment complex. She provided a brief history on the site and described the seven variances approved in 2003. Ms. Rivera shared an aerial view of the site and highlighted the areas of the parking lot where the City is requesting screening. Ms. Rivera reviewed standards for the special use permit and shared staff's positive recommendation. Ms. Rivera reviewed the standards for a variance. She explained that staff could not identify a physical hardship associated with the site and necessitating a variance. She stated that the site is nonconforming, and identified the special use permit request as an opportunity to bring the property into conformance with the code requirements. She explained that staff is recommending denial of the variance.

Mr. Bullington asked about a photo of the site showing three cars parking in the parking lot, he asked if the apartment complex is surrounded by parking on three sides. Mr. Schultz commented on the small berm west of the site and identified that the neighbor had planted small evergreen trees. Ms. Meek asked if the fence would be located under the soffit of the buildings. Ms. Simpson clarified that the fence would be installed behind the building. Mr. Veitengruber asked if staff knew when the apartments were built and why screening had not been added. Ms. Rivera explained that the standards in 2003 could have been different. Mr. Veitengruber asked about setbacks and stated that he feels the buildings are very close. Ms. Meek asked to see the list of variances previously granted, and stated that the property has not changed other than the special use. Ms. Rivera confirmed. Mr. Schultz clarified the location of the screen. Ms. Simpson explained the fence or screen could help prevent other people from using the parking lot without permission.

Chairman Bullington asked the petitioner if they are opposed to the apartment tenants using the parking lot. Mr. Bugg stated that his client would prefer that tenants did not park there but does not want to create trouble and is trying to be a good neighbor. Mr. Bugg stated his client would prefer to have a variance from the requirement on the north and west property lines, but in the alternative would prefer a variance from the screening on the west property line. Chairman Bullington closed the public hearing.

Mr. Brown asked if there were pictures from the house towards the parking lot. Ms. Rivera shared a picture from the parking lot looking west to the house. Mr. Brown asked about an outbuilding on the property.

Following the Board discussion, Chairman Bullington requested a vote on the Special Use petition. He stated a “yes” vote is to “approve” the Special Use petition.

The Special Use Petition was unanimously approved, 6-0, with the following votes cast: Mr. Brown—yes, Ms. Harris—yes, Ms. Meek—yes, Mr. Schultz—yes, Mr. Veitengruber—yes, Chairman Bullington—yes.

Chairman Bullington requested a vote on the Variance petition, as presented. He stated a “yes” vote signifies “approval” of the Variance and that four affirmative votes are required.

The Variance was approved 4-2 with the following votes cast: Mr. Brown—yes, Ms. Harris—no, Ms. Meek—yes, Mr. Schultz—no, Mr. Veitengruber—yes, Chairman Bullington—yes.

C. Z-04-18 Consideration, review and action of a petition submitted by EA Architecture and Design for a variance to allow a reduction in parking by 25 spots at 2301 Castleton Dr. (Ward 3).

Chairman Bullington introduced the case and Mr. Russell Arbuckle, architect representing the petitioner, was sworn in. Chairman Bullington asked Mr. Arbuckle if he had reviewed the staff recommendation to table the case until the following meeting so the petitioner could provide an agreement for shared parking and staggered hours of operation for the property. Ms. Simpson clarified that staff is recommending against the petition absent the shared parking agreement; she asserted that conditional approval could not be given for the variance. Mr. Arbuckle stated he would like time to discuss this request with his client. Ms. Harris requested that evidence asserting each business will have different hour be provided. Chairman Bullington moved to table case Z-04-18 until the next scheduled regular meeting on March 21, 2018. Mr. Brown seconded the motion. The Board voted unanimously by voice vote, 6-0, to table case Z-04-18 until the March 21, 2018 regular meeting.

D. Z-05-18 Consideration, review and action of a petition submitted by Picture This Media LLC for a variance to allow a 70 ft reduction in distance between signs at 1701 S Veterans Rd. (Ward 1).

Chairman Bullington introduced the case and opened the public hearing. Mr. Veitengruber recused himself from the meeting at 4:40 pm. Mr. Patrick Cox, Attorney for the petitioner, was sworn in. Mr. Cox addressed the standards for a variance from Chapter 44, Section 13-4E2. Mr. Cox provided a brief timeline of events detailing the removal of a previous off-

premise sign to allow for the new sign and the installation of an on-premise sign at the adjoining property prior to the installation of the new off-premise sign. He stated the strict interpretation of Chapter 3 Section 5.7k, creates undue hardship for his client by disallowing the petitioner to install a new off-premise sign. He stated this scenario is specific to this site and unlikely to apply to other sites. He stated that the variance should not establish precedence because it is unlikely an interruption during the application process, like that experienced by his client, will happen again. Mr. Cox provided three sets of photographs and a list of previous clients. Chairman Bullington incorporated the items into the public record by marking the items as "Petitioner's Exhibits 1-4", and he distributed the exhibits to the Board. "Petitioner's Exhibit 1" illustrated a sign of Owen's Nursery. "Petitioner's Exhibit 2" showed a sign of TGI Friday's restaurant. "Petitioner's Exhibit 3" portrayed of the Popeye's Restaurant on the west side of Bloomington. "Petitioner's Exhibit 4" detailed a list of the petitioner's clients. Mr. Cox stated that, in the event that the Board does not find that an unreasonable hardship exists but determines that some hardship exists, he distributed the aforementioned exhibits as evidence that the proposed sign are of particularly good taste and that the entire site is particularly well landscaped and maintained. He stated the three pictures represent signs the petitioner owns and operates and provides a true representation of the petitioner's quality of work. The client list, he stated, provides evidence that the petitioner contracts with reputable people who advertise in good taste.

No one, outside of the petitioner, spoke in favor of the variance request. Mr. Nathan Hinch, Attorney, 404 N. Hershey Road, Bloomington IL, and Mr. Tom Dalton, 403 Cobblestone, Heyworth, IL, were sworn in to speak in opposition to the petition. Mr. Hinch stated Mr. Dalton is the owner of the adjacent property, located at 1703 S. Veterans Parkway, where the small sign is located, and that the proposed billboard would be placed within the 100 ft. buffer from the sign. Mr. Hinch spoke in opposition to the variance request because the variance would cause significant hardship to his client, he feels the petition does not meet the standards required for granting a variance, and disagrees that the special conditions for a variance exist. Mr. Hinch introduced seven exhibits. The exhibits were marked "Respondents Exhibits A-E." The first exhibit, Exhibit "A" illustrates the adjacent property purchased by Mr. Dalton in June, and the surrounding properties and the previous billboard located on the subject property. The second exhibit, Exhibit "B", depicted a rendering of the building, the former Midwest Food Bank, mocked up to show what the proposed billboard may look like at his business. A person is shown on the exhibit to provide reference to heights of the proposed billboard and existing small sign. Mr. Hinch described his clients business, an online sign company called Signs Direct Inc. He stated he does not believe his client is in direct competition to the petitioner. Exhibit "B" also shows Mr. Dalton's plans to develop the property and remodel the existing business. Mr. Hinch described the previous wall sign Midwest Food Bank had, and stated that area could be used by his client or tenants. Mr. Hinch stated his client is considering installing windows at that spot too. Another photo on Exhibit "B" illustrated the other side of the building owned by Mr. Dalton. Mr. Hinch described Exhibit "C", a map rendering with text prepared by his client referencing a study that shows the building's east exterior wall, from a marketing perspective, is the best spot for advertising because of visibility as well as traffic safety. Mr. Hinch explained the east wall is located on the same side of the road as traffic and reduces the driver's need to look across multiple lanes of traffic or being oriented parallel to traffic.

Mr. Hinch referred to the minutes from the previous hearing held in January 2017 and addressed clarifications about the timeline of events. Mr. Hinch stated his client purchased the property in June and “his client was not sitting on his hands in some nefarious scheme to wait for the old sign to be taken away and then come into the city and apply for a sign and pull a fast one on somebody.” He stated his client applied for his sign permit within a week or two of closing on the property. Mr. Hinch referenced testimony presented by Mr. Mahrt at the previous hearing describing the petitioner’s application timeline beginning with a submittal on November 2016 and were notified by email on November 18 that the city could not approve the permit because of a previous unpermitted billboard on the premises. He stated that the petitioner waited four months to remove the previous sign and three months to apply for the state permit, and that the petitioner waited seven months to move on the application. He stated that his client applied for his sign permit at the same time that the petitioner applied for their IDOT (Illinois Department of Transportation) permit.

Mr. Hinch cited Mr. Mahrt’s testimony at the previous hearing describing the 100 ft. buffer requirement for on premise and off-premise signs and its application. Mr. Hinch referenced the unpermitted billboard that was already on the premises. He stated he feels that the petitioner’s argument is mistaken. Mr. Hinch summarized the petitioner’s argument that client would not have been able to install his on premise sign because of the unpermitted billboard. He stated that his client would have been allowed to install his sign because the previous billboard had not been permitted by the city, and consequently the regulation did not apply. He stated this is relevant for weighing the hardships of a petition for a variance. Mr. Hinch stated that the record does not provide evidence that there are no alternative locations for the proposed billboard on the site. He feels that there are alternative locations for the proposed billboard on the property that will not block his client’s building. He feels granting the variance will establish precedence for a digital billboard to block a building.

Mr. Hinch stated that the circumstances and hardships were created by the petitioner, who, as he described, had a nonconforming use which was eliminated and consequently no longer grandfathered. The regular rules of the code apply. Mr. Hinch described Exhibits “D,” which show a survey of other billboards on Veterans Parkway submitted with the petitioner’s IDOT permit, and Exhibit “E”, which represents a map of billboards on Veterans Parkway generated from data gathered from the IDOT Outdoor Advertising Sign database and general observations. Mr. Hinch stated he had not reviewed evidence of the additional standards regarding landscaping and design of the sign, but feels they are relative with an unclear baseline. He stated this is a significant variance that imposes hardship on his client, and would not result in severe hardship for the petitioner, so he is asking the variance be denied. Chairman Bullington offered Mr. Hinch the opportunity to review the Petitioner’s Exhibits 1-4. Mr. Hinch commented that the three photos show digital billboards that do not block buildings. He stated it is unclear if the sign shown is Exhibit 2 is on premise or off-premise advertising but he has observed the sign advertising for goods and services located off-site; he stated the block is essentially a block away from the proposed sign. He said that he has no objections to Exhibit 4, the list of clients.

Mr. Dalton testified that the petitioner’s argument that he is placing an off-premise sign with an off-premise sign is false, Mr. Dalton added that the petitioner is “replacing an illegal off-premise sign with a legitimate off-premise sign.” Mr. Dalton stated that other locations are available for the petitioner. He testified that the petitioner has demonstrated a pattern of using

signs not intended as off-premise signs, as off-premise sign and disregarding codes. He clarified that the billboard had been gone by the time he purchased the building and the sign he installed was used at his previous location.

Mr. Brown clarified that the respondent's main concerns were blocking the building and future improvements as well as blocking the respondent's signs. Mr. Hinch confirmed and added they were also concerned about establishing precedence for allowing a digital sign to block a building. Mr. Brown asked if there was an alternative location on the petitioner's property where the respondent would not have an objection. Mr. Hinch stated he believes there are but he has not discussed specifics with them. Mr. Dalton stated he believes the sign could go where their existing pylon sign is. He stated the petitioner could also seek a permit for signs at other properties they own. Mr. Dalton acknowledged the hardship imposed would also be financial by limiting his ability to rent a portion of his building as well as the exposure on the eastern wall for a tenant's sign and potentially reducing his resale value.

Chairman Bullington offered the petitioner an opportunity to respond to cross examine the respondent. Mr. Cox objected to the respondent's characterization of the petitioner as negligent. He stated his client was actively pursuing the permit and working towards complying with the regulations, including the airport regulation. He stated that his client's sign will not block the current sign that exists on the adjoining property. He stated that the off-premise sign, which was there before, would still be there, had they not taken it down. Chairman Bullington asked if the City could have, at any point, requested that the petitioner remove the previous billboard. Mr. Cox stated that he supposed but was unaware to the extent that the sign was not allowed in the first place. Chairman Bullington asked if Mr. Cox's client had a permit for the previous sign, and questioned whether the previous billboard should have been protected or grandfathered if no permit was had been granted initially. Mr. Cox stated that he is unaware of the process under which the original sign was constructed. Chairman Bullington asked if Mr. Cox disputes the City's characterization of the original sign as 'unpermitted'. Mr. Cox stated he cannot answer the question. Mr. Cox did not address the exhibits presented by the respondent. Mr. Schultz asked if Mr. Cox had been the person negotiating with the City when the permit application was originally submitted. Mr. Cox stated that he was not involved, that is was the owner of Picture This Digital Media. Chairman Bullington asked if Mr. Cox had a copy of the Respondent's Exhibit B, and asked if Mr. Cox agreed that the Exhibit represents the location of the proposed sign. Mr. Cox said that he cannot say that the exhibit is completely accurate nor representative of the appearance of the sign. He stated the location is approximate. Chairman Bullington asked if the height is accurate. Mr. Cox stated that he is unsure. Chairman Bullington asked if there are any alternative locations on the lot that would be in compliance with the 100ft setback.

Ms. Simpson presented the staff report and stated that staff did not find conclusive evidence based on the petition submitted to support the standards for a variance. Ms. Simpson explained that Board could determine the standards to be met and/or hardship to exist based on additional evidence presented at the hearing. Ms. Simpson presented a picture of the subject property and described its location. She stated that the Illinois Department of Transportation requires a permit for outdoor advertising and off-premise signs. Ms. Simpson described the surrounding uses and identified locations of nearby billboards. She explained that the City Code and State Ordinance limits the amount of billboards located on the same side of the street allowed within a half mile to three. Additionally, billboards are required to

have a two hundred (200) ft horizontal separation. Ms. Simpson described the zoning and permitted uses.

Ms. Simpson described the history of the subject property and stated that it was developed in the 1980s, at that time there were no billboards. Ms. Simpson described an aerial of the property highlighting the subject property's on premise pylon sign, the location of the previous billboard, the location of the neighbor's on premise sign, and the location of the proposed off premise sign. She described the proposed scope of work and stated that the message center would have a vertical clearance of 19 ft. She described other locations on the site and stated that a variance could be required for locating the signs on other areas of the property.

Ms. Harris asked if staff could indicate what part of the building would be blocked by the proposed sign. Ms. Simpson stated that staff cannot provide that exact information at this moment. Ms. Schultz clarified that the bottom of the sign would be 19ft high. Ms. Simpson confirmed and added that the message center is also 11 ft tall, so the total height of the sign is 30 ft. Ms. Simpson explained locating the billboard in the proposed location could cause a reduction in parking spaces for the subject property, and that the billboard would have to have a minimum vertical clearance of 14ft. Ms. Simpson stated that the City told the petitioner in November that the City could not approve the permit application because, due to the existing billboard, the proposed sign did not comply with the 200ft separation requirement and would result in more than 3 billboards on the same side of the road for a half mile.

Ms. Meek asked if staff could explain why the City requested that the other billboard be removed. Ms. Simpson clarified that the City did not request that the other sign be removed but told the petitioner that the City could not approve the permit application for a new sign in the proposed location because of the presence of the old sign, and the permit application did not comply with the code requirements. Chairman Bullington asked if the proposed sign is in the same location as the previous sign. Ms. Simpson stated that it is not, and explained that the proposed sign is fifteen feet away from the property line and located in the parking lot. She stated the previous sign was located closer to the property line and in the landscaping setback. Ms. Simpson discussed the standards for a variance and explained that although there is insufficient evidence to determine physical hardship and unique conditions. Ms. Harris stated that it is crucial information to understand which part of the building will be blocked by the proposed sign. Ms. Simpson explained the board could request his information. She stated that the property owner can also consider alternative on premise signs such as a roof sign, wall sign on the south side of the property or ground sign on the west side of the property. Chairman Bullington asked if a variance would be needed if the petitioner located the billboard where the Starbucks sign is currently located. Ms. Simpson stated it would not be necessary. Chairman Bullington asked if the petitioner could seek a variance to locate the billboard closer to the Starbuck's sign; Ms. Simpson affirmed. Ms. Simpson stated that changing the location would most likely require an amendment to the IDOT permit. She identified alternative locations and stated that these locations would still require a variance. Chairman Bullington added that the petitioner could remove the existing on premise sign and locate the billboard in that location without needing a variance. Ms. Harris asked if the adjacent building would still be blocked. Ms. Simpson stated that it is possible but the separation between the sign and building would be greater. Ms. Meek added that blocking the building may be a moot point because someone else could build a building in that location

that blocks the building. Ms. Simpson clarified that the sign code does not address the separation between a building and an off premise sign. Mr. Schultz asked if the petitioner could combine the on premise sign with the off-premise sign; Ms. Simpson affirmed.

Mr. Charles Farner, 7 Pebble Brook Ct, Bloomington IL, owner Picture This Media was sworn in. Mr. Farner asked if the City had a permit for a proposed sign from Mr. Dalton. Ms. Simpson stated that the City has not received a permit application for the improvements illustrated in the Respondent's Exhibit B. Mr. Farner asked if the City had a permit application from the petitioner. Ms Simpson stated a permit application was received in November. Mr. Farner asked if the City had a copy of the state permit. Ms. Simpson stated the City has a copy of the state permit that the petitioner submitted with an appeal. Ms. Simpson stated that City has not received an updated permit. Mr. Farner asked if Mr. Dalton has a permit for his sign, and if the height and width of signs are required. Ms. Simpson affirmed. Mr. Farner asked if his proposed sign would interfere with Mr. Dalton's existing sign. Chairman Bullington clarified the staff recommendation in the report found that the sign may not be detrimental to the neighboring property. Mr. Farner stated he is concerned about having to move his sign. He explained he went through a long process with the state and has an easement with the landlord. He stated he cannot easily move his sign, and that he is not blocking the neighbors sign right now. Chairman Bullington asked if it were possible to move the sign. Mr. Farner stated he would have to re-engineer the sign permit with the state.

Ms. Meek stated that no one owns the air rights over Starbucks and she feels blocking the building is irrelevant to the case, and does not want to focus on irrelevant information. Mr. Cox added that his petitioner does not own the property and does not have control over the lease or the lease with Starbucks. Mr. Hinch stated he disagrees with the comment that blocking the building is irrelevant and that is exactly the reason why the code has buffers. He feels this would be the first time the Board would allow a billboard to block a building. He stated the reason why we are considering a variance is because the application does not comply with the code. He stated his client's building is thirty feet tall, and the height of the sign aligns with the height of the building. He stated Mr. Dalton is willing to testify about how he scaled Exhibit B. Mr. Hinch entered Exhibit F, a copy of the easement between the property owner and the petitioner. He stated Exhibit F does not allow a lot of flexibility to change the location of the sign, but contemplates a sign that would be larger than the previous sign. Mr. Hinch stated he is not accusing the petitioner of legal negligence but suggests that it is disingenuous to imply that staff was negligent. He thinks that staff was not negligent so there were no special circumstances by this property owner. Mr. Dalton added that it will block the sign and building. He shared his credentials as a sign contractor and stated front views are worthless, that this side is the most valuable side of his building.

Mr. Boyle added that four affirmative votes are required to allow a petition for a variance. He added that less than five votes allows an appeal to City Council. Mr. Boyle added that the Board needs to establish findings and amount to all five findings being met. Chairman Boyle discussed the Board discuss the findings first. He closed the public hearing and opened the matter to Board discussion.

Ms. Harris addressed the second factor and stated that she disagrees with the staff finding. She found that if that side of the building is the most valuable to Mr. Dalton, then she determined the variance would violate his right to advertise to the traffic. Ms. Harris added that if there

was an opportunity, in good faith, to have a sign of the same proportion in another place on the property that does not violate the rights of another building owner, then it is an important consideration. Mr. Schultz stated that he feels the petitioner has jumped through multiple hoops, and that neighbor owner could still make use of their property. Mr. Brown added that he disagrees with the staff finding and believes that is the best spot for signage on the neighbor's building. Chairman Bullington stated that cannot agree with the staff finding that this would be detrimental to the adjacent property owner and that the best evidence of that is the respondent's testimony. Ms. Meek stated she believes this would also be detrimental. Mr. Boyle supplemented that the variance needs to establish all five findings before receiving a positive vote. He stated a consensus that one factor is not found then it should also be a consensus that the variance is denied.

Chairman Bullington motioned that the Board find that second factor, the granting of the requested variance would not be materially detrimental to the property owners in the vicinity, has not been met. Ms. Harris seconded the motion. The Board voted the second factor *was not met* by a vote of 1-4, with the following votes cast: Chairman Bullington—yes, Ms. Harris—yes, Mr. Brown—yes, Ms. Meek—yes, Mr. Schultz—no.

Mr. Boyle requested the Board establish findings with relationship to the other factors. Chairman Bullington stated the vote will be to state “met” or “not met”. The Board found the first factor, the literal interpretation and strict application of the provisions and requirements of Chapter 3 of this Code would cause undue and unnecessary hardship to the sign user because unique or unusual conditions pertaining to the specific building or parcel of property in question, *was not met* by a vote of 1-4 with the following votes cast: Mr. Brown—not met; Ms. Harris—not met, Ms. Meek—not met, Mr. Schultz—met, Chairman Bullington—not met.

The Board found the third factor, the unusual conditions applying to the specific proepryt do not apply generally to other properties in the City, *was not met* by a vote of 0-5, with the following votes cast: Mr. Brown—not met; Ms. Harris—not met, Ms. Meek—not met, Mr. Schultz—not met, Chairman Bullington—not met.

The Board found the fourth factor, the sign would not exceed 800 square feet, *was met* by a vote of 5-0, with the following votes cast: Mr. Brown—met; Ms. Harris—met, Ms. Meek—met, Mr. Schultz—met, Chairman Bullington—met.

The Board found the fifth factor, the granting of the variance will not be contrary to the general objectives set forth in Chapter 3, *was not met* by a vote of 2-3, with the following votes cast: Mr. Brown—met; Ms. Harris—not met, Ms. Meek—not met, Mr. Schultz—met, Chairman Bullington—not met.

Mr. Boyle asked the Board to find whether they think factor one is met by virtue of the exception, subfactor one. The Board found that the proposed sign was in good taste, well landscaped and under three hundred feet by vote of 5-0 with the following votes cast: Mr. Brown—met; Ms. Harris—met, Ms. Meek—met, Mr. Schultz—met, Chairman Bullington—met.

Chairman Bullington requested a vote on the variance petition, Case Z-05-18. He stated a “yes” vote signifies “approval” of the Variance and that four affirmative votes are required, keeping in mind that the Board determined that the petition did not meet the standards for a variance. . The Variance was denied 0-5 with the following votes cast: Mr. Brown—no, Ms. Harris—no, Ms. Meek—no, Mr. Schultz—no, Chairman Bullington—no.

Chairman Bullington thanked everyone for his or her patience throughout this process.

OTHER BUSINESS: None

NEW BUSINESS:

Elect New Chairperson.

Chairman Bullington request nominations for Chairperson for the next year. Mr. Boyle stated Chairman Bullington is eligible to serve a second term. Mr. Schultz motioned to nominate Chairman Bullington as Chairman for an additional term. Mr. Brown seconded the motion. Chairman Bullington accepted the nomination. No other candidates were nominated. The Board elected Chairman Bullington to serve as Chairman for another term, 5-0, with the following votes cast: Mr. Schultz—yes; Mr. Brown—yes; Ms. Harris—yes; Ms. Meek—yes; Mr. Veitengruber—absent; Chairman Bullington—yes.

ADJOURNMENT

Mr. Brown motioned to adjourn. Mr. Schultz seconded the motion. The meeting adjourned at 6:16.

Respectfully Submitted,
Katie Simpson
Secretary

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
MARCH 21, 2018**

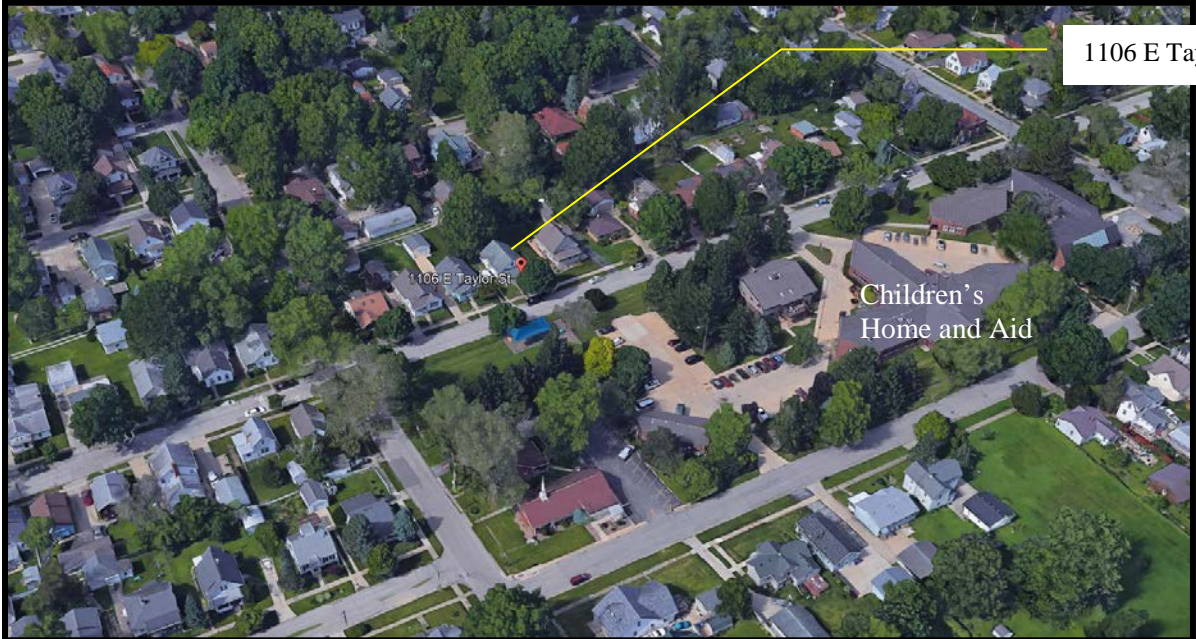
CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-08-18	1106 E Taylor St	Variance	Katie Simpson, City Planner

PROJECT DESCRIPTION:
Remove the existing eight (8) foot open porch and expand the foundation and roofline twelve (12) feet to allow for additional living space. An additional four feet will be added to the front yard.
PETITIONER'S REQUEST:

Section of Code: 44.4-5D Lots and Yards

Type of Variance	Request	Required	Variation
Front yard reductions	12' 6" front yard setback	Block average, approximately 25ft	12ft decrease in required front yard setback representing and addition four (4) foot projection from the footprint of the porch.

STAFF RECOMMENDATION:	<p>Staff finds that the variance will not give special privilege nor be detrimental to the character of the neighborhood. The property was built before the zoning ordinance was established and has a sloped front whereas the other lots are relatively flat. No consistent setback exists for the street.</p> <p><i>Staff recommends the Zoning Board of Appeals approve the variances for 1106 E Taylor St to allow a reduction in the front yard setback, and a front yard of 12'9".</i></p>
------------------------------	--



1106 E Taylor St

NOTICE

The application has been filed in conformance with applicable procedural requirements and legal, public notice for the hearing was published in *The Pantagraph* on March 5, 2018.

GENERAL INFORMATION

Owner and Applicant: John Reynolds

PROPERTY INFORMATION

Legal description: COURTNEY’S SUBN LOT 4-7 & PT LOT 8 MAGOUN’S ADDN E50’
LOT 6

Existing Zoning: R-1C, High-density single family residential
Existing Land Use: Single family home
Property Size: Approximately 6,710 (50 X 131)
PIN: 21-03-377-016

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single family residential
South: R-2, Mixed Use Residential
East: R-1C, Single family residential
West: R-1C, Single family residential

Land Uses

North: Single family home(s)
South: Children’s Home & Aid
East: Single family home(s)
West: Single family home(s)

Analysis

Submittals

This report is based on the following documents, which are on file with the Community Development Department:

1. Application for Variance
2. Site Plan
3. Aerial photographs
4. Site visit

PROJECT DESCRIPTION

Background.

1106 E. Taylor St, the subject property, is located on the 1100 block of E. Taylor Street between Denver Street (west) and State Street (east). This block is a trapezoidal shape with deeper parcels on the east side of the block, by State Street. The E. Taylor St right-of-way also tapers and narrows from approximately fifty-two (52) feet at Denver Street to forty-two (42) feet at State Street. Additionally, a ten (10) foot change in elevation exists between Denver Street and State Street (see contours map attached). 1100, 1102, 1104, and 1106 E. Taylor have a



significantly sloped front yards. The grade begins to stabilize at 1108 E. Taylor St and the remainder of the parcels on the street are relatively flat.

In general, two types of craftsman homes are found on this block of E. Taylor St., one to one and a half story workman's cottages with front gables, and single-story, brick, craftsman cottages with hipped roofs. The subject property is a developed parcel, approximately 6,710 square feet in area (50' X 131'), and improved with a one and a half story single-family home, built in the workman's cottage style. The house has a full open-aired front porch and a low front-gable roof. The 1100 block of E. Taylor St. is improved with similar craftsmen style cottages with projecting front gable roofs, most likely built between 1910-1930. The west end of the street contains homes with a bulk and mass similar to the subject property. These homes were built prior to the establishment of the City zoning ordinance. The 1941 zoning map shows these homes within the "Residential District." The setback for homes built after 1941 is twenty-five (25) feet, and open porches were required to be setback fifteen (15) feet from the property line. The 1956 zoning map shows the homes zoned R-2, Two Family Homes. The remaining lots were improved with single-family, single-story, brick, Craftsman Cottages with hipped roofs and gable roofs, most likely built between 1925-1945. The 1956 zoning map indicates these homes were zoned R-1B, Single Family Residential, with an established minimum setback of twenty-five (25) feet.



Google Street View of 1100 block of E. Taylor St at the intersection of Taylor and Denver. Subject property is located on the east side of the blue house.

Front yard setbacks are measured as the distance between the foundation of the principal structure and the front property line. Open porches are permissible obstructions in the front yard and do not count as part of the principal structure. Enclosed porches, however, are considered part of the principal structure. Because most of these homes have enclosed front porches, the average setback for the first five lots on the west end of E. Taylor St is approximately thirteen (13) to fourteen (14) feet. The front yard setback on the east end of the block, where the homes are single-story, brick cottages, is approximately thirty-four (34) feet. The average front yard setback for the entire street is approximately twenty-five (25) feet.

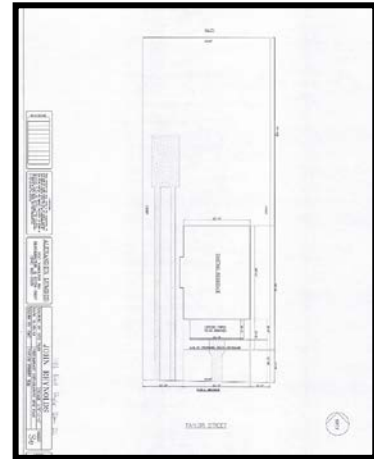
Chapter 44. Section 4-5D allows a front yard setback equal to the block average for neighborhoods improved prior to the adoption of the zoning ordinance. Older neighborhoods in the City of Bloomington consist of long narrow lots with traditionally smaller front yard setbacks to allow greater use of the rear yard, which often contained gardens, outhouses, and/or stables. Additionally, smaller front yards position homes closer to the sidewalks, which decreased walking distances when cars were uncommon. The front yard setbacks for the block are inconsistent. The existing setback at 1106 E. Taylor St. is approximately twenty-five (25) feet, matching the block average. The following front yard setbacks exist along the 1100 block of E. Taylor Street.

**Agenda Item 5B
Z-08-18
1106 E Taylor St.**

Address	Approx. Setback	Address	Approx. Setback	Address	Approx. Setback
1100	11 ft	1108	14 ft	1116	33 ft
1102	12 ft	1110	32 ft	1118	35 ft
1104	13 ft	1112	30 ft	1120	37 ft
1106 ¹	25 ft	1114	37 ft	1122	29 ft
Block Average					25 ft (approximately)

¹Open porches are permissible front-yard obstructions and not considered a permanent part of the principal structure.

Project Description: The petitioner would like to eliminate the existing open-front porch, extend the gable roof-line, and extend the foundation to create an extra living space. The final façade would be flush and not have a porch. The existing front porch is approximately eight (8) feet wide. The proposed expansion would add a four (4) feet front façade projection, resulting in a twelve (12) foot total projection. For reference, the concrete stairs connected to the porch are approximately four (4) feet wide, and project approximately the same distance as the concrete stairs connected to the existing porch. The concrete landing would be reduced to nine (9) feet in length, allowing for four (4) feet of stairs and a five (5) foot landing. The final front yard setback would be twelve (12) feet and six (6) inches, relatively consistent with the homes directly east and west of the subject property.



Since the expansion will result in an increased footprint for the principal structure, and the expansion will encroach into the required front yard, a variance is necessary.

The following is a summary of the requested variations:

Applicable Code Sections:

Section of Code: 44.4-5D Lots and Yards

Type of Variance	Request	Required	Variation
Front yard reductions	12' 6" front yard setback	Block average, approximately 25ft	12ft decrease in required front yard setback representing and addition four (4) foot projection from the footprint of the porch.

Analysis

Variations from Zoning Ordinance

The Zoning Board of Appeals may grant variances only in specific instances where there would be practical difficulties or particular hardships in carrying out strict adherence to the Code. Staff's findings of fact are presented below. It is incumbent on each Zoning Board of Appeals member to interpret and judge the case based on the evidence presented and each of the Findings of Fact.

FINDINGS OF FACT

The petitioner has outlined the request for variation in the attached narrative and drawings. The Zoning Ordinance requires that the petition meet the findings of fact as outlined below.

That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and the subject property was constructed prior to the adoption of the zoning ordinance. The block lacks a consistent front yard setback, although the minimum in 1956 was twenty-five (25) feet. Other homes on the block have larger setbacks exceeding the minimum required by the code; these lots are deeper and flatter than the other lots on the block. The homes constructed at 1100-1108 E. Taylor are closer to the street, with a setback of approximately 13 to 14 feet. The front yard of the subject property slopes significantly. The variance will allow the home to be improved consistent with other Workmens' Cottages adjacent to the subject property; these homes also have sloped front yards and were established prior to the zoning ordinance. The standard is met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the home on the subject property is constructed at the average setback, twenty five (25) ft. Any permanent improvements to the front of the property would result in an expanded footprint. The petitioner could consider reducing the size of the enclosure but would need a variance regardless of the size of the improvement. Adjacent homes have enclosed porches, and front yard setbacks less than the average setback for the neighborhood, and the variance would allow the homeowner to improve their home consistent with the adjoining properties. The standard is met.

That the special conditions and circumstances were not created by any action of the applicant; and the variance is directly related to the average block setback for the neighborhood. A portion of the neighborhood was established prior to adoption of the zoning ordinance, with the lots and the public right-of-way platted prior to adoption of the code. Some homes were built after the ordinance was adopted and comply with a minimum twenty-five (25) foot setback required in 1941 and 1956. The later construction of the eastern portion of the lots and timeline for adopting the ordinance add to the inconsistency in front yard setback for the block. The homes along this street tend to match in architecture but lack a consistent setback, with many exceeding the minimum requirements of our zoning ordinance and other falling below the minimum requirements of the existing ordinance. The average setback is further skewed by the larger front yards associated with larger lots on the east end of the block. The trapezoidal shape of the block and narrower right-of-way contributes to the size of these lots. The standard is met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and the neighborhood consists of Workman's Style Cottage homes, many with enclosed porches, or projecting front gables, and smaller foot front yard setbacks. The adjacent homes have front yard setbacks that vary from eleven (11) feet to fourteen (14) feet. The variance would not allow the applicant a privilege denied by others in the neighborhood and maintains a similar architectural style and appearance. The standard is met.

That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties. Granting the variance will not alter the essential character of the neighborhood. The addition will not encroach into the visibility triangle for the driveway. The projection will be similar to the neighboring homes and maintain a consistent architectural style. To date, staff has not received concerns or opposition to the project. The standard is met.

STAFF RECOMMENDATION: Staff finds that the variance will will not give special privilege nor be detrimental to the character of the neighborhood. The property was built before the zoning ordinance was established and has a sloped front whereas the other lots are relatively flat. No consistent setback exists for the street.

*Staff recommends the Zoning Board of Appeals **approve** the variances for 1106 E Taylor St to allow a reduction in the front yard setback, and a front yard of 12' 9".*

Respectfully submitted,
Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Parcel Map
- Contours Map
- Zoning Map
- Newspaper notice and neighborhood notice
- List of notified property owners

APPLICATION TO ZONING BOARD OF APPEALS

Please consider this as our petition for a variance from the requirement(s) of the Zoning Code. I have provided all information requested herein and attached our site plan and fee.

Site Address: 1106 E Taylor St

Site Address: _____

Petitioner: John C Reynolds [REDACTED]

Petitioner's Email Address [REDACTED]

Petitioner's Mailing Address Street: 1106 E Taylor St

City, State, Zip Code: Bloomington IL 61701

Contractual interest in the property yes no

Signature of Applicant [REDACTED]

Brief Project Description:

Code Requirements Involved:

Variances(s) Requested:

Reasons to Justify Approval by the Zoning Board of Appeals: Your justifications for approval must also be provided in the statement of Findings of Fact.

FEB 27 2010

Site Address: 1106 E. Taylor Bloomington IL. 61701

Petitioner: John C Reynolds. [Redacted]

Petitioner's Email: [Redacted]

Petitioner's Mailing Address: [Redacted]

Contractual interest in property? Yes

Signature of Applicant: [Redacted]

Application To Zoning Board Of Appeals

Brief Project Description: Removal of covered unenclosed porch. Then the rebuilding a closed in living space 12x26, consisting of a living room extension and a full bathroom, and a closet for front bedroom.

Code Requirements Involved: Section 44.4-5D

Variance(s) Requested: 12 foot variance. There will be 12'6' of green space left for the front yard.

Reasons to Justify Approval by the Zoning Board of Appeals: I am engaged to be married and need to add living space for my growing family. The addition to my home will not give me special privileges or have a negative impact on my neighbors. The fixing up of my home will have a positive impact on my neighborhood that I have called my home since 1994.

Statement Of Findings Of Facts

- 1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and**

The living room is in the front of the house. The only way for expansion for the living room is in the front of the house.

- 2. That the variance would be the minimum action necessary to afford relief to applicant; and**

The variance I have requested would be the minimum needed for the living room expansion and the bath/closet for the front bedroom. It would just be 4 feet more depth than the existing unenclosed porch.

- 3. That the special conditions and circumstances were not created by any action of the applicant; and**

No, the circumstances were not created by the applicant.

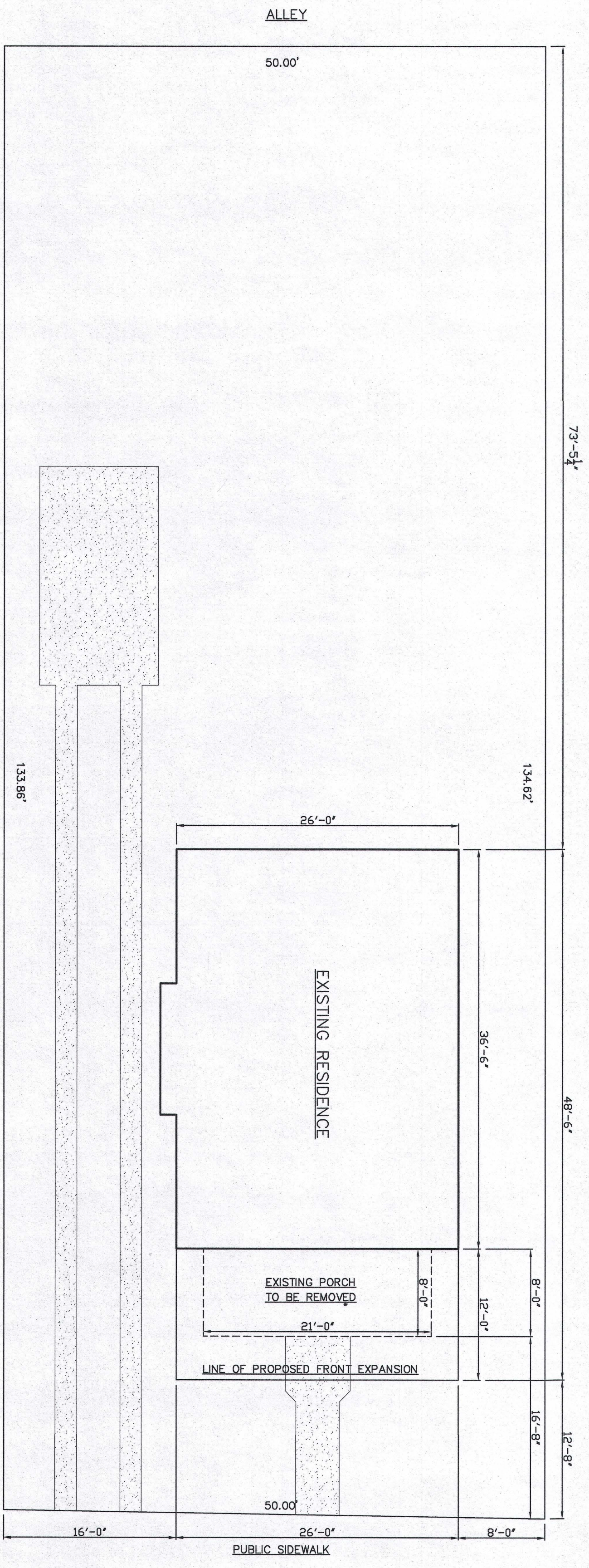
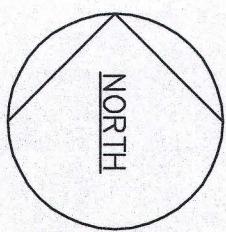
- 4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and**

There will still be houses on my street closer to the line than my requested variance. Therefore, I would not be getting special privileges.

- 5. That the granting of this variance will not be determined to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.**

There will be no hazards to the public's welfare. The variance I am requesting is still 12'6" from the sidewalk, and will not block anyone's line of sight. The character of the neighborhood will not change with my addition. With a new roof and siding it will only make the neighborhood more appealing. It will not impair adjoining properties for use of development. The driveways of both of my neighbors are on the opposite sides of their houses, away from mine.





TAYLOR STREET

ALLEY

73'-5 1/4'

48'-6"

12'-8"

134.62'

36'-6"

8'-0"

12'-0"

16'-8"

26'-0"

21'-0"

LINE OF PROPOSED FRONT EXPANSION

50.00'

PUBLIC SIDEWALK

133.86'

16'-0"

26'-0"

8'-0"

REVISIONS

—ATTENTION—
Every attempt has been made in the preparation of this plan to avoid mistakes, but we cannot guarantee the accuracy of the same. It is the responsibility of the client to check all dimensions, never scale the drawing. All engineering of the General Contractor.

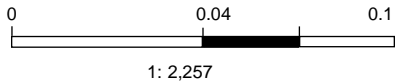
ALEXANDER LUMBER
1707 HAMILTON RD.
BLOOMINGTON, IL 61704-9607
(309) 662-0339

JOHN REYNOLDS
DRAWING OF: SITE PLAN
DATE: 01/25/18
DRAWN BY: CMC
SCALE: 1/8"=1'-0"
PRELIMINARY EXPLORATORY SITE PLAN
SHEET: Se

1106 East Taylor Blv IL



Aerial Map 1106 E Taylor St



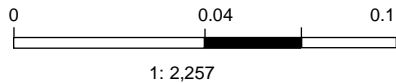
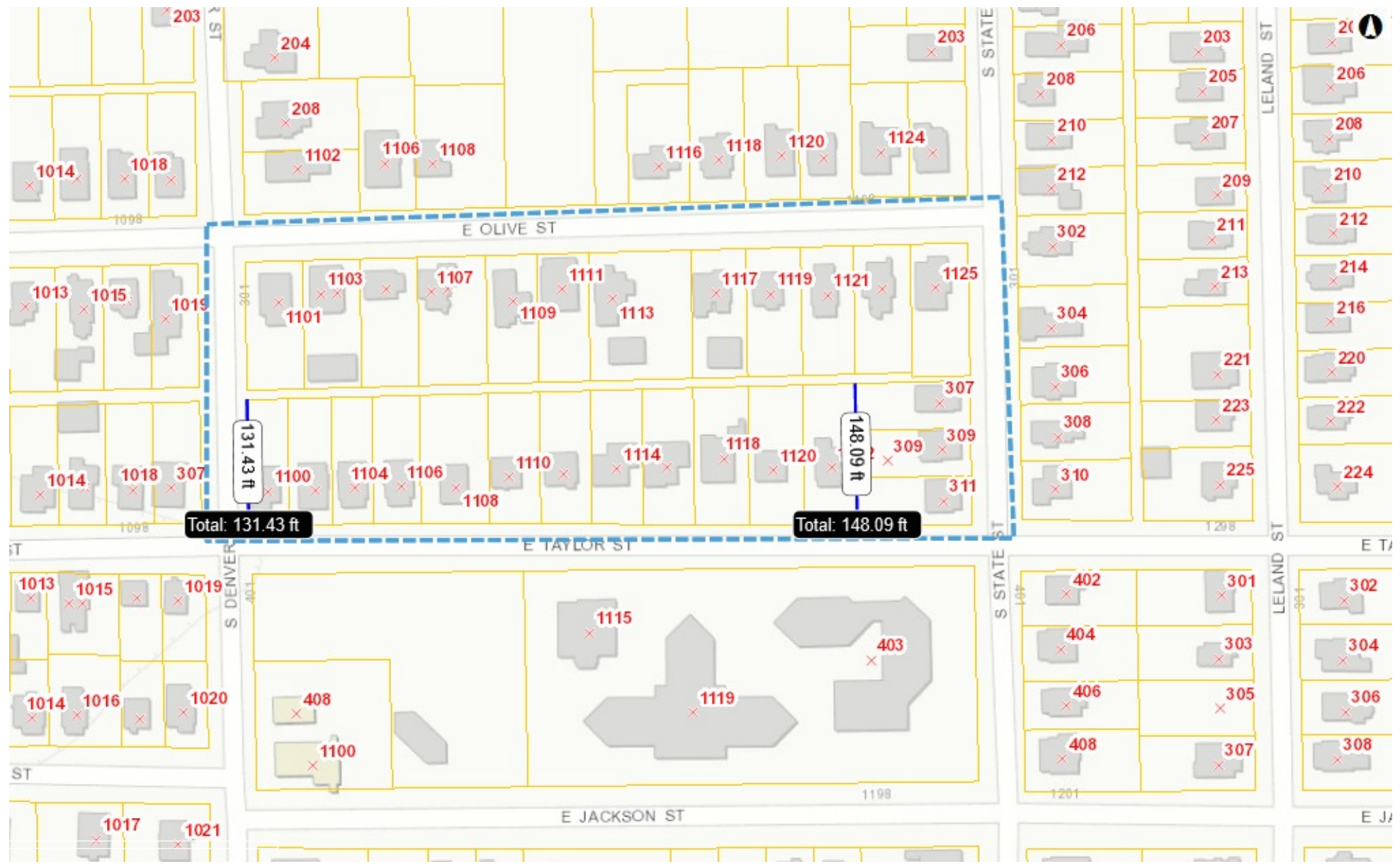
By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Printed: 3/13/2018 5:16:21 PM

Notes



1106 E Taylor Parcel Map



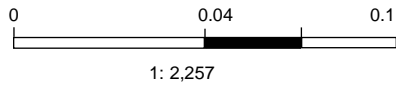
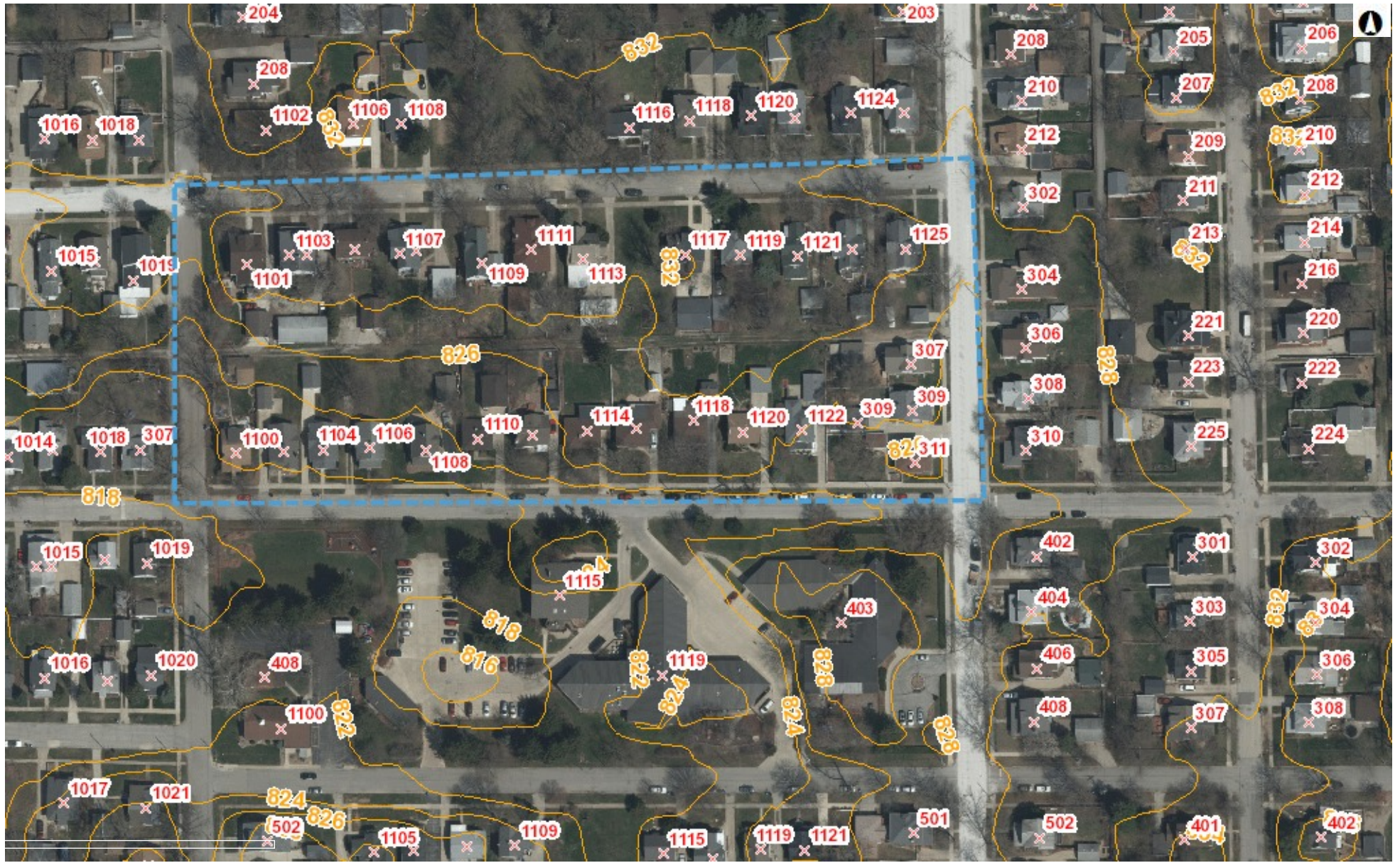
By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Printed: 3/15/2018 8:53:17 AM

Notes



1106 E Taylor Contours Map



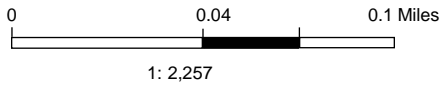
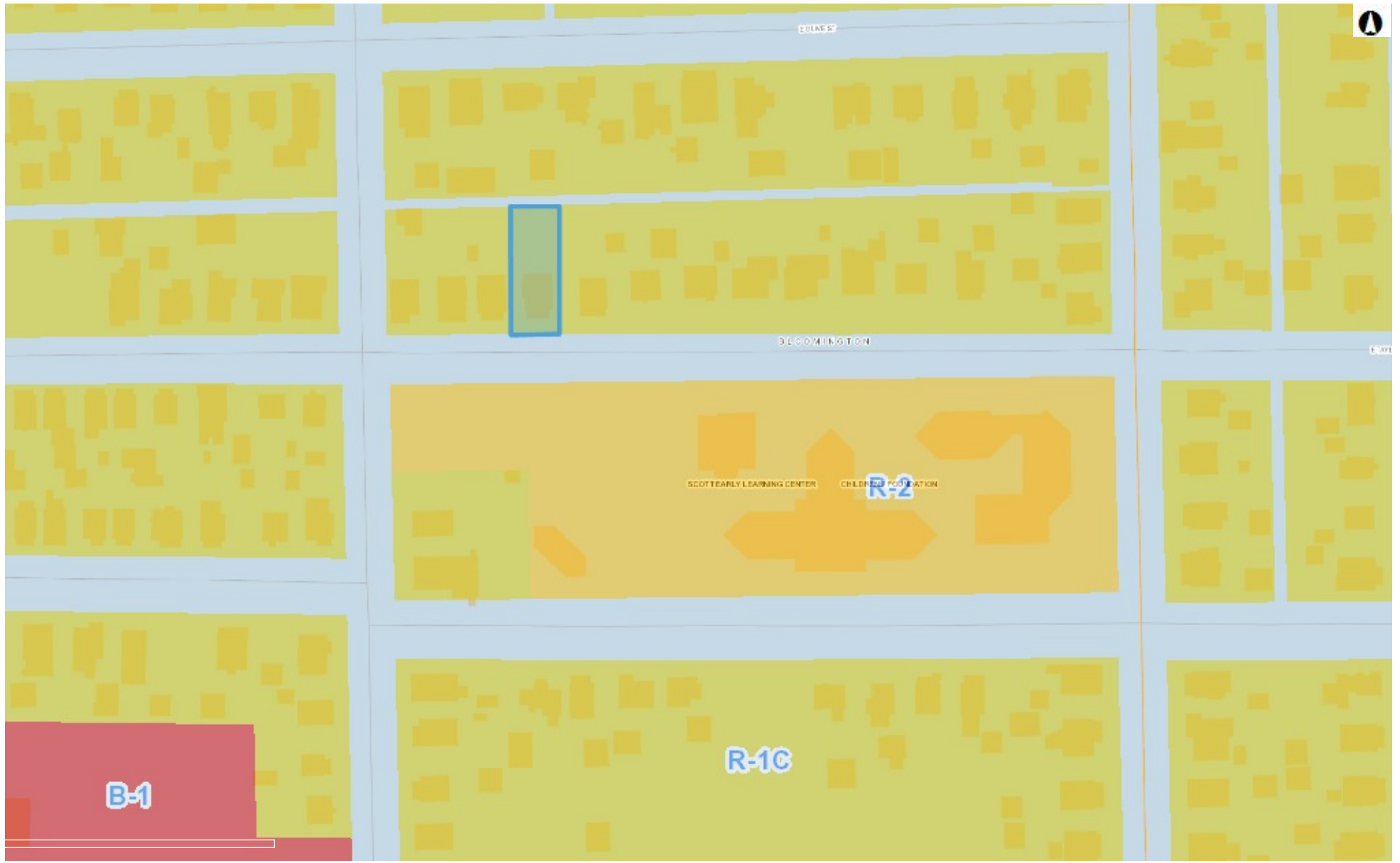
By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Printed: 3/15/2018 9:07:32 AM

Notes



Zoning Map 1106 E Taylor St



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Printed: 3/13/2018 5:18:05 PM

Notes

Public Notices

TITON OR A MOTION TO
TERMINATE PARENTAL
RIGHTS.
Don R Everhart Jr
Kelli Metz
CLERK OF THE COURT
DATED: March 5, 2018

20939097
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
MARCH 21, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday March 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), VARIANCE REQUEST

Ray Reed, 202 Orleans Drive (RESUBN LOT 56, 74, 75, 76, 77 & 93 FIRST ADDN TO FLEETWOOD SUBN LOT 93), requesting a four foot front yard setback for a garage addition.

John C. Reynolds, 1106 E Taylor (COURTNEY'S SUBN LOT 4-7 & PT LOT 8 MAGOUN'S ADDN E50' LOT 6), requesting an additional four foot reduction in the front yard, for a room addition.

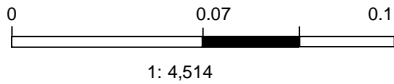
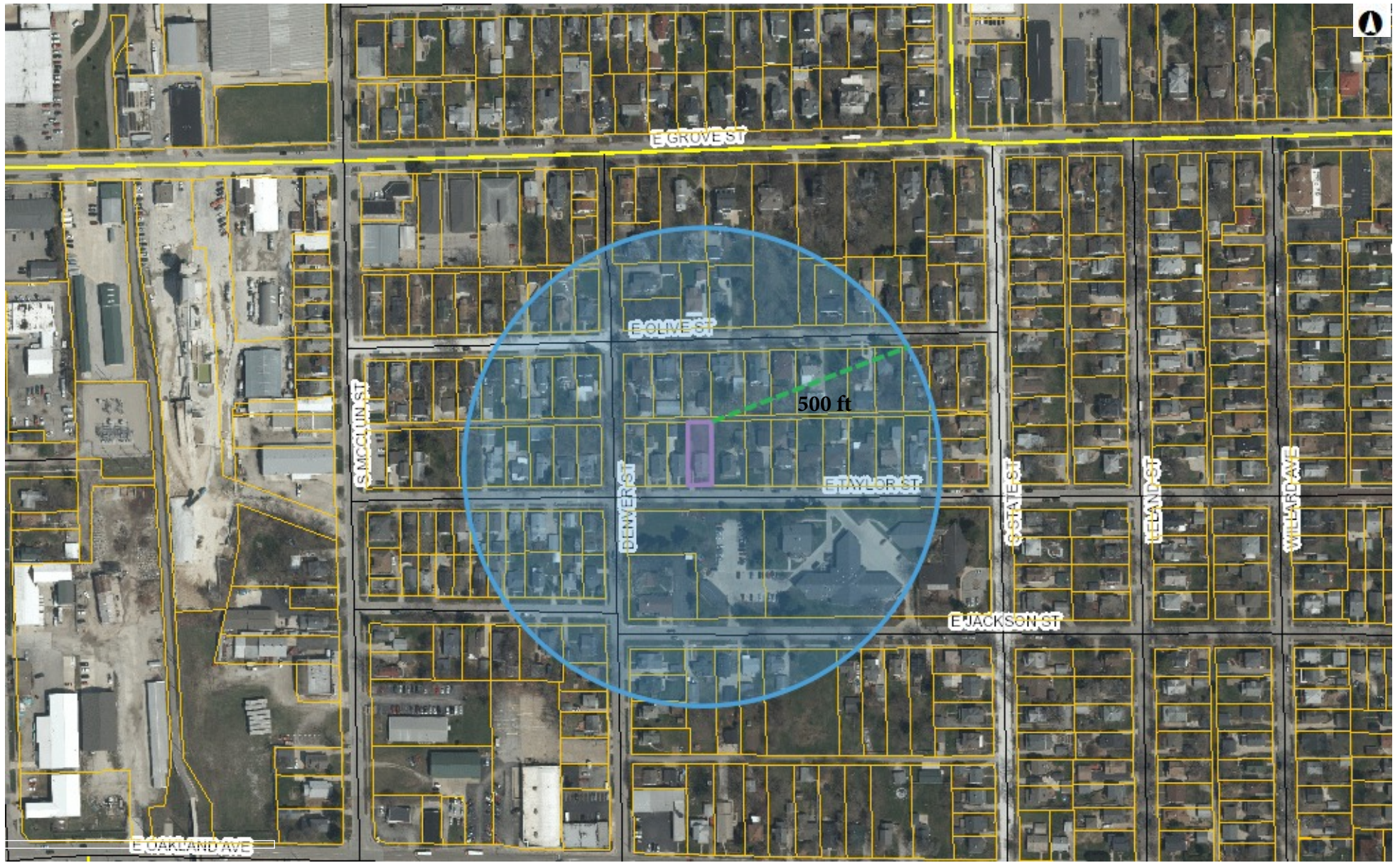
All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: Monday, March 5, 2018



Public Hearing on March 21, 2018 for a Variance request at 1106 E Taylor



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Printed: 2/28/2018 10:40:41 AM

Notes



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

March 2, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday March 21, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by John C Reynolds for the approval of a variance request, for the property located at **1106 E Taylor** at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

REQUEST

The petitioner is requesting a variance for an additional four foot reduction in the front yard, for a room addition.

Legal Description:

COURTNEY'S SUBN LOT 4-7 & PT LOT 8 MAGOUN'S ADDN E50' LOT 6

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at irivera@cityblm.org or call me at (309) 434-2448.

Sincerely,

Izzy Rivera, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property

KEITH & CONNIE CLIFFORD
203 FELMLEY DR
NORMAL, IL 61761

KATHERINE EDER
1114 E TAYLOR ST
BLOOMINGTON, IL 61701

KENNETH & MARJORY NOBLE
1011 E TAYLOR
BLOOMINGTON, IL 61701

RONALD & VERONICA SCHULTZ
1208 E Oakland Ave
BLOOMINGTON, IL 61701

TOD LARKE
1115 E JACKSON ST
BLOOMINGTON, IL 61701

MORGAN WASHINGTON HOME
403 S STATE
BLOOMINGTON, IL 61701

VICENTE ADAME
1111 E GROVE ST
BLOOMINGTON, IL 61701

CONNIE OBRIEN
2 INGLEWOOD LN
BLOOMINGTON, IL 61704

ANDREW & MELISSA JUVINALL
1116 E OLIVE ST
BLOOMINGTON, IL 61701

MARTIN ASHENBREMER
1017 E JACKSON ST
BLOOMINGTON, IL 61701

KIMBERLY MILLINEAUX
1122 E TAYLOR
BLOOMINGTON, IL 61701

ELIZABETH BARNHART
1120 E TAYLOR ST
BLOOMINGTON, IL 61701

KATIE CHRISTENSEN
1104 E TAYLOR ST
BLOOMINGTON, IL 61701

ROGER & JANE LANDER
307 DENVER ST
BLOOMINGTON, IL 61701

JOHN CRABILL
1117 E GROVE ST
BLOOMINGTON, IL 61701

LAURA DAWDY
1123 E OLIVE ST
BLOOMINGTON, IL 61701

KATHLEEN JAVORONOK
1108 E OLIVE
BLOOMINGTON, IL 61701

WILLIAM & BETTY MC HIE
1117 E OLIVE
BLOOMINGTON, IL 61701

FREDERICK DICK
1119 E OLIVE ST
BLOOMINGTON, IL 61701

BELINDA CLICK
1120 E OLIVE ST
BLOOMINGTON, IL 61701

VICENTE ADAME
1111 E GROVE ST
BLOOMINGTON, IL 61701

MICHAEL & TRISHA HAAS
1016 E OLIVE ST
BLOOMINGTON, IL 61701

ERIC LAPAN
1014 E OLIVE
BLOOMINGTON, IL 61701

RHA HOLDINGS LLC
2404 MORGAN JANE DR
BLOOMINGTON, IL 61704

CJ TONOZZI
1100 E Taylor St
BLOOMINGTON, IL 61701

MATTHEW RICHTER
506 DENVER ST
BLOOMINGTON, IL 61701

KETURAH TRACY
1019 E TAYLOR ST
BLOOMINGTON, IL 61701

JANE LANDER
307 DENVER ST
BLOOMINGTON, IL 61701

JOHN FROST
1107 E GROVE ST
BLOOMINGTON, IL 61701

MICHAEL & PAMELA FOSTER
1105 E GROVE ST
BLOOMINGTON, IL 61701

MARK HEIMANN
PO BOX 511
DANVERS, IL 61732

W AARON & RHIANNON SHOUTS
WILSON
307 S STATE ST
BLOOMINGTON, IL 61701

EDWARD RUHRUP
203 Denver St
BLOOMINGTON, IL 61701

MICHAEL A & KATHRYN A MARVIN
1113 E OLIVE ST
BLOOMINGTON, IL 61701

ELIZABETH FLYNN
1111 E OLIVE ST
BLOOMINGTON, IL 61701

JOHN CAPODICE
2827 CAPODICE RD
BLOOMINGTON, IL 61704

DAVID F & GAYLE DIETSCH
1103 1/2 E OLIVE ST
BLOOMINGTON, IL 61701

Kelley Lynn & Robert James Heirman
Doss
1017 E Olive St
BLOOMINGTON, IL 61701

MICHAEL LISS
1212 N HERSHEY RD
BLOOMINGTON, IL 61704

ELAINE SMITH
1109 E OLIVE
BLOOMINGTON, IL 61701

BRAEDEN & KERI PARKER BARBOUR
1107 E OLIVE ST
BLOOMINGTON, IL 61701

MELBA MOREHEAD - R.M.TRUSTEE
401 E SYCAMORE ST
NORMAL, IL 61761

JAMES M & BETHANY CLEARY
10613 MALAGUENA LN NE
ALBUQUERQUE, NM 87111

TOD HUDDLESTUN
1101 E OLIVE ST
BLOOMINGTON, IL 61701

CARLOS SANDOVAL BALDERAS
1019 E OLIVE ST
BLOOMINGTON, IL 61701

JOHN ARMSTRONG
1118 E TAYLOR
BLOOMINGTON, IL 61701

VICENTE & JENNIFER ADAME
1111 E GROVE ST
BLOOMINGTON, IL 61701

CARL MITCHELL
1116 E TAYLOR ST
BLOOMINGTON, IL 61701

DENIS & MICHELLE SACKETT
204 DENVER ST
BLOOMINGTON, IL 61701

KENNETH J & NANCY D DUFFY
VOGELBAUGH
1018 E JACKSON
BLOOMINGTON, IL 61701

KARL GOEKE
1118 E OLIVE
BLOOMINGTON, IL 61701

JARED ALCORN
504 DENVER ST
BLOOMINGTON, IL 61701

ANDY G & BETTY NOWELL
1107 1/2 E JACKSON ST
BLOOMINGTON, IL 61701

KATY BYERS
1014 E JACKSON ST
BLOOMINGTON, IL 61701

MELISSA TILLMAN
1012 E Jackson St
BLOOMINGTON, IL 61701

JAMES PETTIGREW
8 PICKWICK LANE
MACKINAW, IL 61755

EDWARD SCHWANDT
1017 E TAYLOR
BLOOMINGTON, IL 61701

PAUL MENKEN
1011 E OLIVE ST
BLOOMINGTON, IL 61701

RUTH VALENTINE
1105 E JACKSON ST
BLOOMINGTON, IL 61701

RONALD & VERONICA SCHULTZ
1208 E Oakland Ave
BLOOMINGTON, IL 61701

JAMES & KATHLEEN SMITH
1020 E OLIVE ST
BLOOMINGTON, IL 61701

DARIN PARKER
103 S CLAYTON ST
BLOOMINGTON, IL 61701

JOHN REYNOLDS
1106 E TAYLOR
BLOOMINGTON, IL 61701

JANE LANDER
307 DENVER ST
BLOOMINGTON, IL 61701

ELEANOR EFT
1014 E TAYLOR ST
BLOOMINGTON, IL 61701

RICHARD GILES
1012 E TAYLOR
BLOOMINGTON, IL 61701

STEPHEN VOLZ
1016 E JACKSON ST
BLOOMINGTON, IL 61701

CHILDRENS HOME & AID SOCIETY
125 S WACKER 14TH FLOOR
CHICAGO, IL 60606

MARJORIE KORSHAK
1020 E JACKSON ST
BLOOMINGTON, IL 61701

INTERNATL CHURCH FOURSQUARE
GOSPEL
408 S DENVER
BLOOMINGTON, IL 61701

WILLIAM GAITENS
1013 E TAYLOR ST
BLOOMINGTON, IL 61701

BARBARA CRONIC
1009 E TAYLOR ST
BLOOMINGTON, IL 61701

YVONNE ADAMS
1112 E TAYLOR ST
BLOOMINGTON, IL 61701

CHRISTOPHER GOLWITZER
1121 E OLIVE ST
BLOOMINGTON, IL 61701

GERMAINE MOSHER
311 S STATE ST
BLOOMINGTON, IL 61701

BARB POPPE
1018 E OLIVE ST
BLOOMINGTON, IL 61701

RYAN & AMBER SHRIVER STRANGE
1009 E OLIVE ST
BLOOMINGTON, IL 61701

JUDITH BASS
208 DENVER ST
BLOOMINGTON, IL 61701

CAWTHON TRUST
309 S STATE ST
BLOOMINGTON, IL 61701

C/O GLENN & ROBIN L RINKER RINKER
FAMILY TRUST
503 S DENVER
BLOOMINGTON, IL 61701

JAMES MEYER
1106 E OLIVE ST
BLOOMINGTON, IL 61701

MICHAEL BESS
406 PARK ST
KAPPA, IL 61738

**CITY OF BLOOMINGTON
 REPORT FOR THE BOARD OF ZONING APPEALS
 MARCH 21, 2018**

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
SP-03-18	South of 1410 Woodbine	Special Use	Izzy Rivera, Assistant City Planner

PETITIONER'S REQUEST:	A special use permit to allow a condominium development in the B-1, Highway Business District. (Ward 3)
------------------------------	---

STAFF RECOMMENDATION:	<p><i>Staff recommends approval of a special use permit for condominium development in the B-1, Highway Business District with the following conditions:</i></p> <ul style="list-style-type: none"> • <i>Eliminate 1(one) or two (2) units, in order to comply with the 50% Floor Area Ratio.</i> • <i>Provide screening along the west property line separating the parking and residential.</i> • <i>The attractive side of the fence should face the adjacent residential homes.</i>
------------------------------	--



NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on March 5, 2018.

GENERAL INFORMATION

Owner and Applicant: Krishna Balakrishann, Terra LLC.

PROPERTY INFORMATION

Legal description

Attached

Existing Zoning: B-1, Highway Business District
Existing Land Use: Undeveloped
Property Size: Approximately 43,560 square feet (150' X 290')
PIN: 15-31-226-026

Surrounding Zoning and Land Uses

Zoning

North: B-1 Highway Business District
South: B-1 Highway Business District
East: B-1 Highway Business District
West: R-2, Mixed Residence District

Land Uses

North: Insurance offices/Medical offices
South: Undeveloped
East: Hotel/Learning center/Senior Living Facility
West: Single/two family home(s)

Analysis

Submittals

This report is based on the following documents, which are on file with the Community Development Department:

- 1. Application for Special Use
- 2. Site Plan
- 3. Aerial photographs
- 4. Site visit

PROJECT DESCRIPTION

Background

The subject site is located directly south of 1410 Woodbine Rd, south of General Electric Road and west of County Road 1900E. The site is part of the Hawthorne Commercial Subdivision, while it has not been platted, it would become the (13th) thirteenth addition. The (12th) twelfth addition was completed in 2015, and improved with a senior living facility. The subject property is also serviced by utilities that are adequate for developments allowed in the B-1 zoning district. The B-1, Highway Business District provides primarily for retail development particularly around highway interchange and intersection areas. The B-1 district allows for multiple family dwellings with a special use permit. In addition to the bulk requirements of Chapter 44, a special use permit for dwellings has the following standards identified in Section 44.10-4:

- 1). Minimum Screening/Fencing Requirements: Parking lots shall be screened from adjacent single-family dwellings and two-family dwellings
- 2). Maximum Floor Area Ratio: Fifty percent (50%) or 0.5
- 3). Minimum Yard Requirements: 5 feet, where a side or rear yard is provided, plus transitional yards when adjacent to residential zoning districts.
- 4). Maximum Height: 35 feet or 2 ½ stories, transitional heights also apply for developments abutting residential districts.
- 5). Additional parking requirements: Two (2) parking spaces for each dwelling unit.

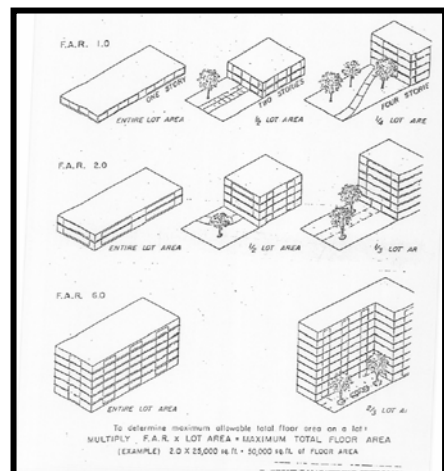
The subject property is also adjacent to the 60 Ldn S-3, Aircraft Noise Contour. The contour touches the land south of the subject property as well as the land east of the subject property. Due to loud noise from plane engines, the contour overlay requires special building materials for residential development. Additionally, residential development is strictly prohibited within the 65 Ldn contours. No variances or deviation in construction materials may be granted for development within the aforementioned contours. While the subject property falls outside of this contour, to improve the quality of life for residents and mitigate potential complaints about noise, staff recommends the petitioner comply with the standards for construction materials regulated within the 60 Ldn contour.

Project Description:

The petitioner proposes to improve the site with the construction of a twelve (12) unit condominium development, approximately 1,500 sq. per unit, resulting in approximately 18,000 sq. feet for the entire development. If the project is successful, the petitioner intends to add similar developments to the subdivision; essentially, this could be considered a ‘phase one’ of a multiple phase project, however an amended preliminary plan for the subdivision is needed. The units will be two (2) stories, three (3) bedroom, two (2) bath, as well as a two (2) car attached garage within the first floor. This property is zoned B-1 Highway Business District, and is contiguous to R-2 Mixed Residence District. As a result, any future development must comply with transitional yards and heights when abutting residential zoning classifications (Ch. 44.4-5 Lots and Yards). In this case, it will require the rear yard to be five (5) feet in addition to the specified transitional yard of fifteen (15) feet. According to the site plan, the proposed condominium development complies with the rear yard minimum setback of twenty (20) feet, including transitional yard requirements. Another requirement is, that said yards, are screened according to Zoning Code section 44.4-7, and will require a six (6) foot opaque fence or landscaping screen. Staff recommends that the attractive side of the fence should face the abutting residential development.

The side yard must be eleven (11) feet according to the side

Illustrations for interpreting the Floor Area Ratio (F.A.R.) taken from Chapter 44 of the City Code.



yard requirements for the B-1 Highway Business District in Zoning Code section 44.6-40. The site plan complies with the side yard requirements.

The site plans shows noncompliance of the 50% maximum lot coverage or a 0.5 floor area ratio (F.A.R.) requirement. Floor area ratio is the ratio to total floor area of the building to the lot size. Since the height of the development is two stories the allowable lot coverage is 25% of the lot. . This allows for a 10,875 sq. feet footprint of development based on the required 50% Floor Area Ratio. Currently the developments footprint is approximately 11,797 sq. feet.

Additionally, the proposed development would include a two (2) car garage, which would comply with two (2) parking spaces per dwelling unit. Residential construction also requires parkland dedication, and, if the permit is approved, the developer will be required to comply with parkland dedication requirements of Chapter 24. Section 7.

The following table further illustrates the requirements from the zoning ordinance and those proposed by the petitioner for the condominium development.

Requirement	Required	Provided	Difference
% Building lot coverage	Maximum 50% based on 2 stories (10,875 sq ft)	54% based on 2 story (11,797 sq ft)	922 sq ft over allowed lot coverage
Side Yard Setback	11 feet	28 feet	+17 feet
Rear Yard Setback	20 feet	45 feet	+25 feet
Parking	2 spaces per unit	2 spaces	0

LINK TO COMPREHENSIVE PLAN: The site is shown as a Tier 1, Land Use Priority for infill development (Fig 11-4). Residential infill development in this area could assist the commercial development in the surrounding area, as well as any future commercial development.

The Comprehensive Plan also has a goal to ensure the availability of quality housing stock that meets the needs of current and future residents (H-1).

Action by the Zoning Board of Appeals

For each special use application the Zoning Board of Appeals shall report to the Council its findings of fact and recommendations, including stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein.

No special use application shall be recommended by the Zoning Board of Appeals for approval unless such Board shall find:

- 1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;** The Comprehensive Plan identifies the goal of promoting housing that meets the needs of

residents of all ages and abilities. The proposed condominium development addresses that goal. Surrounding development has a mixture of residential and commercial. The special use permit would continue this pattern for the area and for future development. **The standard is met.**

2. **That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** the special use permit would be consistent with a mixture of development, and consistent with patterns of development in the area. Residential zoning is located behind the proposed development, as well as across General Electric Rd to the north. The additional rear yard setback space, provided between the proposed condominium development and the residential homes to the west of the proposed development could help mitigate concerns with privacy, casting shadows, and blocked views for the residences. The surrounding area is a mixture of residential and commercial development. Current development in the immediate area includes a senior living facility, learning centers, and a hotel with restaurant. **The standard is met.**
3. **That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** the B-1, Highway Business District contemplates various uses which are compatible with multifamily development, such as a grocery store, retail, and entertainment establishments. This area has been developed with a mix of residential to the north and west and commercial to the east. Any future development would continue to also be a mixture of residential and commercial. **The standard is met.**
4. **That the adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** Utilities are adequate. For better access and connectivity Woodbine Road should be extended to Pamela Drive. Detention is provided in compliance with the requirements. Connect Transit once served this area but, due to a lack of ridership, recently eliminated service. However, increased residential density could attract bus service in the future. The area is served by Unit 5 Schools and potential students would attend Benjamin School. **The standard is met.**
5. **That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** Ingress and egress would be provided according to the site plan. A driveway with two curb cuts would service all of the units in the rear of the development. Off street parking would be provided and contained within the driveway/parking lot in order to eliminate congestion on Woodbine Rd. **The standard is met.**
6. **That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Zoning Board of Appeals.** The proposed condominiums does not meets the requirements for the special use permit

outlined in Section 44.10-4, which requires a 50% Floor Area Ratio. The Floor Area Ratio controls density for new development. This would be new development, thus having an opportunity to comply with all the standards, as there is no hardship. Eliminating one unit would allow for the development to comply with the 50% Floor Area Ratio, keep the current unit size, as well as potential for more green space. Additionally the parking lot to the west of the property should be screened from the adjoining residential zoning districts. **With the added conditions the standard is met.**

As of the date of publication of this report, staff has only received general inquiries regarding case SP-03-18.

STAFF RECOMMENDATION:

Staff finds that the petition **meets** the Zoning Ordinance's standards required to allow a special use for residential condominiums. Staff recommends the Zoning Board of Appeals provide Council with a recommendation to **approve a special use petition** for condominiums in the B-1 Highway Business District south of 1410 Woodbine Rd Case SP-03-18 with the following conditions:

- Eliminate 1(one) or 2(two) units, in order to comply with the 50% Floor Area Ratio.
- Provide screening along the west property line separating the parking and residential.
- The attractive side of the fence should face the adjacent residential homes.

Respectfully submitted,

Izzy Rivera,
Assistant City Planner

Attachments:

- Petition for a Special Use Permit
- Draft Ordinance
- Exhibit A-Legal Description
- Site Plan
- Floor Area Ratio Illustration
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- Notification Mailing List

PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT:

State of Illinois)
)ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now come(s) **Krishna Balakrishnan, President**

Terra, LLC

hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s) A, which is (are) attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents: receiver, executor (executrix); trustee, lease, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently has a zoning classification of B-1 under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That under the provisions of Chapter 44, Section 44.6-30 of said City Code Residential Condominiums, are allowed as a special use in a B-1 zoning district;
4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the B-1 zoning district;

7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the B-1 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioner(s) respectfully pray(s) that said special use for said premises be approved.

Respectfully submitted,

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A

Residential Condominiums

FOR PROPERTY LOCATED AT: South of 1410 Woodbine

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a Residential Condominiums for certain premises hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.6-30 of the Bloomington, City Code, 1960; and

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the Special Use Permit for a Residential Condominiums on the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

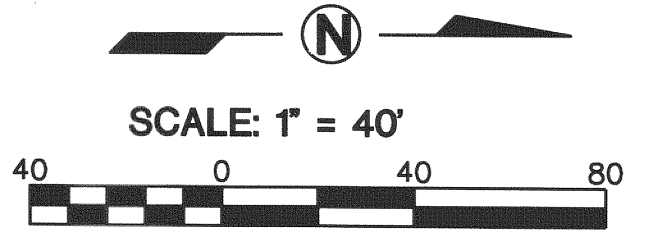
45128.02
3/20/17
JTS

Legal Description

A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 9 in the Second Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2005-6797 in the McLean County Recorder of Deeds Office, on the west right of way line of Woodbine Road; thence S.00°-00'-00"E. 290.40 feet on said west right of way line of Woodbine Road; thence N.90°-00'-00"W. 150.00 feet to the east line of Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2002-27481 in the McLean County Recorder of Deeds Office; thence N.00°-00'-00"E. 290.40 feet on said east line of Sapphire Lake Subdivision to the southwest corner of said Lot 9 in Second Addition to Hawthorne Commercial Subdivision; thence N.90°-00'-00"E. 150.00 feet to the Point of Beginning, containing 1.00 acres, more or less, with assumed bearings given for description purposes only.

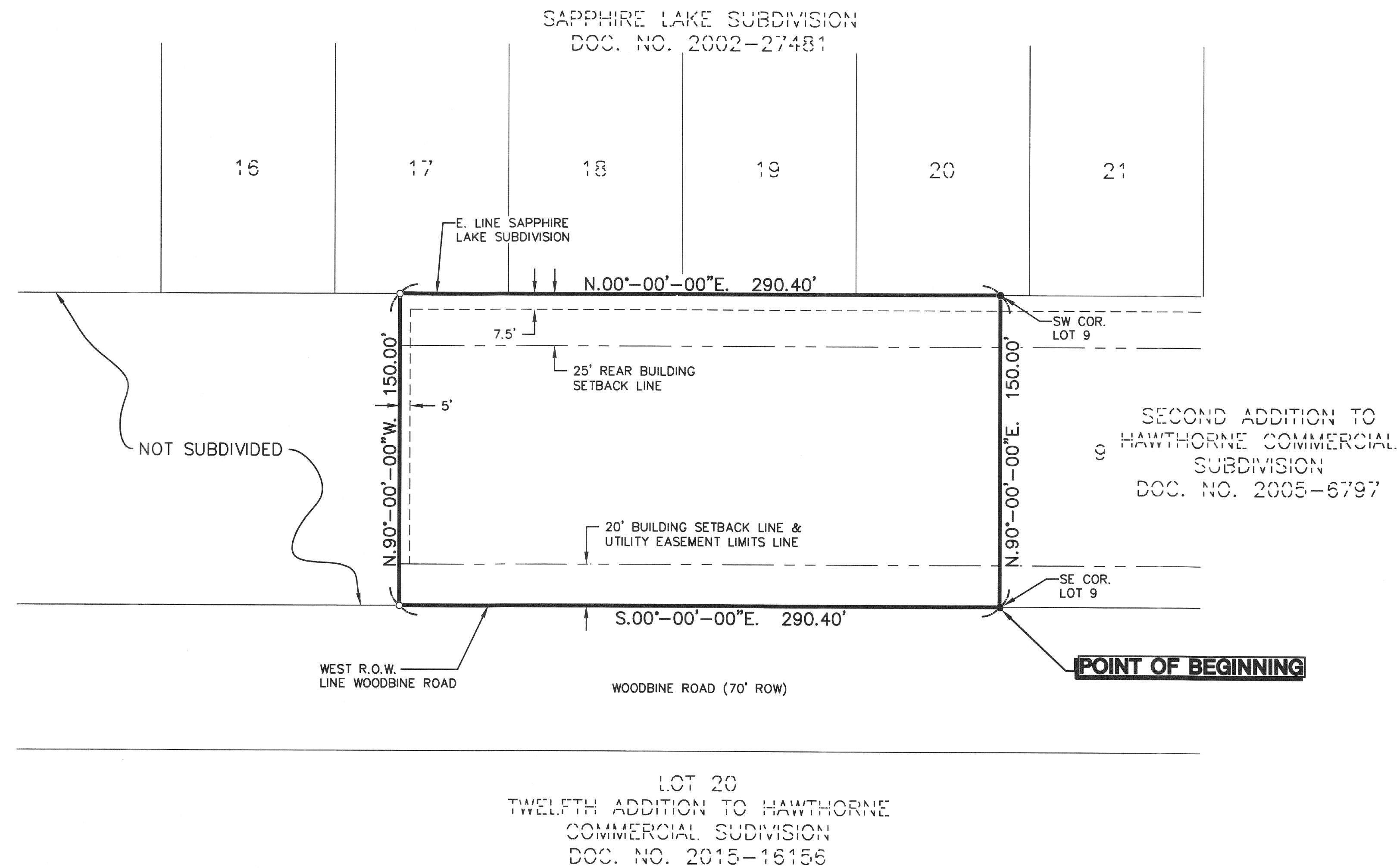
THIRTEENTH ADDITION TO HAWTHORNE COMMERCIAL SUBDIVISION

PART OF THE NE1/4 OF SEC. 31, T.24N, R.3E, 3 P.M.
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS



LEGEND

—————	BOUNDARY OF SUBJECT PREMISES
- - - - -	UTILITY EASEMENT LIMITS
•	5/8" IRON ROD FOUND
o	5/8" IRON ROD SET



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

I, Jason T. Stephens, Illinois Professional Land Surveyor No. 3859, do hereby certify that the attached plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the City of Bloomington for Auctus, L.L.C. and represents the following described property to wit:

A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 9 in the Second Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2005-6797 in the McLean County Recorder of Deeds Office, on the west right of way line of Woodbine Road; thence S. 00°-00'-00" E. 290.40 feet on said west right of way line of Woodbine Road; thence N. 90°-00'-00" W. 150.00 feet to the east line of Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2002-27481 in the McLean County Recorder of Deeds Office; thence N. 00°-00'-00" E. 290.40 feet on said east line of Sapphire Lake Subdivision to the southwest corner of said Lot 9 in Second Addition to Hawthorne Commercial Subdivision; thence N. 90°-00'-00" E. 150.00 feet to the Point of Beginning, containing 1.00 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same into one (1) lot as shown on the attached plat.

Iron monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for public use and for the use of community antenna television systems.

Said subdivision is to be known as Thirteenth Addition to Hawthorne Commercial Subdivision, City of Bloomington, McLean County, Illinois.

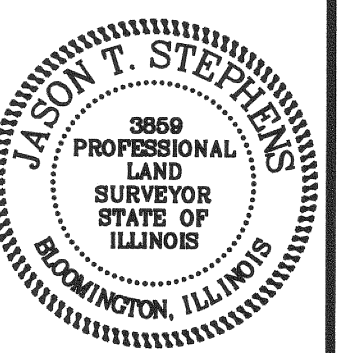
I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency on Flood Insurance Rate Map for Community Panel Number 170490 0510E and 170931 0510E, Map Number 17113C0510E dated July 16, 2008.

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 N. Main St.
Bloomington, IL 61701

3/27/17
Date

Jason T. Stephens
Jason T. Stephens
Illinois Professional Land Surveyor No. 3859
License Expiration Date 11/30/2018



CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

I, Cherry L. Lawson, City Clerk of said City, do hereby certify that the foregoing is a true and complete copy of an original final plat of Thirteenth Addition to Hawthorne Commercial Subdivision, presented, passed and approved at a regular meeting of said City Council held on the _____ day of _____, 2017, by an affirmative vote of the majority of all members selected to said Council, the vote having been taken by yeas and nays and entered on the record of the proceedings of said Council.

Witness my hand and seal of said City of Bloomington, this _____ day of _____, A.D. 2017.

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

I, Kevin Kothe, City Engineer for the City of Bloomington, Illinois hereby certify that the land improvements described in the annexed plat and the plans and specifications therefore meet the minimum requirements of said City outlined in Chapter 24 of the Bloomington City Code.

Dated at Bloomington, Illinois, this _____ day of _____, 2017.

City Engineer
Bloomington, Illinois

City Clerk

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #184,000806
505 North Main Street 222 East Center Street 155 South Elm Street
© Bloomington, Illinois © LeRoy, Illinois © El Paso, Illinois
Ph. (309) 829-2552 Ph. (309) 962-8151 Ph. (309) 527-2552

Rev.		Bk.	897
		Dwn.	JLL
		Dsn.	
		App.	JTS

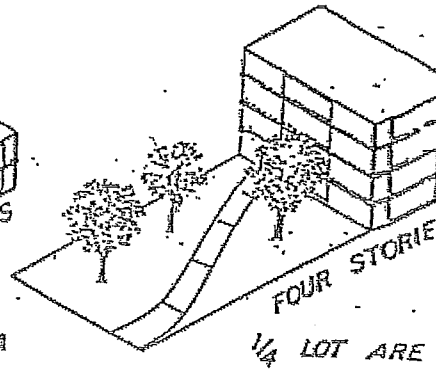
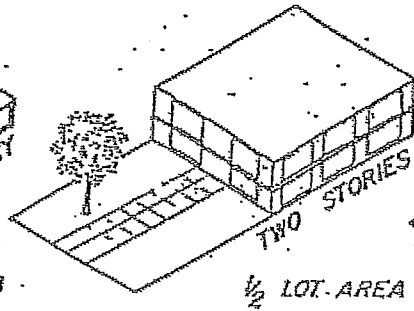
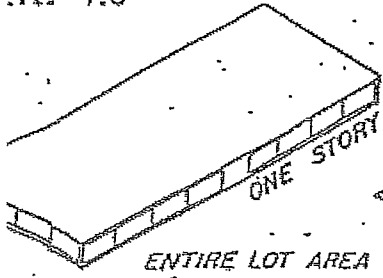
FINAL PLAT
THIRTEENTH ADDITION TO HAWTHORNE
COMMERCIAL SUBDIVISION
BLOOMINGTON, ILLINOIS

Sheet
1
of 1

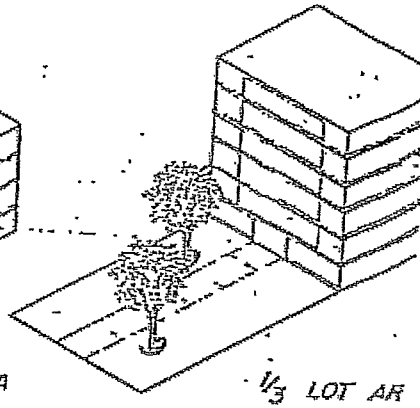
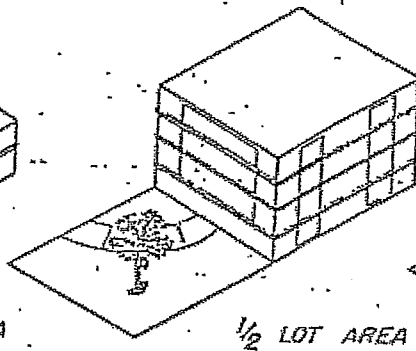
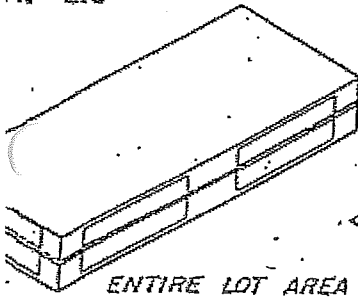
45128.02

FLOOR AREA RATIO - - ILLUSTRATED

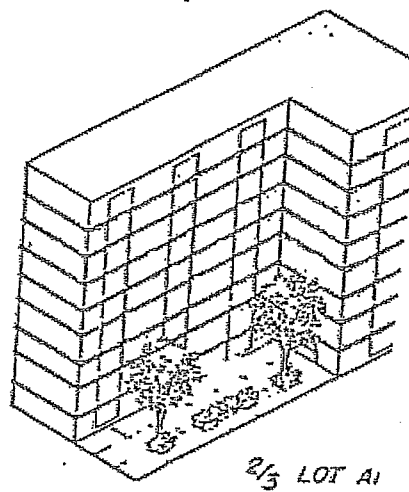
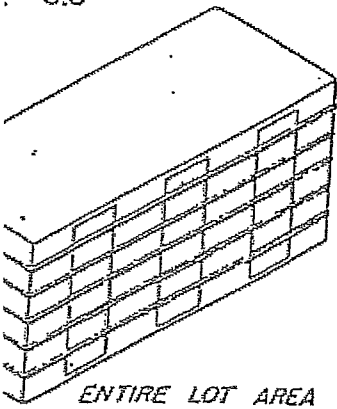
R. 1.0



R. 2.0



6.0

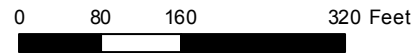


To determine maximum allowable total floor area on a lot:
 MULTIPLY F.A.R. X LOT AREA = MAXIMUM TOTAL FLOOR AREA
 (EXAMPLE) 2.0 X 25,000 sq. ft. = 50,000 sq. ft. of FLOOR AREA

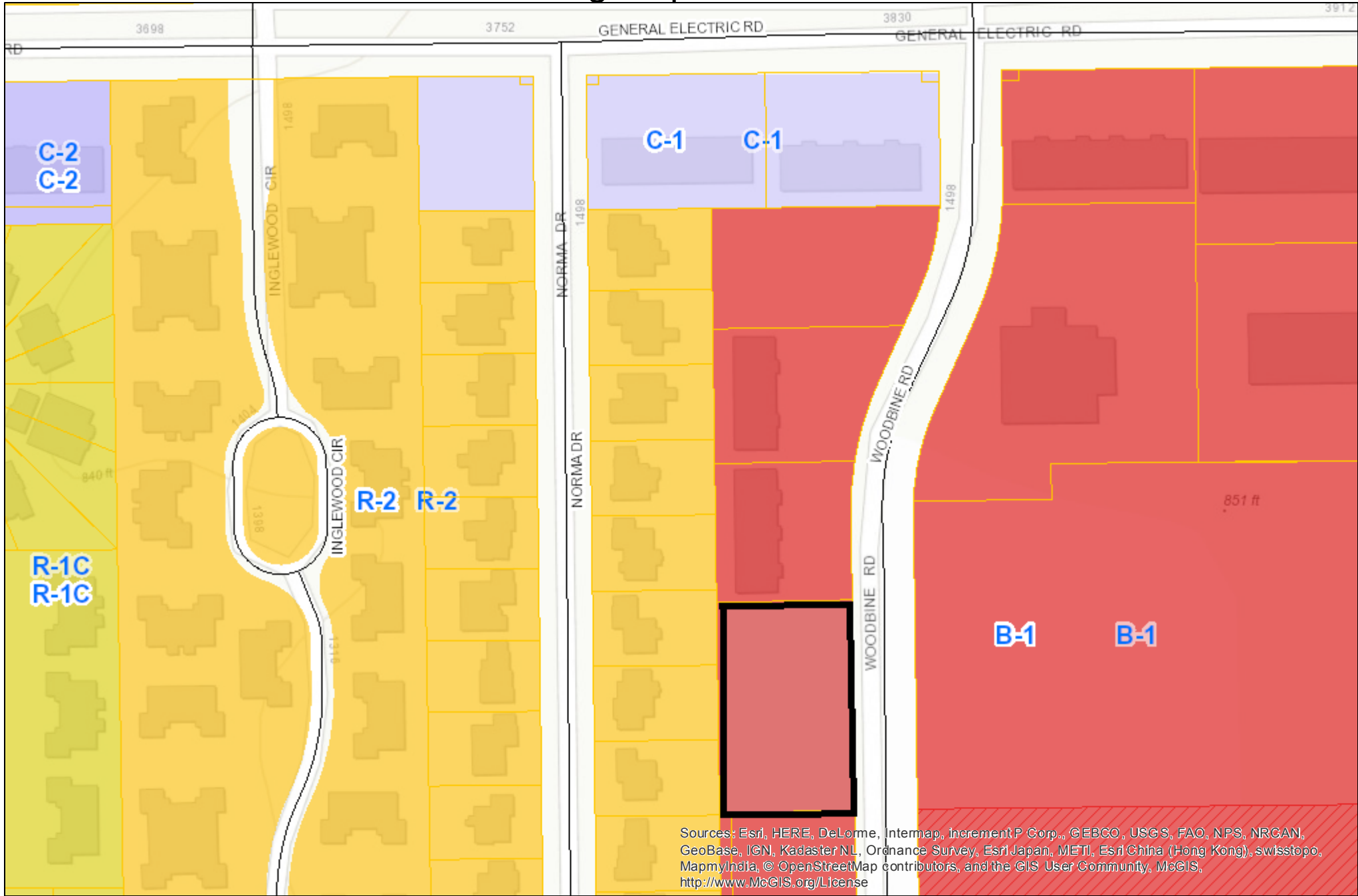
Aerial Map



McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



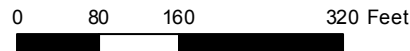
Zoning Map- Woodbine Rd



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community, McGIS, <http://www.McGIS.org/License>



McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



Public Notices

South of 1410 Woodbine Road, at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is legally described as follows:

Legal Description:
A PART OF THE NE1/4 OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 9 IN THE SECOND ADDITION TO HAWTHORNE COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 2005-6797 IN THE MCLEAN COUNTY RECORDER OF DEEDS OFFICE, ON THE WEST RIGHT OF WAY LINE OF WOODBINE ROAD; THENCE S.00°-00'-00"E. 290.40 FEET ON SAID EAST LINE OF SAPPHIRE LAKE SUBDIVISION ACCORDING TO THE FINAL PLAT THEREOF RECORDED AS DOCUMENT NO. 2002-27481 IN THE MCLEAN COUNTY RECORDER OF DEEDS OFFICE; THENCE N.00°-00'-00"E. 290.40 FEET ON SAID EAST LINE OF SAPPHIRE LAKE SUBDIVISION TO THE SOUTHWEST CORNER OF SAID LOT 9 IN SECOND ADDITION TO HAWTHORNE COMMERCIAL SUBDIVISION; THENCE N.90°-00'-00"E. 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS, WITH ASSUMED BEARINGS GIVEN FOR DESCRIPTION PURPOSES ONLY.

REQUEST
A request to allow condominium development in the B-1, Highway Business District as a special use.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.


The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: March 5, 2018

20939099
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
MARCH 21, 2018

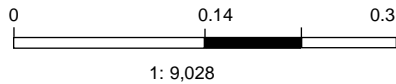
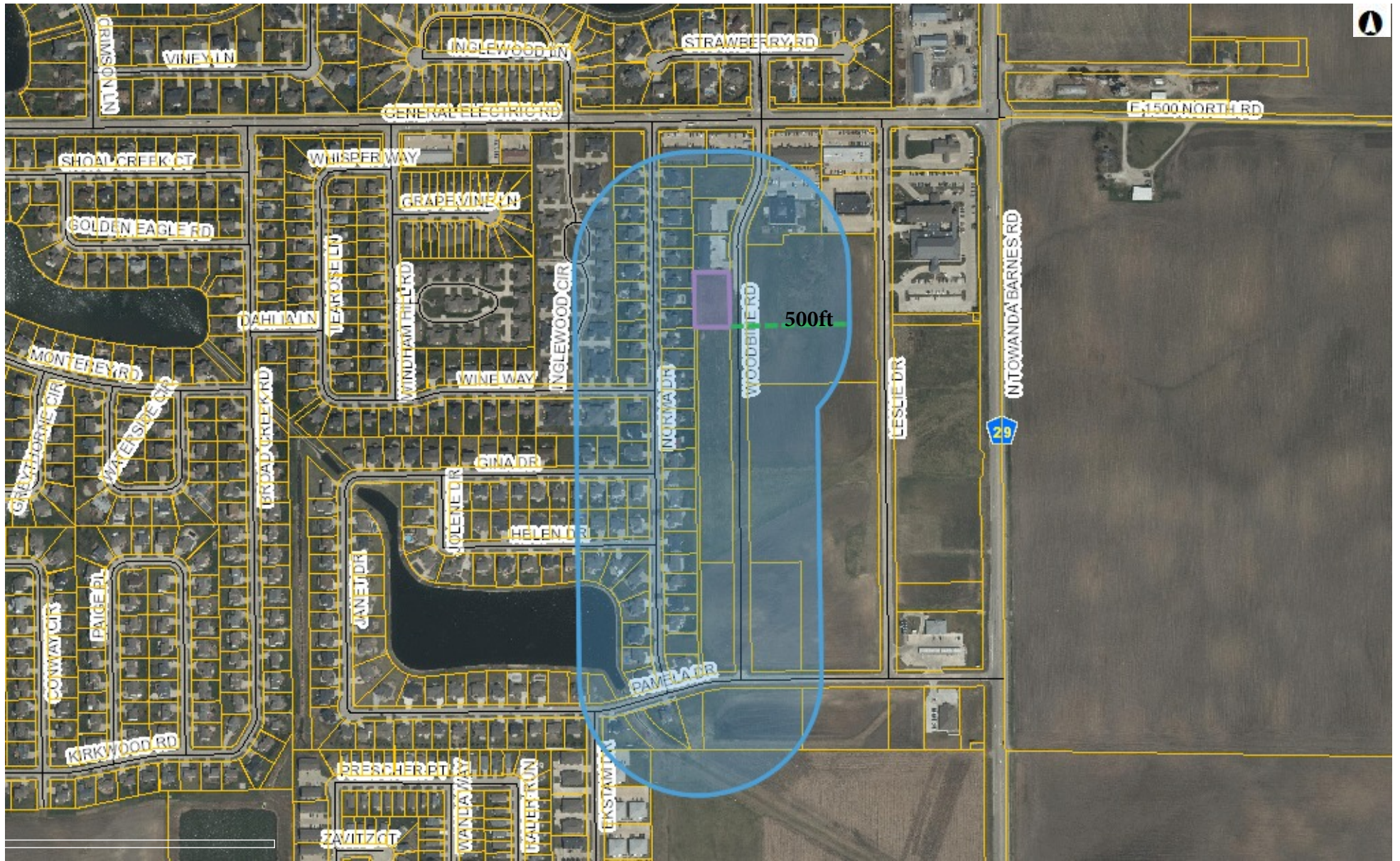
Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday March 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Terra, LLC for the approval of a special use permit for condominium development on property commonly located

HOME FINDER
Find the home of your dreams in Home Finder. This full color magazine is new each month.





Public hearing scheduled 03-21-18 for a special use permit for site south of 1410 Woodbine Rd



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Notes



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

March 2, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday March 21, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by Terra, LLC for the approval of a special use permit for the property located **South of 1410 Woodbine Rd** at which time all interested persons may present their views upon such matters pertaining thereto.

REQUEST

The petitioner is requesting a special use permit to allow for condominium development in the B-1, Highway Business District.

The petitioner or his/her Counsel/Agent must attend the meeting. A legal description of the subject property is attached to this letter.

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e. lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at irivera@cityblm.org or call me at (309) 434-2448.

Sincerely,

Izzy Rivera, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property

Legal Description of property

DOUGLAS M & CHRISTINE E RINGER
1207 NORMA DR
BLOOMINGTON, IL 61704

JIM & DARLENE HAPPEL
1313 NORMA DR
BLOOMINGTON, IL 61704

PANKAJ K SHARMA
1306 NORMA DR
BLOOMINGTON, IL 61704

MATTHEW CHECCHI
3718 HELEN
BLOOMINGTON, IL 61704

QAMER SYEDA
1411 NORMA DR
BLOOMINGTON, IL 61704

MS ALEXIS C KALITZKY KALITZKY ALAN J
&
1205 NORMA DR
BLOOMINGTON, IL 61704

SEPHRINE A & RICHARD H ACHESAH
1314 NORMA DR
BLOOMINGTON, IL 61704

SHISHIR & SHWETA RAUT
1311 NORMA DR
BLOOMINGTON, IL 61704

BETTY DODSON TRUST
1003 DEBRA LANE
PONTIAC, IL 61764

MARCEDA NORD
1420 NORMA DR
BLOOMINGTON, IL 61704

CHRISTINE FLOYD
1419 NORMA DR
BLOOMINGTON, IL 61704

CHARLES GRIFFIS JR
1414 NORMA DR
BLOOMINGTON, IL 61704

JOB REAL ESTATE LLC
1502 E JACKSON ST
BLOOMINGTON, IL 61701

BAPS BLOOMINGTON LLC
81 SUTTONS LN
PISCATAWAY, NJ 8854

TERRA LLC
1904 LONGWOOD LN
BLOOMINGTON, IL 61704

WILLIAM GLISSON
1408 NORMA DR
BLOOMINGTON, IL 61704

DONALD & LESLIE LEAVER
1421 NORMA DR
BLOOMINGTON, IL 61704

NINAN THOMAS
1406 NORMA DR
BLOOMINGTON, IL 61704

EDWARD PANOPIO
1401 NORMA DR
BLOOMINGTON, IL 61704

RICHARD & TERRY L TINAGLIA
1404 NORMA DR
BLOOMINGTON, IL 61704

RODNEY BECKER
1410 NORMA DR
BLOOMINGTON, IL 61704

EDWARD MACK
1405 NORMA DR
BLOOMINGTON, IL 61704

SWARNA PANDRANGI
1416 NORMA DR
BLOOMINGTON, IL 61704

JEANNIE L & NANCY L LATHAM KEIST
1312 NORMA DR
BLOOMINGTON, IL 61704

R JACK DAVIS
1412 NORMA DR
BLOOMINGTON, IL 61704

JOHN STRAUB
1402 NORMA DR
BLOOMINGTON, IL 61704

FORREST LAND TRUST 1997 7 C/O CARL
SCHROF
2205 HEDGEWOOD DR
BLOOMINGTON, IL 61704

SCOTT MORGAN -
1701 E COLLEGE AVE SC 3
BLOOMINGTON, IL 61704

TERRA LLC
1904 LONGWOOD LN
BLOOMINGTON, IL 61704

STEVEN DELIS
1204 NORMA DR
BLOOMINGTON, IL 61704

BLOOMINGTON-NORMAL AIRPORT
AUTHORITY
3201 CIRA DR STE 200
BLOOMINGTON, IL 61704

JEFFREY FURLER
1403 NORMA DR
BLOOMINGTON, IL 61704

GANESAN & RADHA RAJENDRAN
VAIYAPURI
1209 NORMA DR
BLOOMINGTON, IL 61704

COLEEN PREWITT
3720 HELEN DR
BLOOMINGTON, IL 61704

DANIEL DONATH
3713 GINA DR
BLOOMINGTON, IL 61704

ERIC FEIT
3716 HELEN DR
BLOOMINGTON, IL 61704

MCLEAN COUNTY LAND TRUST JS-101
7965 PASEO MEMBRILLO
CARLSBAD, CA 92009

BRIAN MILLER
1413 NORMA DR
BLOOMINGTON, IL 61704

KYLE J & CYNTHIA R DAGGY YOST
1409 NORMA DR
BLOOMINGTON, IL 61704

GREGG CHADWICK
1407 NORMA DR
BLOOMINGTON, IL 61704

JEFFREY & COLLEEN GRAHAM
1422 NORMA DR
BLOOMINGTON, IL 61704

FREDERICK & SHARON TAYLOR
3716 Gina Dr
BLOOMINGTON, IL 61704

ROBERT BEAN
3714 GINA DR
BLOOMINGTON, IL 61704

GLENN HILL
PO BOX 1086
BLOOMINGTON, IL 61702

JAMES E. & PATRICIA L. STANGEL
1305 NORMA DR
BLOOMINGTON, IL 61704

JEFFREY & GINA TARTER
5 CHERRYWOOD LN
BLOOMINGTON, IL 61701

LORRAINE MUHAMMAD
1309 NORMA DR
BLOOMINGTON, IL 61704

ANTHONY SCHULTZ
PO Box 6174
BLOOMINGTON, IL 61702

TAB & NANCY KRAFT
1303 NORMA DR
BLOOMINGTON, IL 61704

SRIM LLC
104 WEXFORD CT
NORMAL, IL 61761

IKRAMUDDIN MOHAMMAD
1315 NORMA DR
BLOOMINGTON, IL 61704

PETER I & JESSICA TERRENCE
3624 PAMELA DR
BLOOMINGTON, IL 61704

REX MOORE
3714 HELEN DR
BLOOMINGTON, IL 61704

PATRICK REEG
3715 GINA DR
BLOOMINGTON, IL 61704

DARWYN & HEATHER BOSTON
3717 GINA DRIVE
BLOOMINGTON, IL 61704

ALKESH & SHANTABEN CHAUDHARI
1415 NORMA DR
BLOOMINGTON, IL 61704

HELEN & LARRY SCHUMACHER
3720 GINA DR
BLOOMINGTON, IL 61704

TROY & DEEDA WILLIAMS
27 Derby Way
BLOOMINGTON, IL 61704

ROBERT RUSH & MICHELLE STEELE
1206 NORMA DR
BLOOMINGTON, IL 61704

MATTHEW JAEGER
3718 GINA DR
BLOOMINGTON, IL 61704

PAUL OBRIAN
1202 NORMA DR
BLOOMINGTON, IL 61704

JENNIFER A & LAWRENCE D OZBURN
3705 PAMELA DR
BLOOMINGTON, IL 61704

RONALD CHICKERING
3715 HELEN DR
BLOOMINGTON, IL 61704

RICHARD GORDON
3713 HELEN DR
BLOOMINGTON, IL 61704

JIM RANDOLPH
1210 NORMA DR
BLOOMINGTON, IL 61704

VIJAYARAJA GOVINDARAJAN
3801 PAMELA DR
BLOOMINGTON, IL 61704

JOSEPH HARRISON
20926 E 1300 NORTH RD
BLOOMINGTON, IL 61705

RAVICHANDRAN & ALAGESHWARI
NATARAJAN
3701 PAMELA DR
BLOOMINGTON, IL 61704

DANIEL & AMANDA FISCHER
3717 HELEN DRIVE
BLOOMINGTON, IL 61704

MATTHEW & AMY MOORE
1208 NORMA DR
BLOOMINGTON, IL 61704

WELBROOK BLOOMINGTON LLC C/O
NORTHSTAR COMMERCIAL PARTNERS
1999 BROADWAY STE 770
DENVER, CO 80202

JEFFREY E & CRYSTAL L TELLING
1201 NORMA DR
BLOOMINGTON, IL 61704

JOSEPH HARRISON
20926 E 1300 NORTH RD
BLOOMINGTON, IL 61705

CHAD SEEMAN
208 PRAIRIE RIDGE DR
LEXINGTON, IL 61753

HARD HAT VENTURES, LLC
1405 Winterberry Cir
BLOOMINGTON, IL 61705