



**AGENDA  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
109 EAST OLIVE ST.  
BLOOMINGTON, IL 61701  
WEDNESDAY, APRIL 17, 2019 at 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Consideration, review and approval of Minutes from the February 20, 2019 meeting.
- 5. REGULAR AGENDA**
  - A. Z-03-19** Consideration, review and action of a petition submitted by Tammy Hoeniges for a variance to a) reduce the front yard setback from 25' to 6', a 19' reduction; b) reduce the rear yard setback from 25' to 7', an 18' reduction; and c) allow an expansion of a nonconforming structure at 807 N Western Ave. (Ward 7)
  - B. SP-01-19** Consideration, review and action of a petition submitted by Karla Lane for a special use permit to allow chicken keeping in the R-2, Mixed Residence District at 3402 E Oakland Ave and 3404 E. Oakland Ave. (Ward 3)
- 6. OTHER BUSINESS**
- 7. NEW BUSINESS**
  - A.** Recognition of Appreciation – Barbara Meek for her service on the Bloomington Zoning Board of Appeals.
  - B.** Recognition of Appreciation – Jeff Brown for his service on the Bloomington Zoning Board of Appeals.
- 8. ADJOURNMENT**

**DRAFT MINUTES  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING - 4:00 P.M.  
WEDNESDAY, FEBRUARY 20, 2019  
COUNCIL CHAMBERS, CITY HALL  
109 EAST OLIVE STREET  
BLOOMINGTON, ILLINOIS**

Members present: Mr. Terry Ballantini, Mr. Jeff Brown, Ms. Victoria Harris, Mr. Michael Rivera Jr, Mr. Robert Schultz, and Mr. Richard Vitengruber.

Members absent: Ms. Barbara Meek,

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

Mr. Brown called the meeting to order at 4:01 p.m. Ms. Simpson called the roll; with six members present, the Zoning Board of Appeals established a quorum.

**PUBLIC COMMENT:** None.

**MINUTES:** The Zoning Board of Appeals reviewed the December 19, 2018 regular meeting minutes. Ms. Harris corrected a scrivener's error on page 2. Ms. Harris motioned to approve the minutes as corrected. Seconded by Mr. Schultz. The motions was approved unanimously, 6-0 by voice vote.

**REGULAR AGENDA:**

**Z-01-19 Consideration, review and action of a petition submitted by Angela Doyle requesting a variance to reduce the front yard setback from 19' (block average) to 14', a 5' reduction to allow for a covered porch. (Ward 4).**

Chairman Brown introduced the case. Ms. Angela Doyle, 1506 W. Chestnut St., was sworn in. Ms. Doyle explained that she is in the process of renovating her house and relocating the front door. She is requesting the variance is needed so that she can relocate the porch, and make reasonable use of the porch. Her home faces a park and she explained the variance would allow her to use the porch and enjoy the park.

No one testified in favor of the variance and no one spoke against the variance. Ms. Manduanjo provided the staff report and recommendation. She stated staff is recommending in favor of the variance. She described the home, its location and the neighborhood. She presented the property's zoning and surrounding zoning and land uses. Ms. Manduanjo described the neighborhood and provided history and background on the establishment and development of the neighborhood and surrounding homes. She explained that the proposed porch would encroach eight feet into the required front yard setback. Ms. Mandujano shared renderings she prepared to illustrate the proposed porch, requested variance and possible neighborhood impacts. Ms. Rivera explained that the petition meets the standards of a variance. She stated there is precedence in the neighborhood and disallowing the porch would

deny the petitioner a right afforded to neighbors, and would be consistent with other homes on the block.

Ms. Harris asked if the petitioner would use the same material for the porch as the house. Ms. Doyle stated it would be a wood porch. Ms. Harris commented that the porch would be an improvement. Ms. Harris motioned to accept the staff analysis and finding of fact. Mr. Rivera seconded the motion. The motion was approved 6-0 with the following votes cast: Ms. Harris—yes; Mr. Rivera—yes; Mr. Ballantini—yes; Mr. Schultz—yes; Mr. Veitengruber—yes; Chairman Brown—yes.

Mr. Ballantini motioned to vote on the petition. Seconded by Ms. Harris. The variance was approved 6-0, with the following votes cast in favor on roll call: Mr. Ballantini—yes; Ms. Harris—yes; Mr. Rivera—yes; Mr. Schultz—yes; Mr. Veitengruber—yes; Chairman Brown—yes.

**OTHER BUSINESS:**

Mr. Schultz shared that he does not agree with the ZBA's recommendation to amend the appeal procedures and stated he intended on contacting City Council to explain why he does not support the recommendation. Ms. Simpson just clarified that Council and the Planning Commission received copies of the minutes and votes from the meeting. Mr. Boyle explained that the existing appeal rights apply when an application is denied by fewer than five votes and the Zoning Board is the final authority sometimes with Council as the final authority sometimes. Mr. Brown stated that he believes there had been three appeals to council in the past three years. Ms. Harris provided background about how the conversation began for the new Zoning Board Members. She explained that the ZBA carries out a thorough analysis of the standards and stated that the Board was mainly concerned about the lower level of scrutiny and analysis used by Council to make a determination to overturn the Board's decision. Mr. Schultz explained he was worried an appeal may be more financially burdensome on people with lesser means. Ms. Simpson said that if an application is denied, hat apart from an appeal, the applicant could also substantially revise the petition and resubmit or submit a new application in one year. Mr. Boyle explained the process for an administrative review and stated that the City is typically responsible for providing the record during an administrative review. Mr. Boyle stated that for a petition for a variance to be approved, by state statute there have to be at least 4 positive votes. Ms. Simpson added that in the past three years, two cases have automatically received a right to appeal to council because at only four members were present at the meeting.

**NEW BUSINESS:** None

**ADJOURNMENT**

Mr. Rivera motioned to adjourn. Seconded by Ms. Harris. The motion was approved by voice vote. The meeting adjourned at 4:27 PM

Respectfully Submitted,  
Katie Simpson,  
City Planner

**CITY OF BLOOMINGTON  
REPORT FOR THE BOARD OF ZONING APPEALS  
APRIL 17, 2019**

<b>CASE NUMBER:</b>	<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-03-19	807 N Western	Variances	Izzy Mandujano Assistant City Planner

<b>PROJECT DESCRIPTION:</b>
Demolition of the existing principle structure to allow the construction of a new house using the same footprint with some additions.
<b>PETITIONER'S REQUEST:</b>

Section of Code: Chapter 44 Division 4-3. Table A and Division 11-2

<b>Type of Variance</b>	<b>Request</b>	<b>Required</b>	<b>Variation</b>
Front yard setback	6' front yard setback	25'	19 ft decrease in required front yard setback.
Rear yard setback	7' rear yard setback	25'	18ft decrease in required rear yard setback
Expanding a nonconformity	Enlarging the principle structure	Not permitted	Enlarging a nonconforming principle structure

<b>STAFF RECOMMENDATION:</b>	<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 the setback will be consistent with setbacks that exist on the street and the neighborhood.</p> <p><i>Staff recommends the Zoning Board of Appeals <b>approve</b> the variances for 807 N. Western.</i></p>
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807 N Western Ave

**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 April 1, 2019.

**GENERAL INFORMATION**

Owner and Applicant: Tammy Hoeniges

**PROPERTY INFORMATION**

**Legal description:** DIDLAKE'S ADDN LOT 10 BLK 3

Existing Zoning: R-1C, High-density single family residential  
Existing Land Use: Single family home  
Property Size: Approximately 7,800 sqft (50 X 156)  
PIN: 21-05-209-019

**Surrounding Zoning and Land Uses**

Zoning

North: R-1C, Single family residential  
South: R-1C, Single family residential  
East: R-1C, Single family residential  
West: R-1C, Single family residential

Land Uses

North: Single family home(s)  
South: Single family home(s)  
East: Single family home(s)  
West: Single family home(s)

**Analysis**

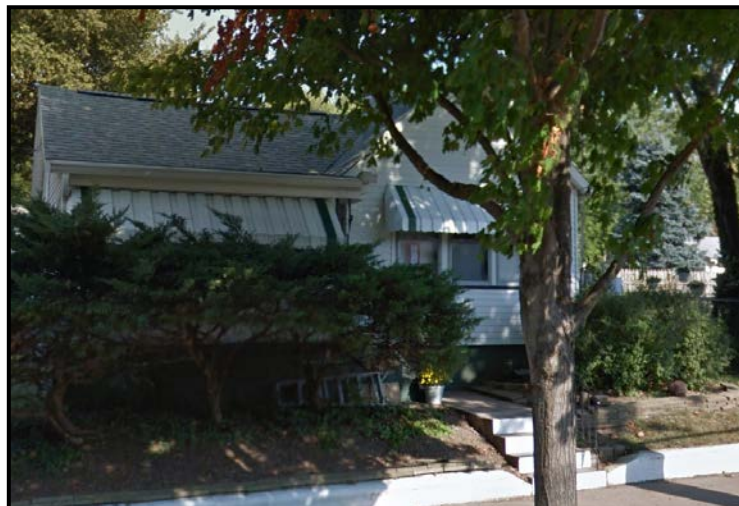
Submittals

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.*



The subject property, 807 N. Western Ave, is located on the south east corner of W. Walnut Street and N. Western Avenue. The block is comprised of narrow lots with the homes setback closer to the front property line along W. Walnut Street. North Western Avenue functions as a side street along this block. The lot has a depth of approximately 156 feet and a width of 50 feet. The site is improved with a single family house.



807 N. Western Ave.

The subject property and the immediate area were annexed into the City of Bloomington in 1850. The Didlakes Addition was platted in 1855. The homes in this area were built prior to the adoption of the Zoning Ordinance. The majority of the homes were built in the early 1900s, including the subject property home. The lots in this subdivision are narrow and long. There is also an alley that cuts through the subdivision and runs east and west, located directly south of the subject property.

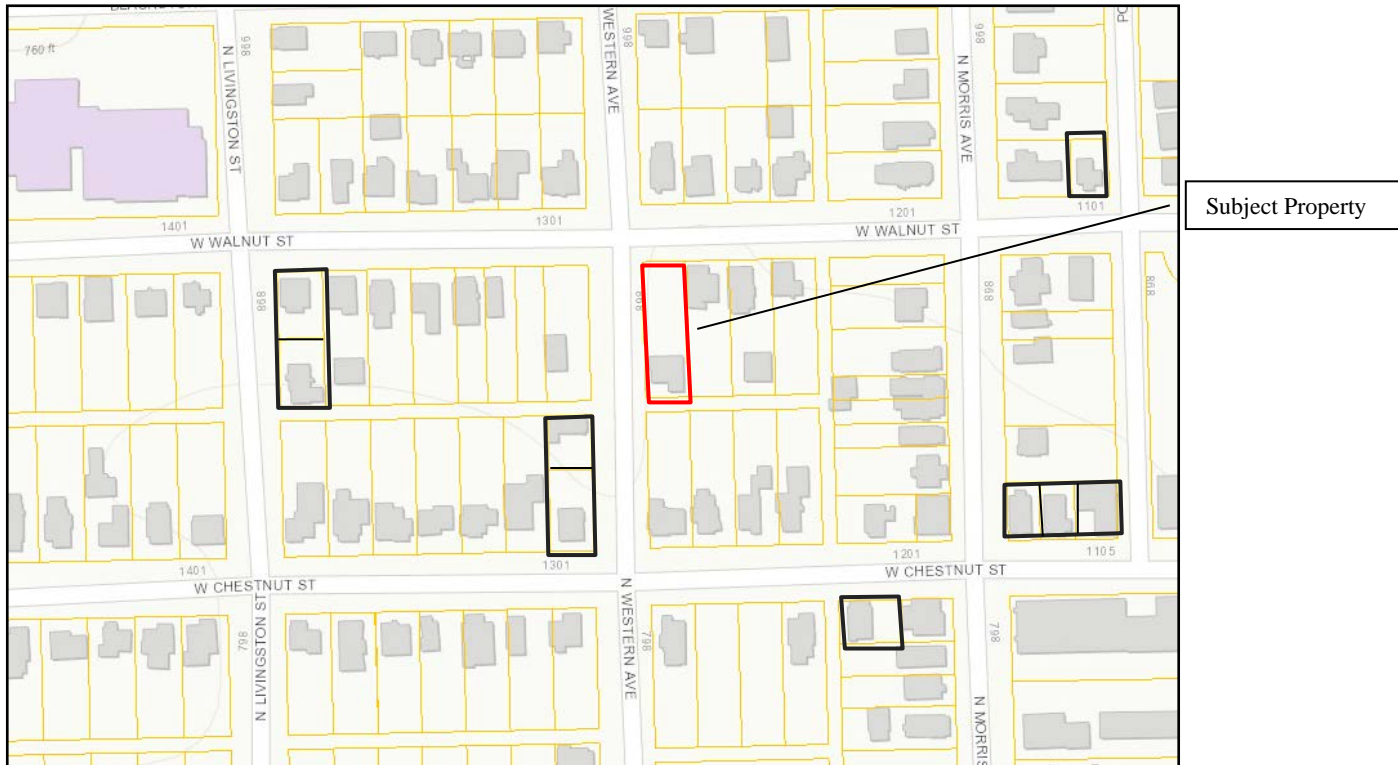
The principle structure as it stands now, would be considered legal nonconforming by the City of Bloomington Zoning Ordinance, since it was established before the code. The petitioner is requesting variances in order to take down the existing principle structure, rebuild using the same footprint, and include some additions. This would also require the expansion of a nonconforming structure. The Zoning Ordinance states in Chapter 44 Division 11-2, that even if the structure was lawful at the date of the adoption of the Code, and is considered nonconforming now because of setbacks and other requirements, the structure may not be enlarged, reconstructed, or structurally altered. Therefore requiring a variance to expand an existing nonconforming structure. The petitioner is proposing to construct the new home with the same setbacks in the front and rear. The City of Bloomington Zoning Ordinance identifies front yard setbacks as being measured from the distance between the front property line and the principle structure and they should be established “along with frontages of a corner lot”<sup>1</sup>. The front and rear yard setback for the R-1C, High Density Single Family Residence District should be twenty-five (25) feet. The side yard should be six (6) feet. The requested front yard setback variance is along N. Western Ave. There are not many homes on that block which take their entrance from Western Avenue. Those that do, are two block north of the subject property, and also have a significantly reduced front yard. Western Avenue functions as a street running along the side yards in this block, as seen in the map below.



<sup>1</sup> City of Bloomington Zoning Ordinance Ch. 44 Division 16 Definitions

**Agenda Item 5A**  
**Z-03-19**  
**807 N. Western Ave.**

Consequently because the homes are setback closer to the front property line, the rear yards are significantly greater in this area. Some of the rear yard setback on this block exceed 100 feet, this also exceeds the rear yard setback established by the Zoning Ordinance Chapter 44 Division 4-3. The variance would allow the house to continue to be situated in the exact location it is currently, after the new construction is complete. There are various lots in this area, which are similar to the subject property. Lots which have historically been divided contain homes that expand the entire lots. Others are situated in opposite corners of the adjacent properties, as seen in the map below. These characteristics contribute to the configuration of the area and neighborhood.



Maps from the McLean County GIS show that the subject property was divided during the 70's and 80's much like is still present on the map today.

*Project Description:* This existing home is located toward the alley, south on the lot. The access is found on N. Western Ave. The home as it exists today has an approximate front yard setback from W. Walnut Street of 109 feet, and a front yard setback from N. Western Ave of approximately 6 feet. The side yard, toward the alley, meets the Bulk Regulations for side yards of six (6) feet. The home has existed for over 100 years and is in need of extensive repairs. The petitioner is proposing to tear down the existing principle structure, and use the exiting foot print to build a new home. The new construction would include accessible friendly functions such as a ramp. The garage would also be built larger than the existing, however the projection into the front yard, along N. Western Ave, would not be further encroached upon. The proposed new construction can be found in the architectural sketch provided by the petitioner.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Section of Code: Chapter 44 Division 4-3. Table A and Division 11-2

<b>Type of Variance</b>	<b>Request</b>	<b>Required</b>	<b>Variation</b>
Front yard setback	6' front yard setback	Block average, approximately 19'	5ft decrease in required front yard setback.
Rear yard setback	7' rear yard setback	25'	18ft decrease in required rear yard setback
Expanding a nonconformity	Enlarging the principle structure	Not permitted	Enlarging a nonconforming principle structure

**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 and rear yard setback. None of the homes on the block have front yard setbacks which meet the minimum required by the code. The homes constructed in the immediate area were built closer to the street. The variance will allow the home to be improved at its current location and be consistent with the makeup of the neighborhood. **The standard is met.**

**That the variances would be the minimum action necessary to afford relief to the applicant; and** the petitioner would be able to remodel the home and would not be required to apply for any variances. The petitioner has the option to move the entire home and footprint to comply with the homes directly adjacent to the subject property. This could result in other variances or a change of address. The longer, narrow lots, are prevalent in the area and are part of the character of the neighborhood. **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 various setbacks in the area, the development of the neighborhood prior to the adoption of the code, and the makeup of the lots throughout the neighborhood. **The standards 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 various lots which are improved with single family homes closer to the property lines. There are various sites scattered



through the neighborhood which appear to be lots that have been divided at some point in the past and would be considered non-conforming today. The variance would not allow the applicant a privilege denied by others in the neighborhood, as it could exist as it stands today as a legal nonconforming structure. **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 new construction would maintain the existing footprint and the additions would not encroach into the visibility of any neighbors. To date, staff has not received concerns or opposition to the project. **The standard is met.**

**STAFF RECOMMENDATION:** 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. No consistent setback exists for the streets in this neighborhood.

*Staff recommends the Zoning Board of Appeals **approve** the variances for 807 N. Western Avenue to allow a reduction in the front yard setback, rear yard setback and the expansion of a nonconforming structure.*

Respectfully submitted,  
Izzy Mandujano  
Assistant City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial 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: 807 N WESTERN AVE

Petitioner: Tammy Hoeniges

Phone: [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: 807 N Western Ave, Bloomington, IL 61764

Code: \_\_\_\_\_

Contractual interest in the property X yes \_\_\_\_\_ no

Signature of Applicant ( [REDACTED] 3/7/19  


**BRIEF PROJECT DESCRIPTION:** Demolition of existing house and construction of new dwelling on existing footprint, with modest addition.

**SETBACK VARIANCES REQUESTED.** Current setbacks for R1-C Zoning requires 25' front and rear setbacks. This parcel is only 50' deep, front to back.

The following variances are requested are to maintain existing house and garage setbacks.

1. Front yard setback, reduction from the block average (44.4-5D) on Western Ave. : Reduce 25' front yard setback to current approximate 6' (approximate 22' from edge of street)
2. Rear yard setback, reduction from 25ft in the R-1C district (44.6-40) opposite Western Ave front yard. Reduce 25' rear yard setback to current approximate 7'
3. Expanding a nonconforming structure (44.4-6C1).

MAR 08 2019

## FINDING OF FACTS:

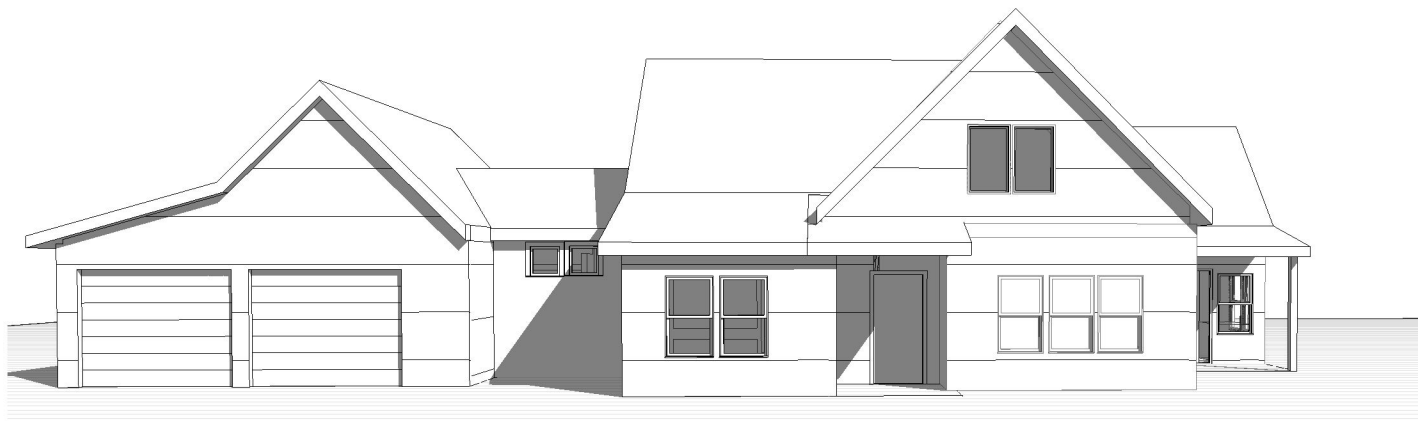
- When the home was constructed it complied with existing zoning codes regarding setbacks, and these setbacks of this house are consistent with most other homes in the neighborhood. Some homes in the neighborhood are built directly on the lot lines, and most are set close to the street.
- This property facing Western Avenue is 50' deep, precluding adherence to the 25' front and rear setbacks required under current code.
- The existing house has been the home of several generations of the Hoeniges family. They have family members and friends living in close proximity and therefore choose to remain living at this location.
- The existing house is over 100 years of age and in need of extensive repair to foundation, roof, floor, walls, windows and exterior doors in order to be of continued use. The cost of repairing and replacing these components exceeds the cost of razing the structure and building new.
- A 5' addition to the north side of the house structure enables room to construct a staircase within the house for access to the second floor, and a 10'X14' addition between house and garage creates a handicap accessible route into the home .
- The existing 14'X20' garage would be razed and replaced with a 24'X24' garage to accommodate cars and allow for car doors to open and wheelchair/walker to maneuver from the car to the house door.
- The requested additions to the house and garage are the minimum required to make the home functional for current needs and into the future.
- The proposed house is designed to blend with the existing character of the neighborhood.

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. STATEMENT OF FINDINGS OF FACT (Must be answered by the Petitioner) Chapter 44, Section 9.40(d) A variation from the terms of this Code shall not be granted by the Zoning Board of Appeals unless and until findings of fact are submitted demonstrating:

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and
2. That the variance would be the minimum action necessary to afford relief to the applicant; and
3. That the special conditions and circumstances were not created by any action of the applicant; and
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
5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.



EXISTING STREET VIEW



① STREET VIEW

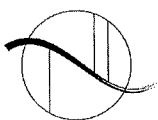
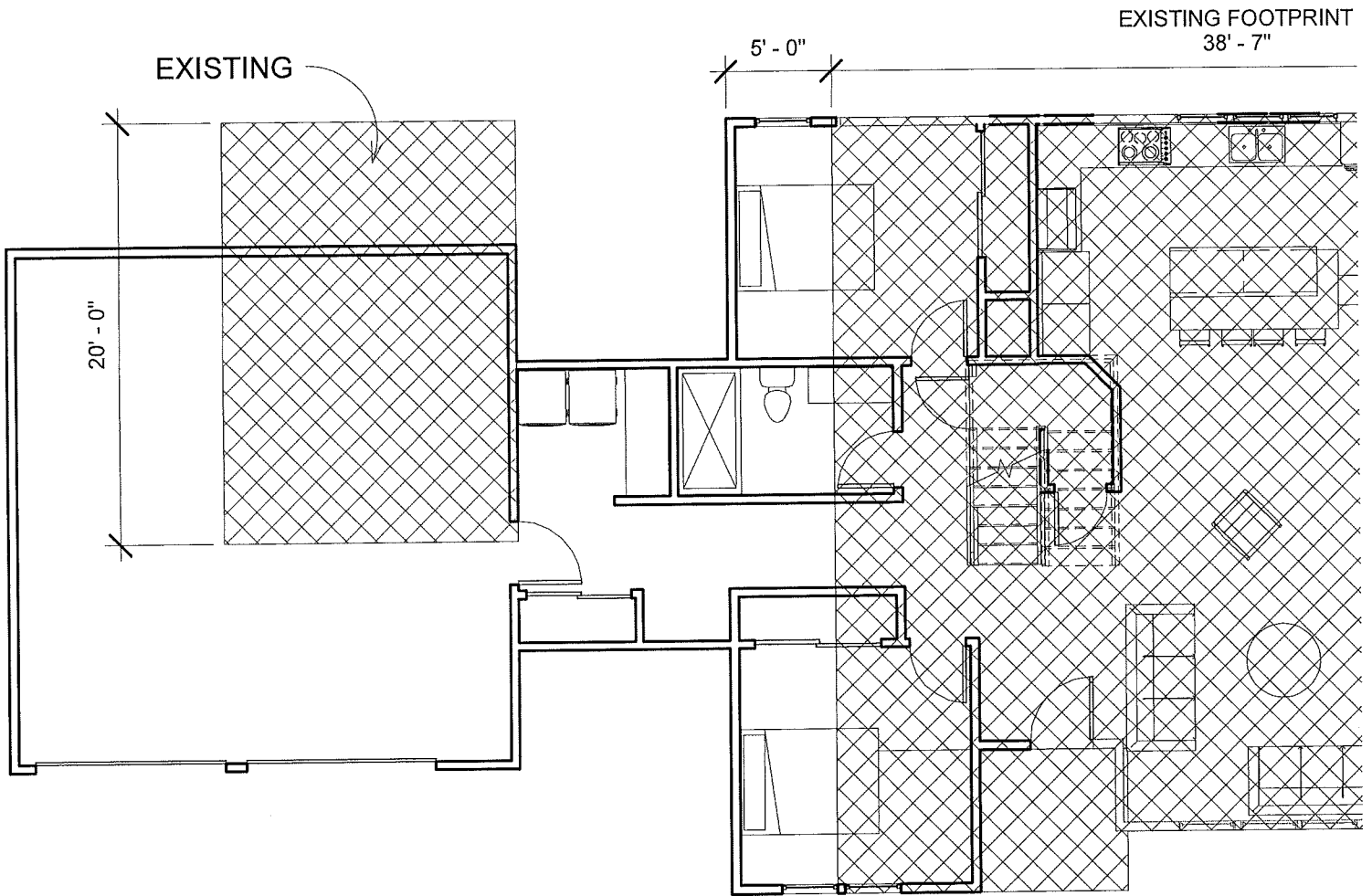


VIRGE TEMME ARCHITECTURE  
Sturgeon Bay, WI  
virge@virgetemme.com

HOENIGES  
PROPOSED  
STREET VIEW

2.27.19

P1

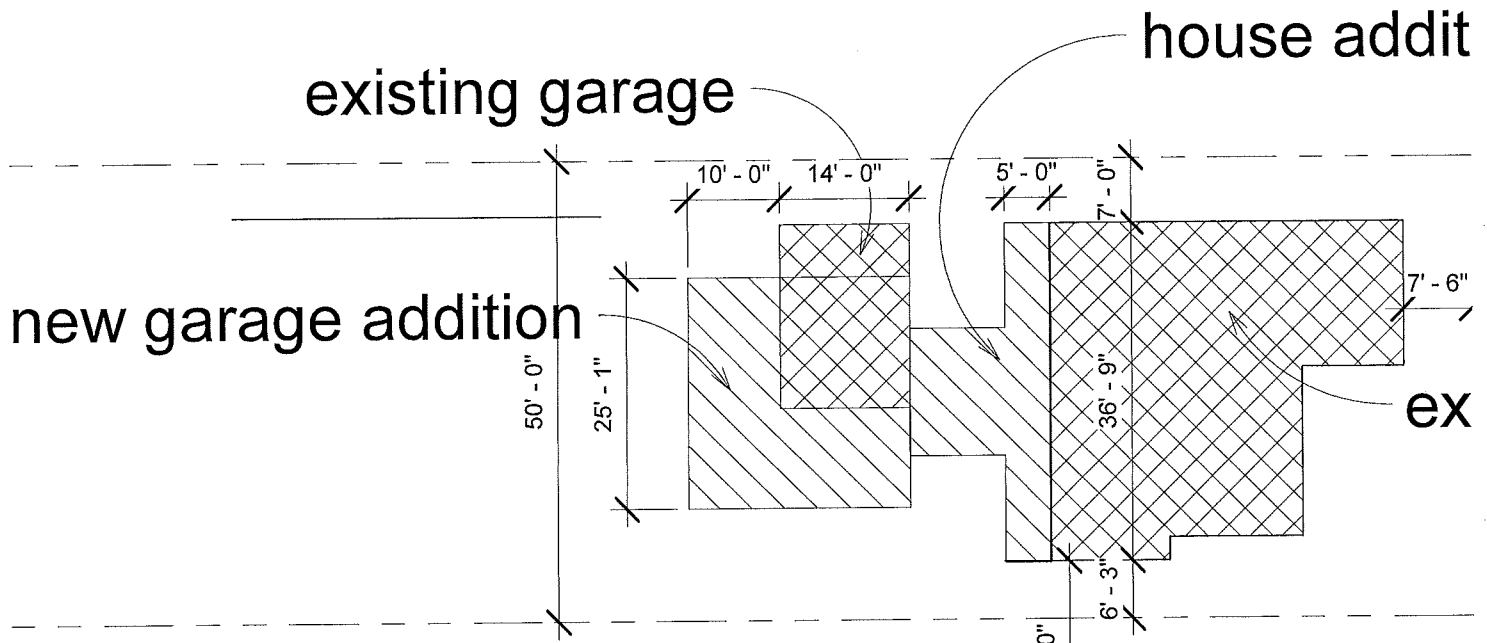


VIRGE TEMME ARCHITECTURE  
Sturgeon Bay, WI  
virge@virgetemme.com

HOENIGES  
PROPOSED  
FIRST FLOOR

3.619



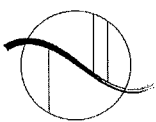


① PARTIAL SITE PLAN  
1" = 20'-0"

NORTH

WESTERN AVE  
N WESTERN AVE

NORTH

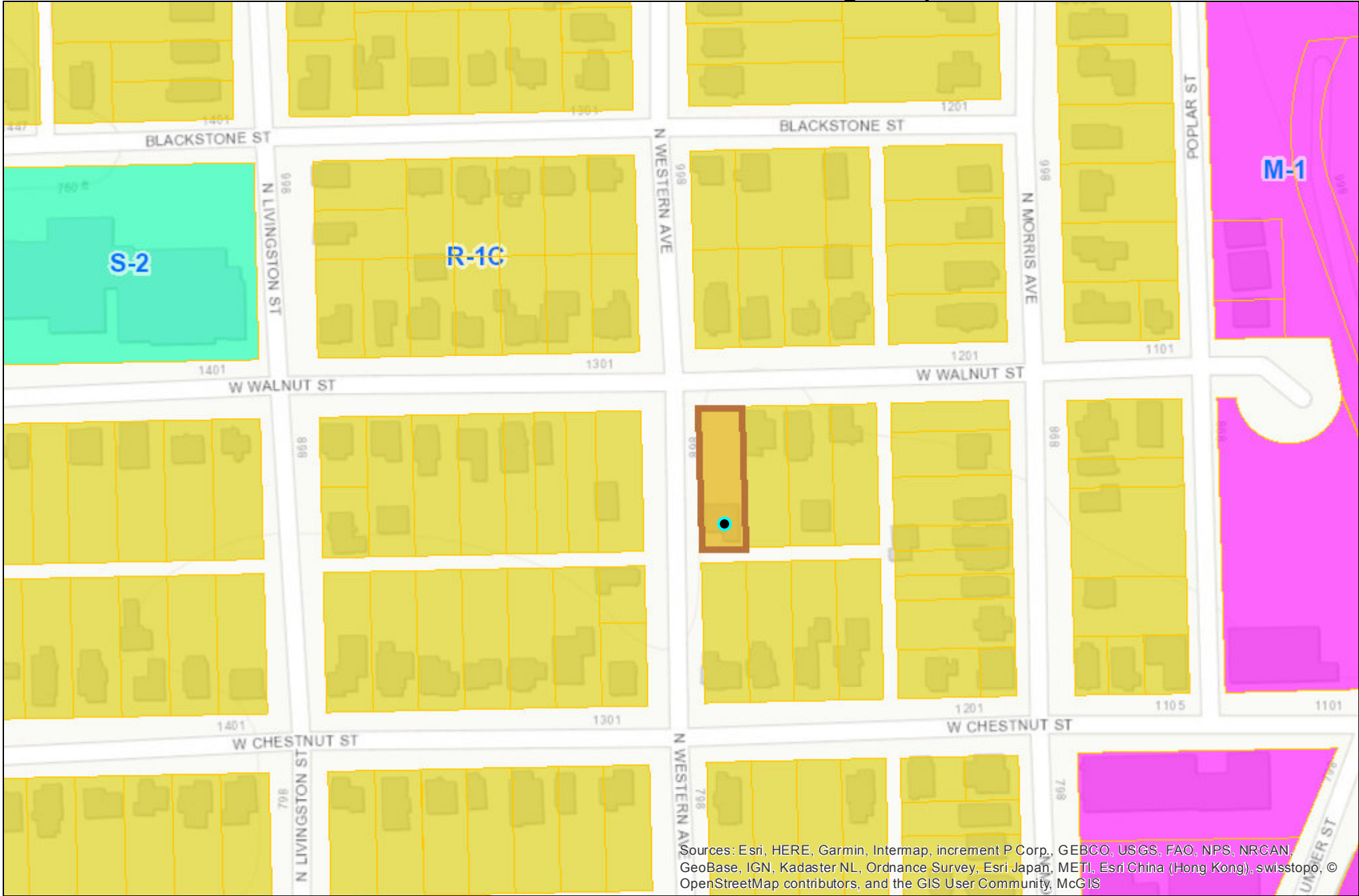


VIRGE TEMME ARCHITECTURE  
Sturgeon Bay, WI  
virge@virgetemme.com

HOENIGES  
SITE PLAN

3.619

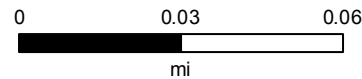
# 807 N Western Zoning Map



Sources: Esri, HERE, Garmin, Intemap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community, McGIS



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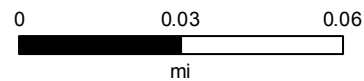




# 807 N Western Aerial Map



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38011  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD  
OF APPEALS  
APRIL 17, 2019

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, April 17, 2019 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petition:

Tammy Hoeniges is requesting the following Variance requests at 807 N. Western Ave., Bloomington, IL 61764. PIN 21-05-209-019 (DIDLAKE'S ADDN LOT 10 BLK 3). The petitioner is requesting: a) a reduction in the front yard setback from 25' to 6', a 19' reduction b) a reduction in the rear yard setback from 25' to 7', an 18' reduction and c) an expansion of a nonconforming structure to allow for a new home.

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](mailto:cityclerk@cityblm.org). The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: April 1, 2019



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

March 25, 2019

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday April 17, 2019 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois**, to hear testimony for a petition submitted by Tammy Hoeniges, for approval of variance requests, for the property at **807 N Western Ave.**, 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 the following variance requests: a) a reduction in the front yard setback from 25' to 6', a 19' reduction b) a reduction in the rear yard setback from 25' to 7', an 18' reduction and c) an expansion of a nonconforming structure to allow for a new home.

LEGAL DESCRIPTION: DIDLAKE'S ADDN LOT 10 BLK 3

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](http://www.cityblm.org).

If you desire more information regarding the proposed petition or have any questions you may email me at [imandujano@cityblm.org](mailto:imandujano@cityblm.org) or call me at (309) 434-2341.

Sincerely,

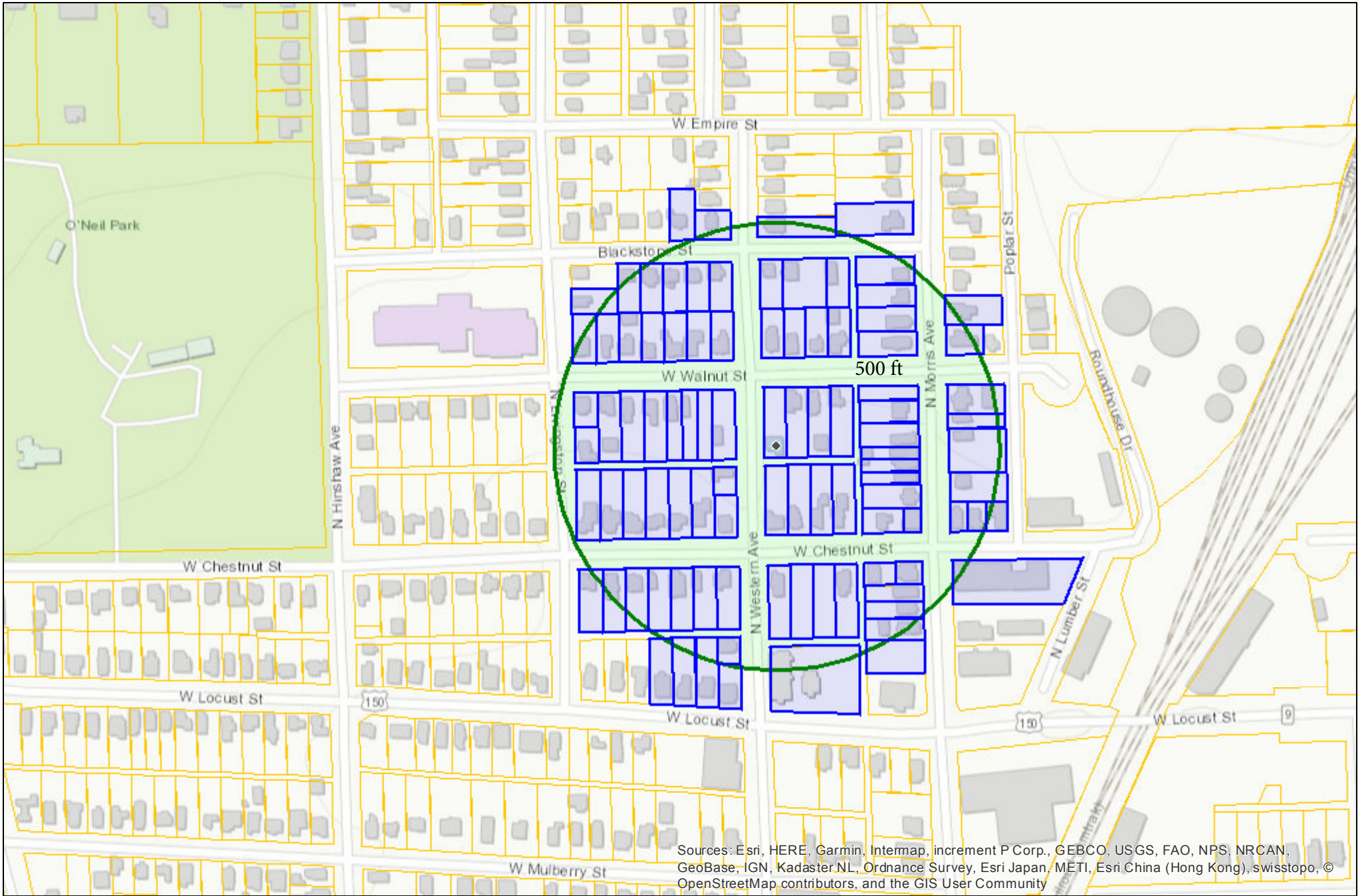
A handwritten signature in cursive script that reads 'Izzy Mandujano'.

Izzy Mandujano, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property

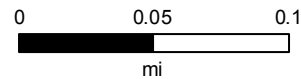




Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community



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LINDA J & JAMES R WHEELOCK  
503 E Taylor St  
BLOOMINGTON, IL 61701

MARY TOBIN  
1407 N MAPLE  
NORMAL, IL 61761

PATRICIA REEVE  
1305 W Locust St  
BLOOMINGTON, IL 61701

JEANETTE HUGHES  
1008 N WESTERN AVE  
BLOOMINGTON, IL 61701

DANIEL MAX  
1311 W WALNUT ST  
BLOOMINGTON, IL 61701

BRADLEY SHELER  
902 N MORRIS AVE  
BLOOMINGTON, IL 61701

JEFF BOEHM  
1310 BLACKSTONE ST  
BLOOMINGTON, IL 61701

MAX WIESE  
907 N LIVINGSTON ST  
BLOOMINGTON, IL 61701

BRAD BUTZIRUS  
P O BOX 6226  
BLOOMINGTON, IL 61702

JUSTIN JOHNSON  
908 N WESTERN  
BLOOMINGTON, IL 61701

CHRISTINA ISTEAD  
1301 W WALNUT  
BLOOMINGTON, IL 61701

DELMAR LEATHERS  
510 S MCLEAN ST  
HUDSON, IL 61748

TRICIA BOSQUEZ  
1315 W WALNUT ST  
BLOOMINGTON, IL 61701

% DOLORES TAMINGER HUGHES,  
HELEN E  
1623 KOCH ST  
BLOOMINGTON, IL 61701

GLADYS DALTON  
1313 W WALNUT  
BLOOMINGTON, IL 61701

MICHAEL SHELTON  
1304 W WALNUT  
BLOOMINGTON, IL 61701

BRUCE KOPASKEY  
3004 WINCHESTER DR  
BLOOMINGTON, IL 61704

MARTIN HOENIGES  
808 N MORRIS AVE  
BLOOMINGTON, IL 61701

NITA HERALD  
1206 BLACKSTONE  
BLOOMINGTON, IL 61701

JAMES RYBARCZYK  
1304 BLACKSTONE ST  
BLOOMINGTON, IL 61701

DONNA ANDRES  
1209 W WALNUT ST  
BLOOMINGTON, IL 61701

KATHRYN WOITH  
1213 W WALNUT ST  
BLOOMINGTON, IL 61704

ANITA MARTIN  
1002 N WESTERN AVE  
BLOOMINGTON, IL 61701

THOMAS LEE ABBOTT  
509 WOODRIG RD  
BLOOMINGTON, IL 61704

ST PATRICKS ROMAN CATHOLIC CONG-  
PARS  
1209 W LOCUST  
BLOOMINGTON, IL 61701

TONYA JONES  
1306 W WALNUT ST  
BLOOMINGTON, IL 61701

MICHAEL WALDEN  
906 N MORRIS AVE  
BLOOMINGTON, IL 61701

THOMAS E & LEATHA L MANES  
1303 W WALNUT ST  
BLOOMINGTON, IL 61701

TERENCE I & CHRISTINA M SMITH  
1212 W BLACKSTONE  
BLOOMINGTON, IL 61701

TAMMY WERKHEISER  
1306 Blackstone St  
BLOOMINGTON, IL 61701

MATTHEW SCHWEITZER  
1308 BLACKSTONE ST  
BLOOMINGTON, IL 61701

GEORGE CUSHING  
1107 W CHESTNUT ST  
BLOOMINGTON, IL 61701

LLOYD E & EVA THACKER  
1003 W COLLEGE AVE  
NORMAL, IL 61761

JERRY WHEELER  
1308 W CHESTNUT  
BLOOMINGTON, IL 61701

ORANGE REO II LLC  
295 E HIGHWAY 50 STE 5  
CLERMONT, FL 34711

JUDITH BROWN  
806 N MORRIS AVE  
BLOOMINGTON, IL 61701

JEANETTE HUGHES  
1008 N WESTERN AVE  
BLOOMINGTON, IL 61701

STEVEN W & ANGIE THORP  
814 N MORRIS AVE  
BLOOMINGTON, IL 61701

THOMAS ABBOTT  
509 WOODRIG RD  
BLOOMINGTON, IL 61704

ST PATRICKS CHURCH  
1209 W LOCUST  
BLOOMINGTON, IL 61701

JEFFERY BOEHM  
1310 BLACKSTONE ST  
BLOOMINGTON, IL 61701

R TRAVIS WIELAND  
28 PEMBROOK CIR  
BLOOMINGTON, IL 61704

EUNICE TENNISON  
1304 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JASON THORP  
807 N Morris Ave  
Bloomington, IL 61701

VICKY NEHRT  
712 N MORRIS  
BLOOMINGTON, IL 61701

ROZANNE C & RICKARDO A RAMIREZ  
PO BOX 3334  
BLOOMINGTON, IL 61702

WENDY KELLER  
1312 W WALNUT ST  
BLOOMINGTON, IL 61701

STEVEN W & ANGIE THORP  
814 N MORRIS AVE  
BLOOMINGTON, IL 61701

ROBERT WHEELER  
1302 W CHESTNUT  
BLOOMINGTON, IL 61701

ST PATRICKS CHURCH  
1209 W LOCUST  
BLOOMINGTON, IL 61701

KSCI PROPERTIES LLC  
14162 JEAN TRCE  
BLOOMINGTON, IL 61705

DML REAL ESTATE  
202 NORTH CENTER STREET SUITE 2  
BLOOMINGTON, IL 61701

GLENN NELSON  
18 KENFIELD CIR  
BLOOMINGTON, IL 61704

EDWARD CARROLL  
1112 COLTON AVE  
BLOOMINGTON, IL 61701

JOHN MASTERS  
803 N MORRIS AVE  
BLOOMINGTON, IL 61701

BRET BRIDGES  
809 N MORRIS AVE  
BLOOMINGTON, IL 61701

ANDREA LENZ  
1210 BLACKSTONE ST  
BLOOMINGTON, IL 61701

EDWARD LIPSCOMB  
1003 N MORRIS AVE  
BLOOMINGTON, IL 61701

EDITH SMITH  
1310 W CHESTNUT ST  
BLOOMINGTON, IL 61701

DAVID WALKER  
1312 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JAMES SIDES  
1314 W CHESTNUT ST  
BLOOMINGTON, IL 61701

EDWARD CARTER  
1207 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JAMES POWELL  
1303 BLACKSTONE ST  
BLOOMINGTON, IL 61701

CRAIG CEBUHAR  
PO BOX 292  
CARLOCK, IL 61725

ST PATRICKS CHURCH  
1209 W LOCUST  
BLOOMINGTON, IL 61701

JAMES WEST  
901 N MORRIS  
BLOOMINGTON, IL 61701

JODY SCRANTON  
1301 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JONATHAN LEE SMITH  
903 N MORRIS AVE  
BLOOMINGTON, IL 61701

TARA BAUMAN  
1211 W CHESTNUT ST  
BLOOMINGTON, IL 61701

MARTIN HOENIGES  
808 N MORRIS AVE  
BLOOMINGTON, IL 61701

EDWARD H & CAROL S LOCKWOOD  
PENA  
3059 LYNDBURST N  
DEERFIELD BEACH, FL 33442

DANIEL HALL  
1209 W CHESTNUT ST  
BLOOMINGTON, IL 61701

BENJAMIN COTTONE  
3 ELLEN WAY  
NORMAL, IL 61761

DOROTHY WAGNER  
1311 W CHESTNUT ST  
BLOOMINGTON, IL 61701

ANDREW MESSERSMITH  
812 N MORRIS AVE  
BLOOMINGTON, IL 61701

CARL THACKER  
1806 E EMPIRE ST  
BLOOMINGTON, IL 61701

THOMAS ABBOTT  
1203 W CHESTNUT ST  
BLOOMINGTON, IL 61701

DARREL & JENIFER PETRI  
3136 AUBURN RD  
BLOOMINGTON, IL 61704

DAVID G & LUCY M REYNOLDS  
1303 W CHESTNUT ST  
BLOOMINGTON, IL 61701

BENJAMIN OWENS  
1212 W WALNUT ST  
BLOOMINGTON, IL 61701

BRYAN ROACH  
908 N Morris Ave  
Bloomington, IL 61701

JENNA BOEHM  
806 N Western Ave  
Bloomington, IL 61701

MIGUEL GOMEZ  
1210 CADWELL DR  
BLOOMINGTON, IL 61704

JESSE D & CANDACE M SMITH  
1313 W CHESTNUT ST  
BLOOMINGTON, IL 61701

ABIGAIL JOHNSON  
807 N LIVINGSTON ST  
BLOOMINGTON, IL 61701

ROBERT E & DONNA J ARMES  
1305 W CHESTNUT ST  
BLOOMINGTON, IL 61701

KENNETH & BARBARA SPELDE  
123 BLUE CHURCH CT  
COLUMBIA, SC 29212

MARIA ALVAREZ  
1205 W CHESTNUT ST  
BLOOMINGTON, IL 61701

MARY ANN KING  
1212 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JULIE ANN CROWE  
807 1/2 N MORRIS AVE  
BLOOMINGTON, IL 61701

BARBARA SHELTER  
1206 W CHESTNUT ST  
BLOOMINGTON, IL 61701

JOHN HOENIGES  
807 N WESTERN AVE  
BLOOMINGTON, IL 61701

DEWITT BECK  
714 N MORRIS AVE  
BLOOMINGTON, IL 61701

DEWITT BECK  
1202 W CHESTNUT ST  
BLOOMINGTON, IL 61701



**CITY OF BLOOMINGTON  
 REPORT FOR THE BOARD OF ZONING APPEALS  
 APRIL 17, 2019**

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
SP-01-19	3402 & 3404 E. Oakland Ave	Allow chicken keeping in the R-2, Mixed Residence District	Izzy Mandujano Assistant City Planner

PETITIONER'S REQUEST:			
Section of Code: 44.4-2 Residential Districts-Permitted and Special Uses and 44.10-11 Chicken Keeping Use Provisions			
Type	Request	Required	Special Use
Special Use permit	Chicken Keeping	Special use	Allow chicken keeping

<b>Project Description</b>	The petitioner is seeking a Special Use to allow chicken keeping in the R-2 district for the properties located at 3402 and 3404 E. Oakland Ave
<b>Staff Recommendation</b>	Staff finds that the petition has met the Zoning Ordinance's standards required to allow a special use. Staff recommends <b>approval</b> of the requested <b>special use</b> for chicken keeping in the R-2, Mixed Residence District, with conditions.



**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on Monday, April 1, 2019

**GENERAL INFORMATION**

Petitioner: Karla Lane

**LEGAL DESCRIPTION:**

3402 E Oakland Ave: PT SE 1-23-2E, BEG SE COR LOT 26 RESUB OF LOT 25 THE CRYSTALS PUD, N517', E355', S317', W194.2', S200.01', W158.8' TO POB

3404 E Oakland Ave: PT SE 1-23-2E, BEG SW COR LOT 6 WATERFORD ESTATES SUB, W196.2', N200.01', E194.2', S200' TO POB

**PROPERTY INFORMATION**

Existing Zoning: R-2, Mixed Residence District  
Existing Land Use: Single Family Home(s)  
Property Size: 3402 E. Oakland Ave: approximately 3 acres  
3404 E. Oakland Ave: approximately 1 acre  
PIN: 3402 E. Oakland Ave: 21-01-451-044  
3404 E. Oakland Ave: 21-01-451-045

**Surrounding Zoning and Land Uses**

Zoning

*North:* R-2, Mixed Residence District  
*North:* P-3, Airport District  
*South:* R-2, Mixed Residence District  
*East:* R-2, Mixed Residence District  
*West:* R-2, Mixed Residence District  
*West:* R-1A, Low Density Single Family

Land Uses

*North:* Single family home(s)  
*North:* CIRA  
*South:* Single family home(s)  
*East:* Single family home(s)  
*West:* 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 a special use
2. Site Plan
3. Aerial photographs
4. Site visit

**BACKGROUND**

The subject properties, 3402 and 3404 E. Oakland Avenue are located north on E. Oakland east of S. Hershey Road. 3402 E. Oakland is irregular in shape and is approximately 3 acres in size. 3404 E. Oakland is approximately 200 feet deep and 197 feet in width, just under an acre. Both of the sites are improved with a single family home. The subject properties are located in a heavily wooded area, and the site appears to be flat. The sites are located adjacent to one another and are in common ownership. Both sites were annexed into the City of Bloomington in 1996.

**3402 & 3404 E. Oakland Ave.**

There have been several updates done to the property including a new home construction at 3402 E. Oakland Ave. in 2017. A farm house existed prior to the new single family home construction in 2017. The property at 3404 E. Oakland Ave has a home built in 1960 according to records from the City of Bloomington Assessor's Website. The site appears to have a barn on the property, and sheds toward the north east side of the property. Staff was unable to find any documentation on those accessory structures since the annexation, the structures appear to have existed prior to annexation.

On March 11, 2019 the City of Bloomington City Council voted to adopt a comprehensive update to the Zoning Ordinance. The updated Ordinance requires a special use permit be obtained for chicken keeping in any residential area.

**PROJECT DESCRIPTION**

The petitioner submitted a special use permit petition requesting a special use permit to allow chicken keeping. The petitioner is proposing to house the chickens inside a barn in a chicken coop at 3402 E. Oakland Avenue. There is a fence enclosing both of the properties together.

The proposed special use would occupy 3402 E. Oakland Ave. According to the Use Provision set in place for chicken keeping, on lots less than or equal to an acre, up to four (4) chickens may be kept. If the lot has more than one (1) acre, an additional chicken may be kept for every half an acre more. 3402 E. Oakland Avenue is approximately 3 acres in size, there is a possibility for eight (8) chickens to be kept on the property. 3404 E. Oakland Ave is just under an acre in size, therefore up to (4) chickens may be kept on this property. By combining the two properties, which are under common ownership and within the foot print of one another, up to twelve (12) chickens may be kept. If one of the properties were to be sold and no longer be in common ownership, 3402 E. Oakland Ave would only be permitted eight (8) chickens and 3404 E. Oakland Ave would only be permitted (4) chickens.

Chapter 44 Division 10 in the Zoning Ordinance outlines the various standards that need to be met in order for chicken keeping to be allowed. Below is a breakdown of the various standards.

<b>Division 10 Standards</b>	<b>Request</b>	<b>Met</b>	<b>Not Met</b>
No chicken or roosters for slaughter	None	X	
No roosters	None	X	
Enclosure or fence	Fence and enclosure	X	
Feed or other items protected	Fenced or enclosed	X	
No enclosure in front yard	None	X	
Enclosure 10' from rear property line	37'	X	
Enclosure 10' from side property line	44' from east 250' from west	X	

The petitioner has provided photographs of the enclosure for the chickens and of the feed. The chicken will be able to graze within both properties since both properties are fenced. The petitioner will also have a portable chicken run, which will allow the chickens to graze in different areas of the property, but will also be enclosed and protect the chickens from predators.

**Conformance with the Comprehensive Plan:** The Comprehensive Plan recommends creating more opportunities to promote local sourced food options. A Special Use Permit could contribute to the following goals:

- Goal HL-5 Provide access to healthy foods and promote food security to build community.
- HL-5.2 Facilitate local food processing and distribution.
- HL-5.2g Gather and distribute data on local food efforts in the community.
- Goal HL-5.3 Facilitate consumption of healthy, affordable, locally produced food for all residents.

**Action by the Board of Zoning Appeals.**

For each special use application the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the 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 Board of Zoning 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 subject property is large enough to accommodate the special use standards in place for chicken keeping. The site is wooded, and the chickens will be kept enclosed or in a chicken run within the property. The petitioner has a barn which will house the chickens in a coop. Chicken keeping will encourage local food production which is a goal in the Comprehensive Plan. If there are complaints which are substantiated, the special use permit could be revoked. **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 will encourage local food production and accessibility to food. The property is fenced and has screening provided in part by trees. No roosters are permitted. The proposed special use aligns with the goals of the Comprehensive Plan. **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 chicken coop must be ten (10) feet from the rear and side property line, the petitioner will be housing the chickens an average of 40 feet from the north and east property lines and more than 200 feet from the south and west property lines. Chicken keeping will also be subordinate to the principle use in this neighborhood. The use should not prohibit orderly development as it should also follow maintenance regulations for all items associated with the keeping of chickens including the feed. **The standard is met.**

- 4. that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** the special use will not impede on any utilities or roads. The existing facilities are adequate. No change is expected. 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;** The special use will be contained within the property and should cause no further interruption to traffic or cause more congestion. No change is expected. **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 Board of Zoning Appeals. (Ordinance No. 2006-137).** Staff recommends the ZBA consider adding a condition requiring a reduction in chickens if one of the properties loses its common owner or is sold. **The standard is met.**

**STAFF RECOMMENDATION:** Staff finds that the petition has met the Zoning Ordinance's standards required to allow a special use. Staff recommends approval of the requested special use for chicken keeping at 3402 E. Oakland and 3404 E. Oakland, SP-01-19, with the condition that there be a reduction in chickens if one of the properties loses its common owner or is sold.

Respectfully submitted,

Izzy Mandujano

Attachments:

- Draft Ordinance
- Exhibit A-Legal Description
- Petition and supplemental documents from petitioner
- Site Plan
- Aerial Map
- Zoning Map
- List of permitted uses in the R-2 District
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified



**DRAFT**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN KEEPING IN  
THE R-2, MIXED RESIDENCE DISTRICT, FOR PROPERTY LOCATED AT: 3402 & 3404  
E. OAKLAND AVE.**

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 chicken keeping, in the R-2, Mixed Residence District 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 was less nonconforming than the previous nonconforming use and 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 44.10-3C of the Bloomington, City Code, 1960; and

WHEREAS, the Bloomington Board of Zoning Appeals has the authority to recommend conditions on a special use permit to the City Council; and,

WHEREAS, the Board of Zoning Appeals recommends the petitioner reduce the number of chickens the properties lose common ownership in accordance with Section 44.10-11 of the City Code, 1960, as amended; and,

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

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

1. That the Special Use Permit for chicken keeping, in the R-2 District on the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.
2. That 3402 or 3404 E. Oakland Ave. reduce the number of chickens if there is no longer common ownership compliant with Section 44.10-11 of the City Code, 1960, as amended.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_ Tari Renner, Mayor

ATTEST: \_\_\_\_\_  
Leslie Yocum, Interim City Clerk

\_\_\_\_\_   
Jeff Jurgens, Corporate Counsel

**Exhibit A**  
“Legal Description”

3402 E Oakland: PIN # 21-01-451-044

LEGAL (PT SE 1-23-2E, BEG SE COR LOT 26 RESUB OF LOT 25 THE CRYSTALS  
PUD, N517', E355', S317', W194.2', S200.01', W158.8' TO POB)

3404 E Oakland: PIN # 21-01-451-045

LEGAL (PT SE 1-23-2E, BEG SW COR LOT 6 WATERFORD ESTATES SUB, W196.2',  
N200.01', E194.2', S200' TO POB)

PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT:

3402 & 3404 East. Oakland Ave. Bloomington IL 61704

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) Karla S. Lane

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 R2 under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That under the provisions of Chapter 44, Section <sup>4-2</sup>~~44-6-30~~ of said City Code Chicken Keeping, are allowed as a special use in a R2 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 R2 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 R2 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,

  
\_\_\_\_\_

\_\_\_\_\_

EXHIBIT A

3402 E OAKLAND AVE

PT SE 1-23-2E, BEG SE COR LOT 26 RESUB OF LOT 25 THE CRYSTALS PUD, N517',  
E355', S317', W194.2', S200.01', W158.8' TO POB

3404 E OAKLAND AVE

PT SE 1-23-2E, BEG SW COR LOT 6 WATERFORD ESTATES SUB, W196.2', N200.01',  
E194.2', S200' TO POB



**CITY CODE**

**Chapter 8: Section 2: Animals on Annexed Property.**

Except as permitted in Bloomington City Code Chapter 44, no person shall keep, harbor or maintain within the City any horse, hog, goat or any other type of animal typically found on a farm, except as to property not previously within the corporate limits of the City upon which such animal or animals had been so kept, harbored or maintained for three (3) months or more prior to the annexation of said property to the City, in which event said animal or animals may remain upon such annexed property; but offspring older than six (6) months of age of such animals and substitutes for said animals are prohibited. (Ordinance No. 1990-12)

I, Karla Lane, am petitioning the city of Bloomington for a variance to the above City ordinance (Chapter 8: Section 2: Animals on Annexed Property). I want to raise chickens to supply my family with organic eggs, fertilize my garden and control insects. I will not include a rooster in my flock, thereby diminishing the noise nuisance my neighbors may experience. I will be housing my chickens in the chicken coop already located within my barn. I will allow my hens to free range within the confines of my fenced property at 3402 & 3404 E. Oakland Ave.

I am asking you, my neighbor, to support me in this endeavor by signing this petition. Thank you for your support.

Name/Date

Address

MIKI LINK 1/12/17 , 3403 Castlemain Dr BL

DOLORES KRATZ , 12 CRYSTAL CT BL

GLEN PAYNE , 8 CRYSTAL CT BR

Jackie Holmes , 3420 E Oakland Bl

~~Carol~~ , 307 Old Farm Rd

~~Mary~~ , 307 Old Farm Rd

Floyd Holider , 307 Old Farm

Quetta , 303 OLD FARM

Bill Manti , 301 Old Farm Blm.

Pam & Bristow , 3312 E OAKLAND AVE

Nancy Koehler , 14 Crystal Court. Bl.

MAR 22 2019

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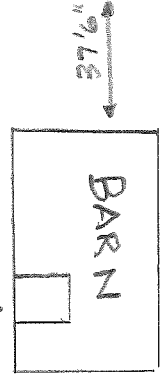
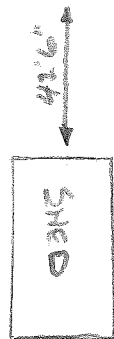
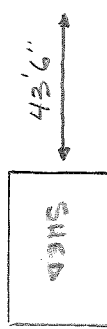
Name/Date

Address

Carol Kinkelaar	1/14/16	10 Crystal Ct
J. J. P. Mill	1/14/16	6 Crystal Ct.
Larry Goodin <sup>per</sup>	1/14/16	3409 Castlemain Dr.
Janet Goodin <sup>per</sup>	1/14/16	3409 Castlemain Dr.
CHARLES VINCENT	1/21/16	3405 CASTLEMAIN DR.
William Vincent	1/21/17	" " "
William J. Bell		3407 Castlemain Dr
Kyle [Signature]		3411 Castlemain Dr
[Signature]		3411 Castlemain Dr.
Shay Confort		16 CRYSTAL CT

355'

FENCED



CHICKEN COOP

44'9"

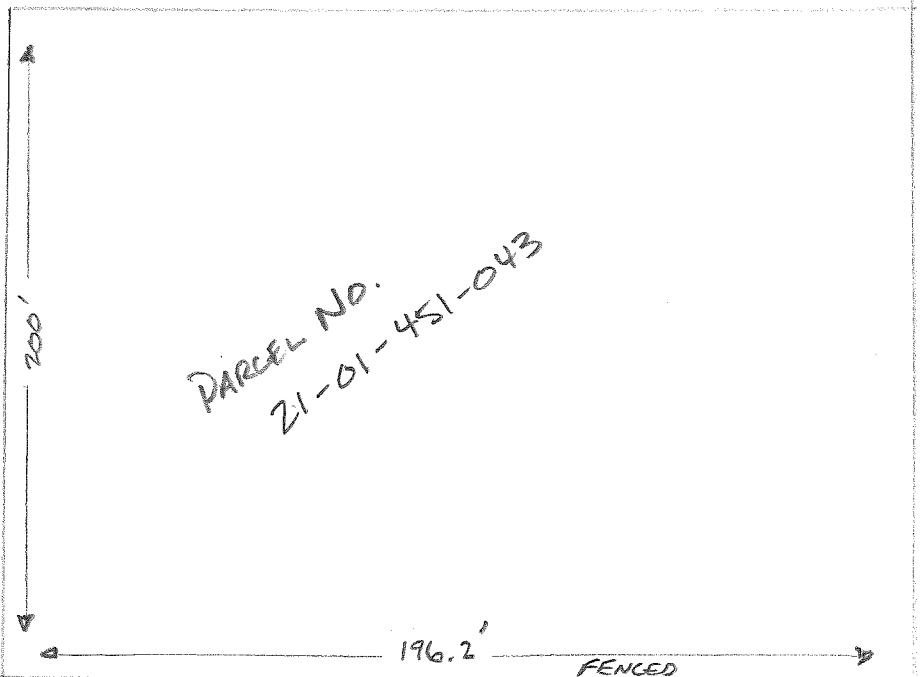
247'

PARCEL NO.  
21-01-451-042

317'

FENCED

517'  
FENCED



PARCEL NO.  
21-01-451-043

FENCED

FENCED  
CONCRETE WALK

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CONCRETE WALK

EASEMENT

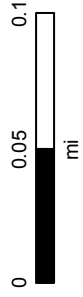
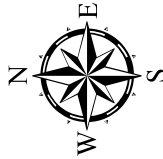
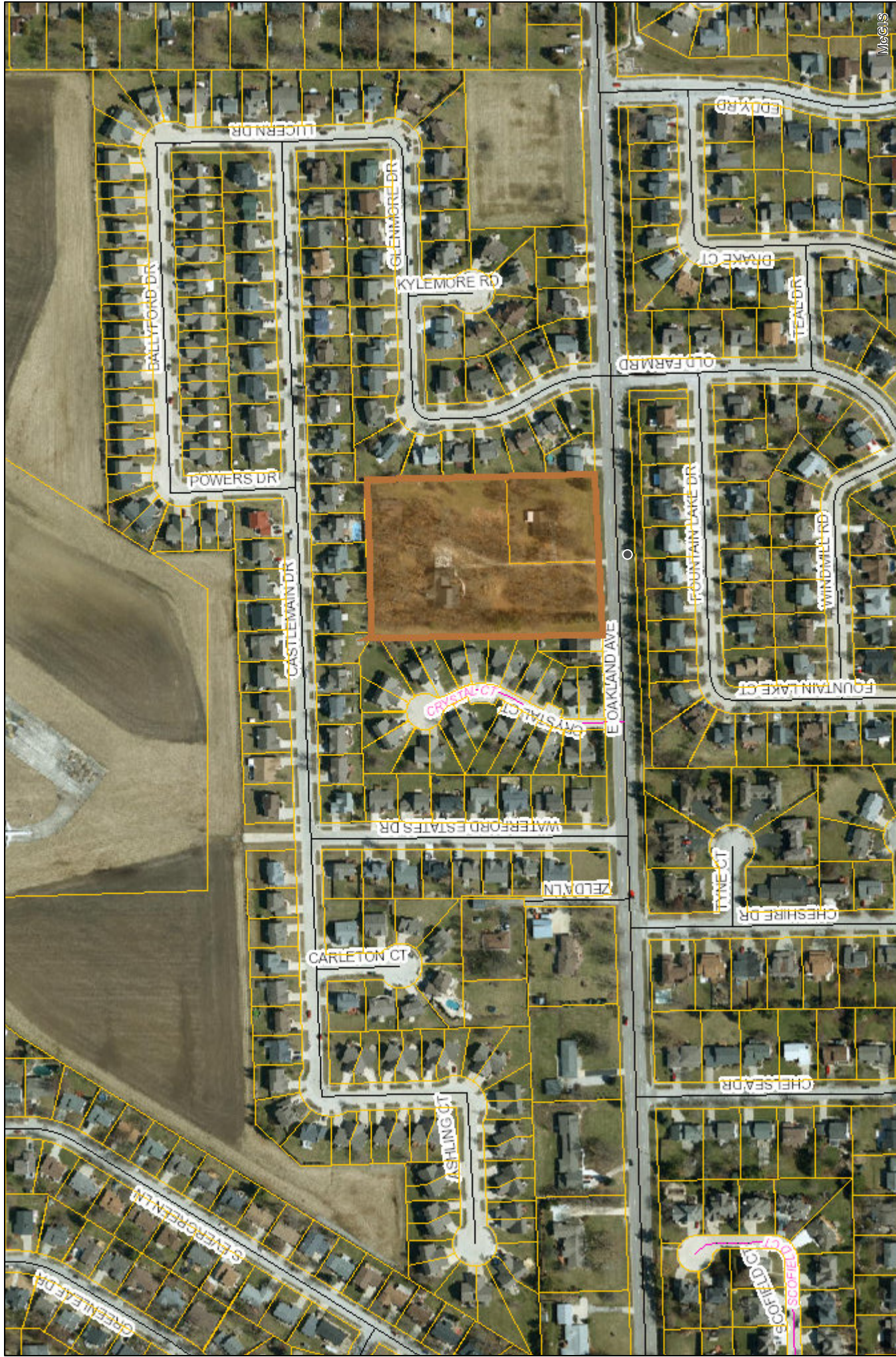
EASEMENT

OAKLAND AVENUE



# 3402 & 3404 E Oakland Aerial Map

3/28/2019



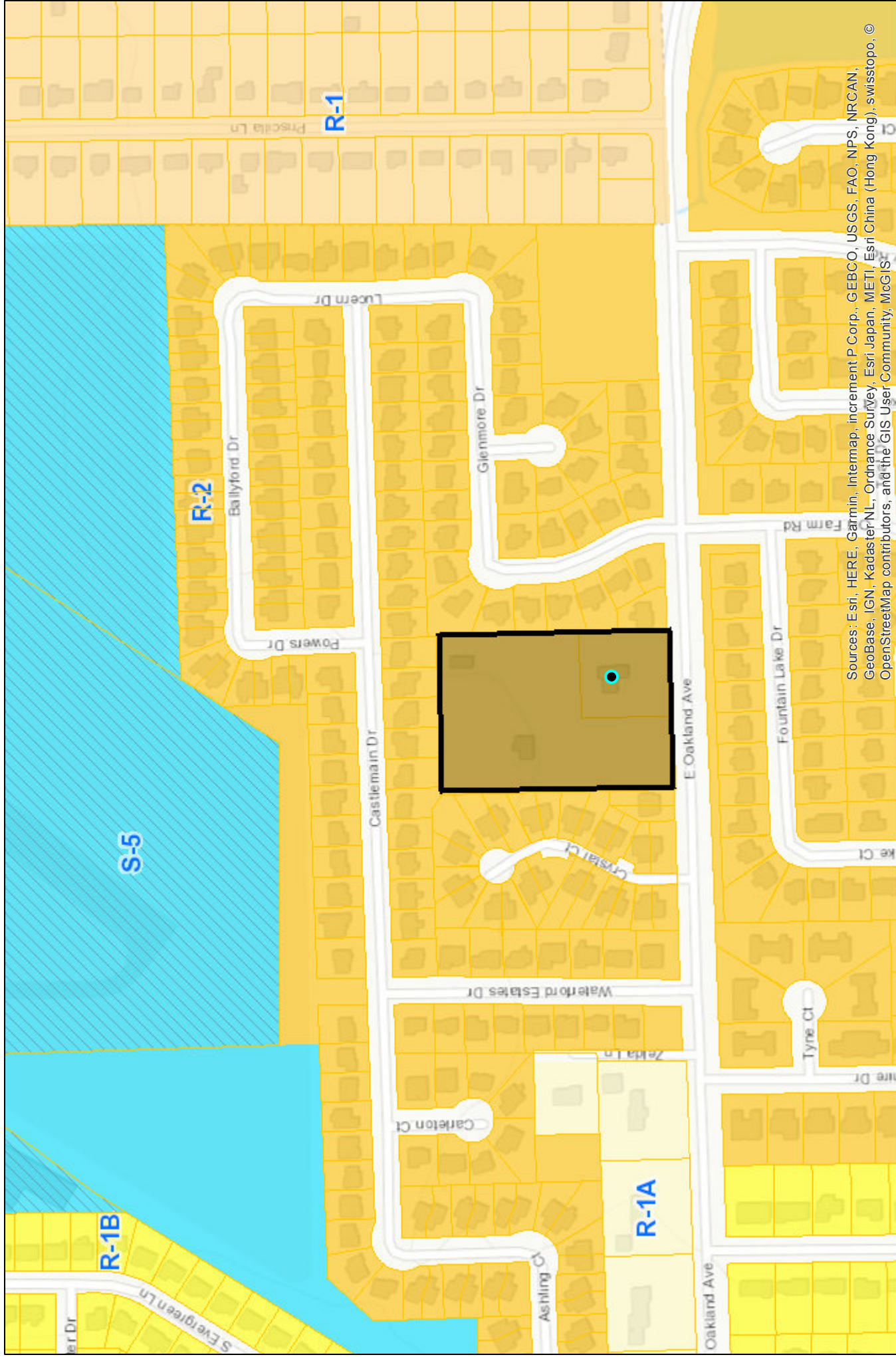
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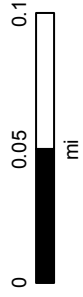
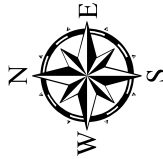


# 3402 & 3404 E Oakland Ave Zoning Map

3/28/2019



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community, McGIS



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**TABLE 4-2(A): RESIDENTIAL DISTRICTS – PERMITTED AND SPECIAL USES**

	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	Reference
<b>Agricultural</b>									
Apiary/Bee Keeping	P	P	P	P	P	P	P	P	10-5
Chicken Keeping	S	S	S	S	S	S	S	S	10-11
Urban Agriculture						S	S		
Urban Garden			P	P	P	P	P	P	
<b>RESIDENTIAL</b>									
<b>Household Living</b>									
Dwelling Unit, Single-Family	P	P	P	P	P	P	P		
Dwelling Unit, Single-Family Attached					S	P	P		
Dwelling Unit, Two-Family			S	S	P	P	P		
Dwelling Unit, Multiple-Family					S	P	P		
Manufactured Homes				P				P	
Mobile Homes								P	
Dwelling Unit, Accessory									
Live/Work Unit							S		
<b>Group Living</b>									
Agency Supervised Homes			P	P		S	S		10-19
Agency-Operated Family Homes	P	P	P	P	P	P	P		10-19
Agency-Operated Group Homes					S	P	P		10-19
Convents, Monasteries					S	S	P		10-19
Dormitories					S	S	P		10-19
Group Homes for Parolees	S	S	S	S	S	S	S	S	10-19
<b>INSTITUTIONAL</b>									
<b>Education</b>									
Pre-schools	S	S	S		S	S	S	S	
<b>Government</b>									
Government Services and Facilities	P	P	P		P	P	P	P	
Police Stations, Fire Stations	P	P	P		P	P	P	P	

	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	Reference
<b>Religious</b>									
Place of Worship	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	
Cemetery and Columbarium	S	S	S	S	S	S	S	S	10-10
<b>Residential-Type</b>									
Domestic Violence Shelter					P	P	P		
Home for the Aged						S	S		10-19
<b>Other Institutional, Cultural</b>									
Clubs and Lodges							S		
Food Pantry							S		10-18
<b>RECREATIONAL</b>									
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	S	10-12
Community Center						S	S	S	10-13
Parks and Recreation Facilities	P	P	P	P	P	P	P	P	
Swimming Clubs						S	S	S	
Swimming Pools, Community	S	S	S	S	S	S	S	S	10-32
<b>COMMERCIAL</b>									
<b>Entertainment and Hospitality</b>									
Sports and Fitness Establishments						S	S	S	10-13
<b>Lodging</b>									
Bed & Breakfast Establishments						S	S		10-7
Boarding and Rooming Houses					S	S	P		10-19
<b>Offices</b>									
Medical or Dental Office or Clinic							S		10-24
Medical Laboratory							S		
<b>Personal Services</b>									
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.							S <sup>2</sup>	S <sup>2</sup>	
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.							S <sup>2</sup>	S <sup>2</sup>	
Day Care Centers	S	S	S	S	S	S	S	S	
<b>Retail and Service</b>									
Drug Stores and Pharmacies							S <sup>2</sup>	S <sup>2</sup>	
Grocery Stores, Supermarkets							S <sup>2</sup>	S <sup>2</sup>	
<b>INDUSTRIAL</b>									
<b>Utilities</b>									
Public or Private Utility Facility, Minor	P	P	P		P	P	P	P	
Private Solar Energy Conversion Facilities	P	P	P		P	P	P	P	10-31
Wireless Communication Facilities	S	S	S		S	S	S	S	10-37

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
2. The use shall be located within a building containing multiple-family or office uses in the R-3B District and shall not be permitted within a Mobile Home or Dwelling Unit in the R-4 District. The maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores

38014  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD OF  
APPEALS  
APRIL 17, 2019

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday April 17, 2019 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petition submitted by Karla Lane for the approval of a special use permit for chicken keeping in R-2, Mixed Residence District at 3402 & 3404 E Oakland Avenue. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is legally described as follows:

Legal Description:  
3402 E Oakland Ave: PT SE  
1-23-2E, BEG SE COR LOT 26  
RESUB OF LOT 25 THE  
CRYSTALS PUD, N517',  
E355', S317', W194.2',  
S200.01', W158.8' TO POB  
3404 E Oakland Ave: PT SE  
1-23-2E, BEG SW COR LOT 6  
WATERFORD ESTATES SUB,  
W196.2', N200.01', E194.2',  
S200' TO POB

**REQUEST**

A request to allow chicken keeping in the R-2, Mixed Residence 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](mailto:cityclerk@cityblm.org). The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: April 1, 2019



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

March 25, 2019

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday, April 17, 2019 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by Karla Lane for the approval of a special use permit for the property located at **3402 & 3404 E. Oakland Ave.**, 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 to allow for chicken keeping in R-2, Mixed Residence District as a special use.

#### LEGAL DESCRIPTION:

3402 E Oakland Ave: PT SE 1-23-2E, BEG SE COR LOT 26 RESUB OF LOT 25 THE CRYSTALS PUD, N517', E355', S317', W194.2', S200.01', W158.8' TO POB

3404 E Oakland Ave: PT SE 1-23-2E, BEG SW COR LOT 6 WATERFORD ESTATES SUB, W196.2', N200.01', E194.2', S200' TO POB

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](http://www.cityblm.org). If you desire more information regarding the proposed petition or have any questions you may email me at [irivera@cityblm.org](mailto:irivera@cityblm.org) or call me at (309) 434-2448.

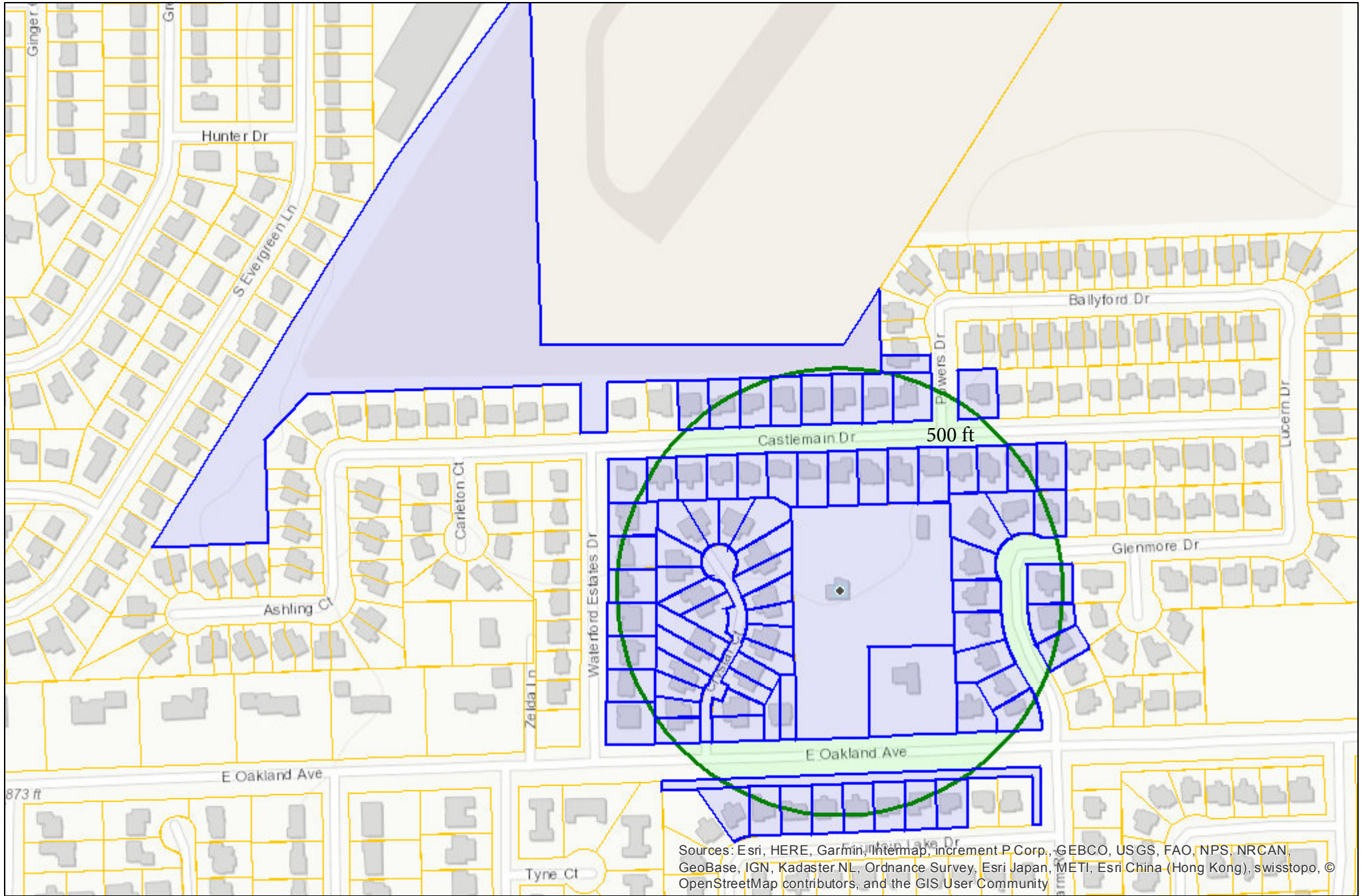
Sincerely,

Izzy Mandujano, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property

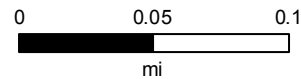




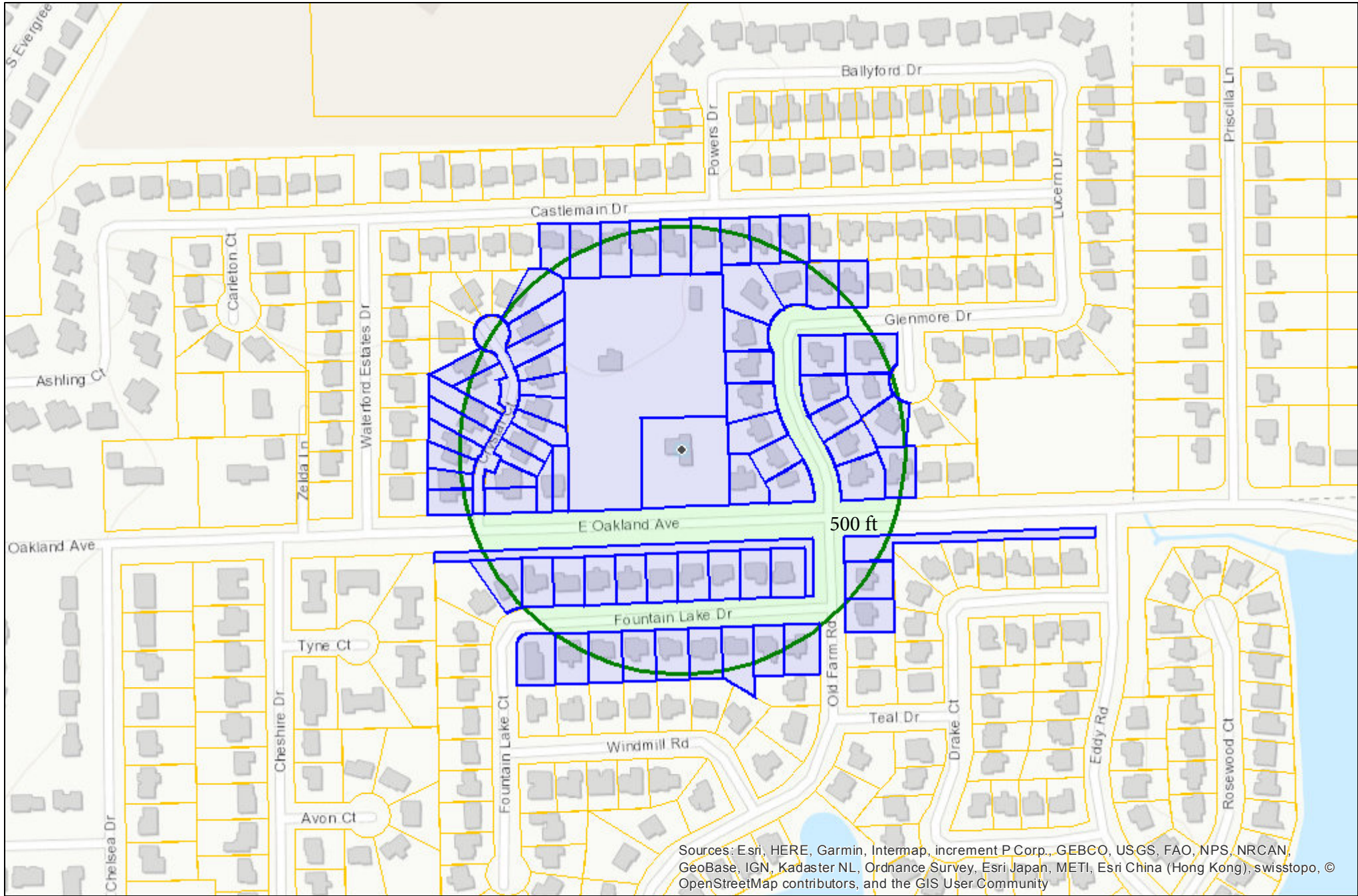
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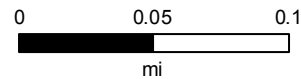




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3417 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

JOHN FLEMING  
308 OLD FARM RD  
BLOOMINGTON, IL 61704

RANDALL STEGE  
3409 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

FLOYD DICKEN  
3405 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

WEI HAO  
3411 FOUNTAIN LAKE DRIVE  
BLOOMINGTON, IL 61701

AARON & STEPHANIE ADDICKS  
3420 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

CECIL & COLETTE HOMAN  
5 KYLEMORE RD  
BLOOMINGTON, IL 61704

GREGORY COMFORT  
2307 E WASHINGTON ST  
BLOOMINGTON, IL 61704

LORI MILLIKEN  
3415 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

NATALIE WILSON  
3421 FOUNTAIN LAKE  
BLOOMINGTON, IL 61704

RANDY FRENCH  
402 OLD FARM RD  
BLOOMINGTON, IL 61704

DALE & SUSAN MARTEN  
404 OLD FARM RD  
BLOOMINGTON, IL 61704

MARTY & LISA HAAS  
3413 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

KANE & MELODY LIM  
3407 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

SCOTT & AMY JO FLAIG  
310 OLD FARM RD  
BLOOMINGTON, IL 61704

PRASAD KAO MOCHARLA  
3 Kylemore Rd  
BLOOMINGTON, IL 61704

KENNETH & BRANDI MEISNER  
3419 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

KYLE JORGENSEN  
3504 E OAKLAND AVE  
BLOOMINGTON, IL 61704

JAMES MCNEELY  
306 OLD FARM RD  
BLOOMINGTON, IL 61704

BRIAN TATRO  
3422 FOUNTAIN LAKE  
BLOOMINGTON, IL 61704

MICHAEL WELCH  
3508 GLENMORE RD  
BLOOMINGTON, IL 61704

DAN COCHRAN  
18 DRAKE CT  
BLOOMINGTON, IL 61704

BRET & DARLA RYAN  
3401 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

KRISTI PFISTER  
3416 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

WILLIAM D & PATRICIA K PENCE  
21 CRYSTAL CT  
BLOOMINGTON, IL 61704

BRIAN YELTON  
3507 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

DEANNA BOHBRINK  
3408 FOUNTAIN LAKE DR  
BLOOMINGTON, IL 61704

OFLPOA  
% DAN COCHRAN 18 DRAKE CT  
BLOOMINGTON, IL 61704

PAUL ALFERINK  
3501 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

SANTANAM KASTURI  
110 CASABLANCA CT  
CARY, NC 27519

STEVEN H. & CHERYL L. GANNAWAY  
3412 FOUNTAIN LAKE DRIVE  
BLOOMINGTON, IL 61704

RICHARD & CAROL BOON  
316 WATERFORD ESTATES DR  
BLOOMINGTON, IL 61704

ERIC SCHLIPF  
3508 CONNIE KAY WAY  
BLOOMINGTON, IL 61704

STEFANI & BRYAN CONCANNON  
3502 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

CAROL KINKLEAAR  
10 Crystal Ct  
BLOOMINGTON, IL 61704

GREGORY COMFORT  
2307 E WASHINGTON ST  
BLOOMINGTON, IL 61704

KEN DELANOIS  
3410 FOUNTAIN LAKE  
BLOOMINGTON, IL 61704

BENJAMIN TAIMOORAZY  
7 SMOKEY CT  
BLOOMINGTON, IL 61704

CHARLES VINCENT  
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BLOOMINGTON, IL 61704

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311 OLD FARM RD  
BLOOMINGTON, IL 61704

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23 CRYSTAL CT  
BLOOMINGTON, IL 61704

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3411 CASTLEMAIN  
BLOOMINGTON, IL 61704

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3502 GLENMORE RD  
BLOOMINGTON, IL 61704

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3306 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

JUSTIN KRUGER  
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BLOOMINGTON, IL 61704

INGRID HOLLIDAY  
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BLOOMINGTON, IL 61704

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BLOOMINGTON, IL 61704

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LEXINGTON, IL 61753

JENNIFER PRILL  
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BLOOMINGTON, IL 61704

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445 OLD MILL GROVE RD  
LAKE ZURICH, IL 60047

JAMES GRIFFETH  
3404 CASTLEMAIN DR  
BLOOMINGTON, IL 61704

ASHOK KODURU  
19219 DEER TRL  
ALPHARETTA, GA 30004

GLENN HEERMANCE  
3418 FOUNTAIN LAKE  
BLOOMINGTON, IL 61704

TIMOTHY A & ALISON E LONGFELLOW  
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BLOOMINGTON, IL 61704

SHARON GORDON  
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COLLEEN MOBLEY  
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REEMA SAINI  
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SALVATION ARMY  
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DES PLAINES, IL 60016

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BLOOMINGTON, IL 61704

GLEN ANITRA ANDERSON  
REVOCABLE LIVING TRUST 3309  
CASTLEMAIN DR  
BLOOMINGTON, IL 61704

AGNES J. NIEMI  
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BLOOMINGTON, IL 61704

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BLOOMINGTON, IL 61704

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BLOOMINGTON, IL 61704

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BLOOMINGTON, IL 61704

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JENNIFER CASH  
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BLOOMINGTON, IL 61704

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BLOOMINGTON, IL 61704

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P O BOX 313  
CARLOCK, IL 61725

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BLOOMINGTON, IL 61704

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DOLORES KRATZ  
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BLOOMINGTON, IL 61704

GENE M & CATHERINE R PIZZAMIGLIO  
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BLOOMINGTON, IL 61704

PEGGY YOUNG  
9 CRYSTAL CT  
BLOOMINGTON, IL 61704

DAVID S & YVONNE M BLYTH  
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