



AGENDA
ZONING BOARD OF APPEALS REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, FEBRUARY 16, 2021 4:00 P.M.
THIS MEETING WILL BE HELD VIRTUALLY AND IN PERSON.
Watch the Live Stream at www.cityblm.org/live.

Those persons wishing to watch the meeting may do so at www.cityblm.org/live. Those persons wishing to provide testimony on any of the agenda items designated as a public hearing may appear in-person or may appear virtually by registering at www.cityblm.org/register at least 15 minutes before the meeting. Since attendance is limited to 10 members of the public, members of the public are encouraged to attend virtually. Emailed public comment should be sent to publiccomment@cityblm.org at least 15 minutes before the start of the meeting.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at cityblm.org/register at least 5 minutes before the start of the meeting

4. MINUTES Review the minutes of the November 17, 2021 regular Zoning Board of Appeals meeting.

5. REGULAR AGENDA

- A. SP-07-21 Public hearing, review, and action on a petition submitted by Costigan & Wollrab, P.C. on behalf of Chicago Title Company Land Trust No. 8002368759 for a special use permit to allow a sports and fitness establishment in the M-1, Restricted Manufacturing District for the property located at 1601 G.E. Rd, Bloomington, IL 61704, PIN: 14-35-201-005 (Ward 5). **REQUEST TO CONTINUE TO MARCH MEETING.**
- B. Z-02-22 Public hearing, review, and action on a petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701, PIN: 21-03-226-003 (Ward 8).
- C. Z-03-22 Public hearing, review, and action on a petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705, PIN: 21-18-403-002 (Ward 2).

6. OLD BUSINESS

7. NEW BUSINESS

8. ADJOURNMENT



**DRAFT
MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, NOVEMBER 17, 2021 4:00 P.M.**

The Zoning Board of Appeals convened in Regular Session in-person in the Government Center Chambers on the 4th floor, Room #400 at 4:05 p.m., Wednesday, August 18, 2021. The meeting was called to order by Chairperson Ballantini.

ROLL CALL

Attendee Name	Title	Status
Mr. Terry Ballantini	Commissioner	Present
Ms. Victoria Harris	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Present
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present

PUBLIC COMMENT
No public comment.

MINUTES

Chairperson Straza motioned to approve the minutes from August 18, 2021 regular Zoning Board of Appeals meeting. Mr. Harris seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

REGULAR AGENDA

- A. **Z-25-21** Public hearing, review, and action on a petition submitted by Sarah Heatley to obtain a variance from Chapter 44, Division 4-3, Residential Bulk and Site Standards, to reduce the required side yard setback from six feet to two feet, for the property located at 903 Bunn Street, Bloomington, IL 61701, PIN: 21-09-278-008 (Ward 1).

Assistant Economic & Community Development Director Kimberly Smith presented the staff report with a recommendation to deny the variance request.

Staff clarified that all standards must be met.

Petitioner Sarah Heatley, 903 Bunn Street, Bloomington, Illinois, was sworn in for testimony. She stated that she would like to connect the existing home to the existing garage with an addition to increase living space. The petitioner also stated that the property does not meet the 50ft width. The petitioner stated the reasons for wanting the variance.

Janet Follic, 907 Bunn Street, Bloomington, Illinois, was sworn in for testimony. She stated she supported the approval of this variance. She stated that current owners have improved the quality of the property.

Christopher Heatley, 903 Bunn Street, Bloomington, Illinois, was sworn in for testimony. He stated that the site had a garage in that location since the 1960s, and a permit was granted by the City to rebuild the garage in the same location in 1996.

Chairperson Ballantini noted that codes change.

Chairperson Ballantini closed the public hearing.

Discussion occurred on whether the variance would be granting special privileges, it would be helpful to consider how many other properties potentially have the same burden due to lot size and shape. Assistant Economic & Community Development Director Kimberly Smith stated that the 2019 Code Update significantly decreased the number of lots that were non-conforming for size.

Chairperson Ballantini decided to have the Commission vote on each standard separately. Mr. Boyle clarified that each standard must be met for the variance to be granted.

Roll call vote for the first standard: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

Roll call vote for the second standard: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

Roll call vote for the third standard: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

Roll call vote for the fourth standard: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

Roll call vote for the fifth standard: Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

Mr. Harris motioned to approve the variance requested. Mr. Straza seconded. Ms. Harris - Yes, Mr. McFarland, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (6-0-0).

NEW BUSINESS

Assistant Economic & Community Development Director Kimberly Smith noted the City has hired a new City Planner, Glen Wetterow.

OLD BUSINESS

No items.

ADJOURNMENT

Ms. Harris motioned to adjourn. Mr. Straza seconded. All were in favor. The meeting was adjourned at approximately 4:50 PM.

DRAFT



ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: February 16th, 2022

CASE NO: Z-02-22, Request for Variance

REQUEST: Public hearing, review and action on a petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701.

BACKGROUND

Petitioners' request:

The petitioner seeks a variance from §44-403 (Residential bulk and site standards), to allow expansion of an existing attached garage. The R-1A (Single-Family Residence) District requires a minimum 16-foot side yard; the petitioner seeks to reduce the required side yard by 9 feet, to permit a 6-foot side yard on the north side of the property.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, January 31, 2022. Courtesy notices were mailed to 40 property owners within 500 feet of the subject property.

Property Characteristics:

The subject property consists of 0.4 acres of land located at 62 N Country Club Place. The property holds a 3,553 square foot single-family home, with 3-car attached garage. A previous Variance to side yard requirements (Z-05-88) was granted to allow for the construction of 3-car garage currently present on the property.

Surrounding Zoning and Land Uses

Zoning		Land Uses
North	R-3A	Single-Family Residence
South	R-1A	Single-Family Residence
East	R-3A	Apartment Building
West	R-1A	Golf Course

ANALYSIS

Description of Current Zoning District:

The R-1A (Single-Family Residence District) is intended to provide for the establishment of areas characterized by large lot single-family dwelling units for occupancy by families, and related recreational, religious, and cultural facilities that serve the immediately surrounding residents, as well as those living in the district. The R-1A district provides for approximately two dwelling units per acre.

Subject Code Requirements:

Lot Characteristics and Site Design standards for the R-1 District are as follows.

- Minimum lot width - 125 feet
- Minimum lot area - 22,500 square feet
- Minimum front yard - 40 feet
- Minimum side yard - 16 feet
- Minimum rear yard - 40 feet

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Board of Zoning Appeals shall have the power to authorize, upon application, variations to this Code-except where in conflict with other provisions of this section, and to allow the enlargement and structural alterations of nonconforming structures. Such variations shall only be granted when the variation would be in harmony with this Code's general purpose and intent.

The Board of Zoning Appeals may grant variations only in specific instances where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

Standard	Discussion	Finding
That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.	<p>As part of an older plat, this lot does not meet the minimum width requirement of the current zoning district and is also on a cul-de-sac, resulting in an irregularly shaped, narrowing lot with restricted width at the entrance side on the East.</p> <p>Lot area is significantly smaller than provided for under current zoning district standards, both in width and in length, (17,354 sq ft present, compared to 22,500 specified in R-1A.)</p>	Standard is met.
That the variance would be the minimum action necessary to afford relief to the applicant.	Given site characteristics, expansion of the current garage will require encroachment on the require side yard.	Standard is met.

That the special conditions and circumstances were not created by any action of the applicant.	Actions of the applicant have not resulted in the special circumstances present today. The irregular shape and reduced width of the lot is a result of the original plat.	Standard is met.
That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.	Approval of this Variance may set precedent for approval of similar requests for other property owners in the neighborhood. However, as most of the lots in the neighborhood—and even the wider subdivision—are undersized according to the current Code, these property owners each have the same access to the application and review of requests for Variations as does the current applicant.	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.	Due to the “stacked” nature of the proposed addition, the view from the street will continue to be that of a 2- or 3-car garage, which is consistent with the character and scale of the rest of the neighborhood. Adjacent properties will not be prevented from reasonable use of their lands, nor will public welfare be placed at risk.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a variance application and recommends that the Zoning Board of Appeals take the following actions:

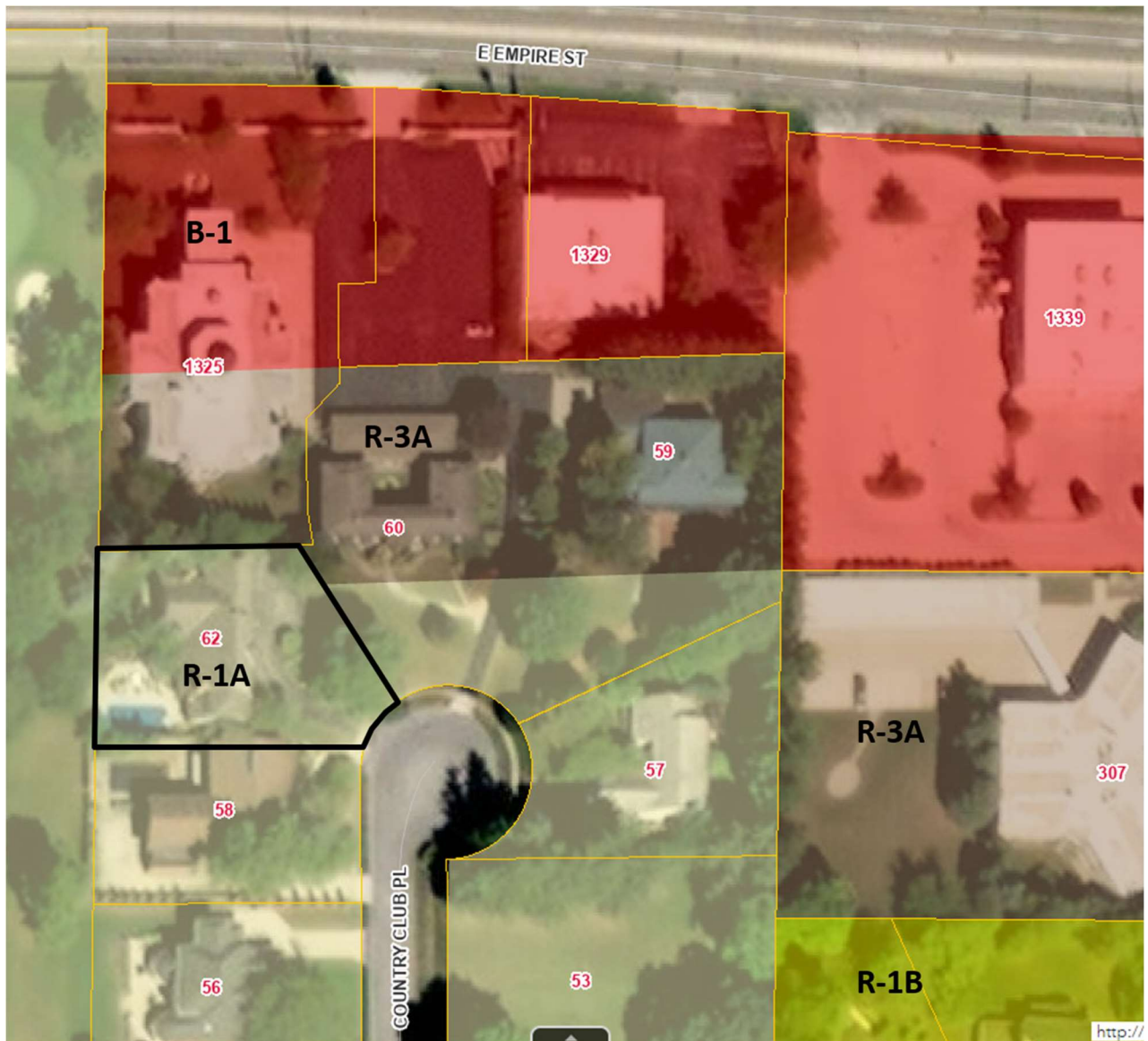
1. Motion to establish findings of fact that carrying out the strict letter of the Code **does** create a practical difficulty or particular hardship for the petitioner.
2. Motion to recommend **approval** of the petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701.

Respectfully submitted,
Alissa Pemberton
Assistant City Planner

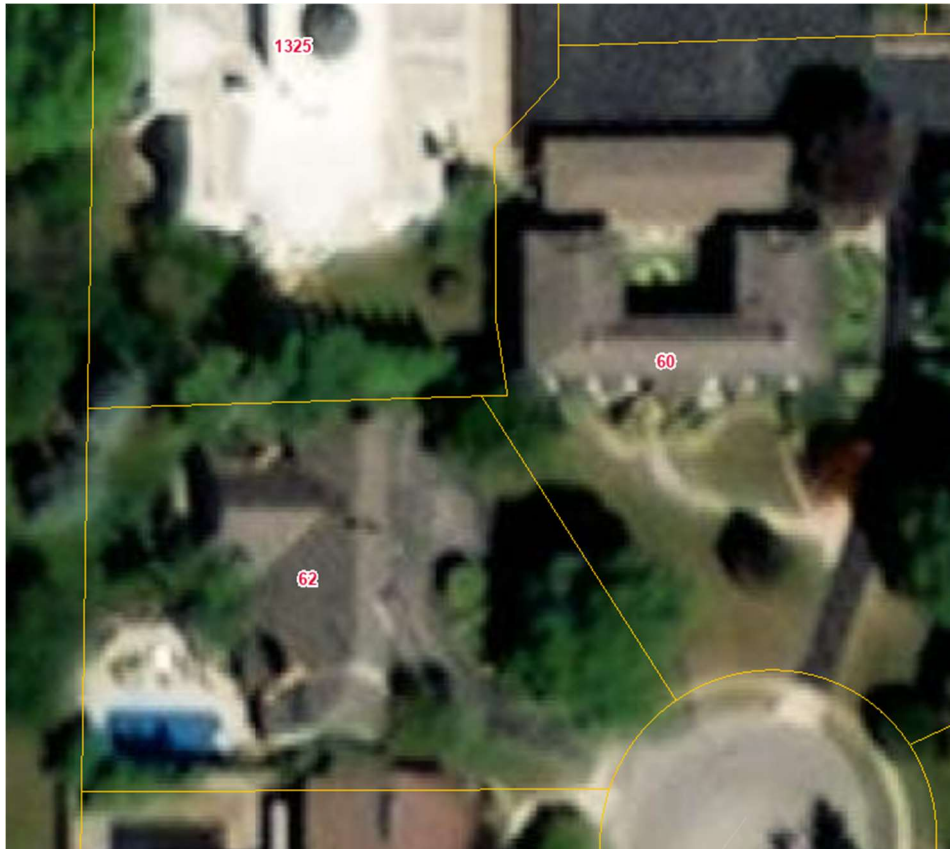
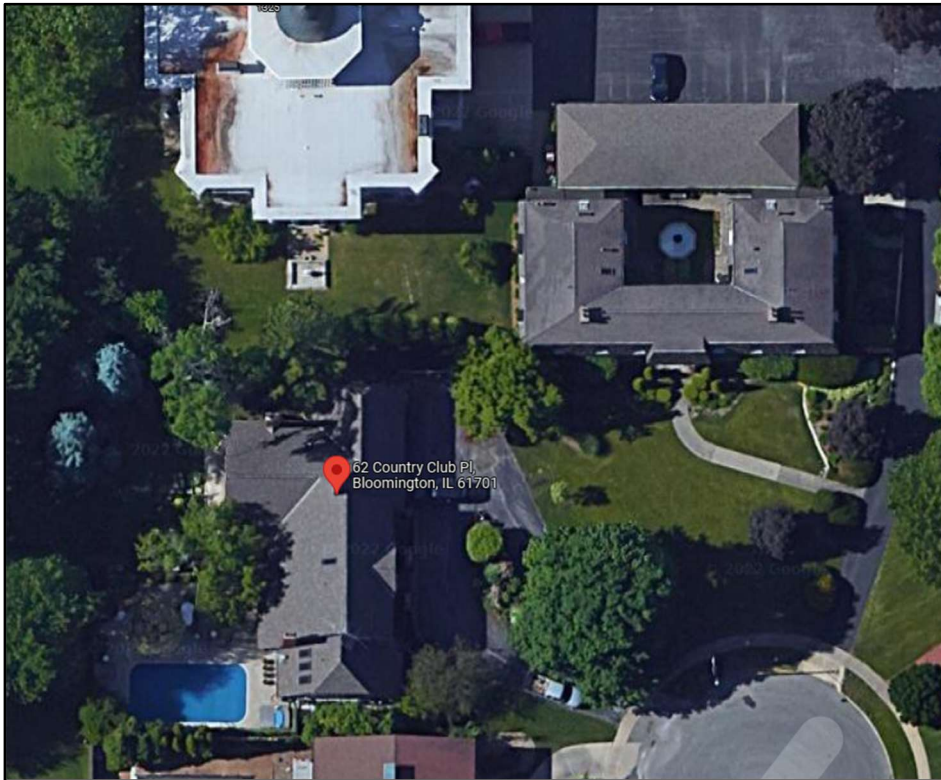
Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level View
4. Petitioner-Submitted Site Plan
5. Petitioner-Submitted Statement of Finding of Facts
6. Neighborhood notice and map

Attachment 1- Zoning Map for 62 Country Club Pl and Surrounding Areas



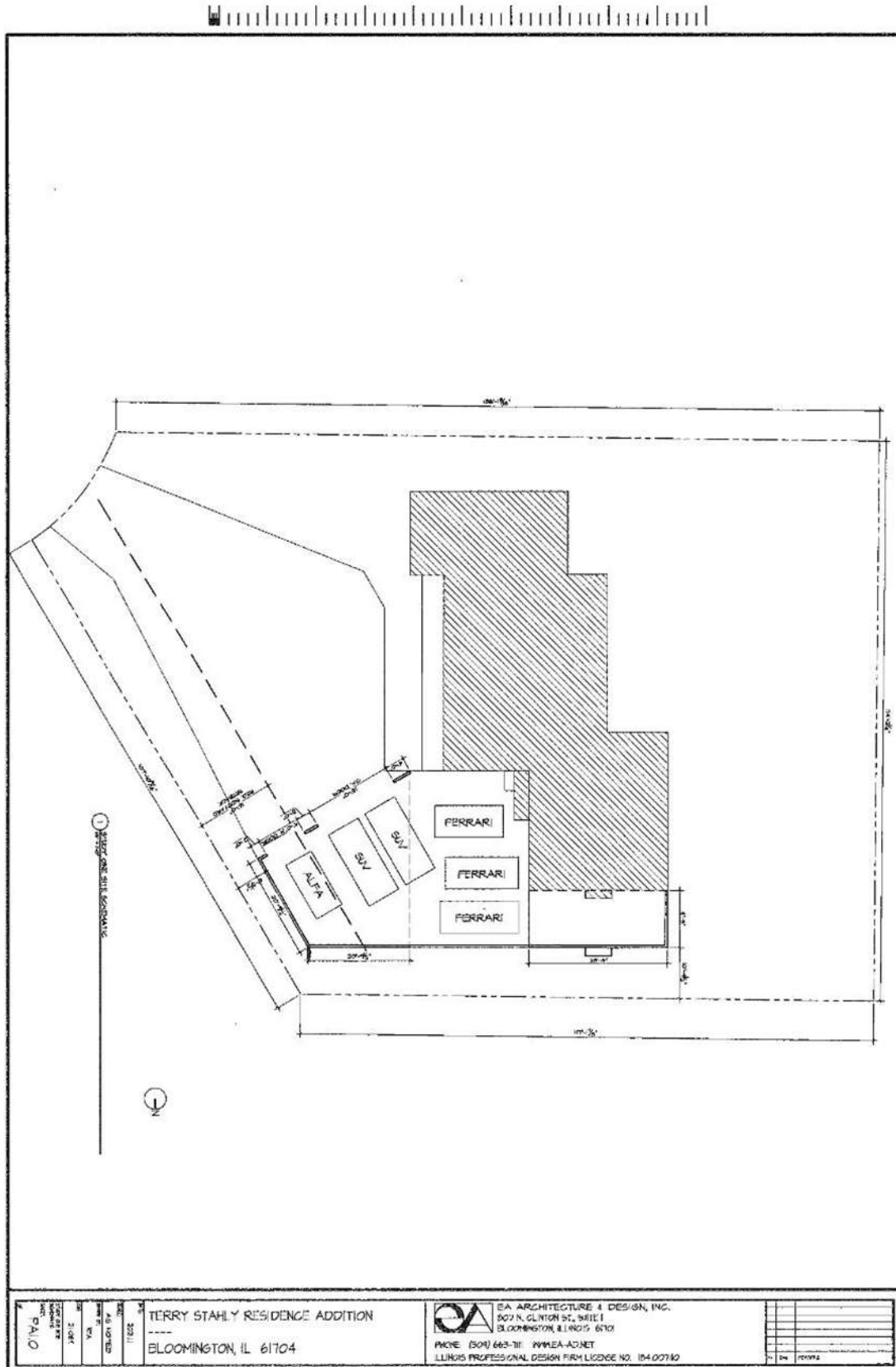
Attachment 2 - Aerial Image and Property Line Indication of 62 Country Club Pl



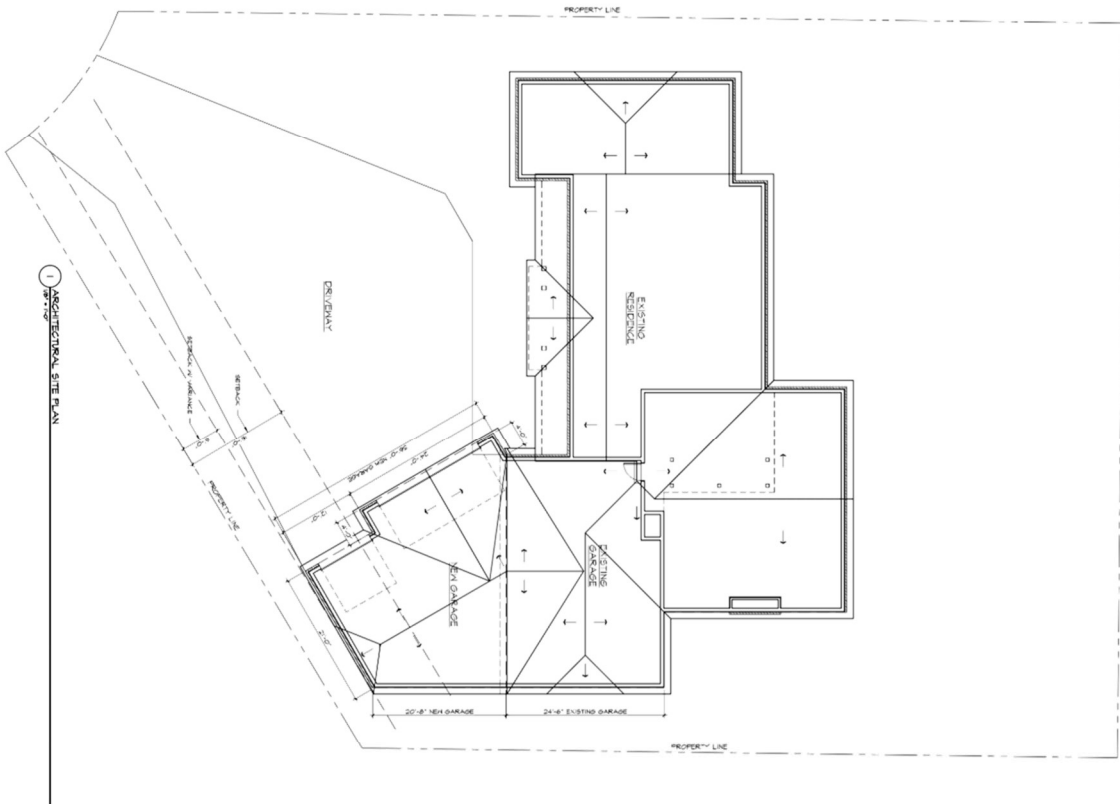
Attachment 3- Ground-Level View of 62 Country Club Pl



Attachment 4 - Attachment 4 - Petitioner-Submitted Site Plans

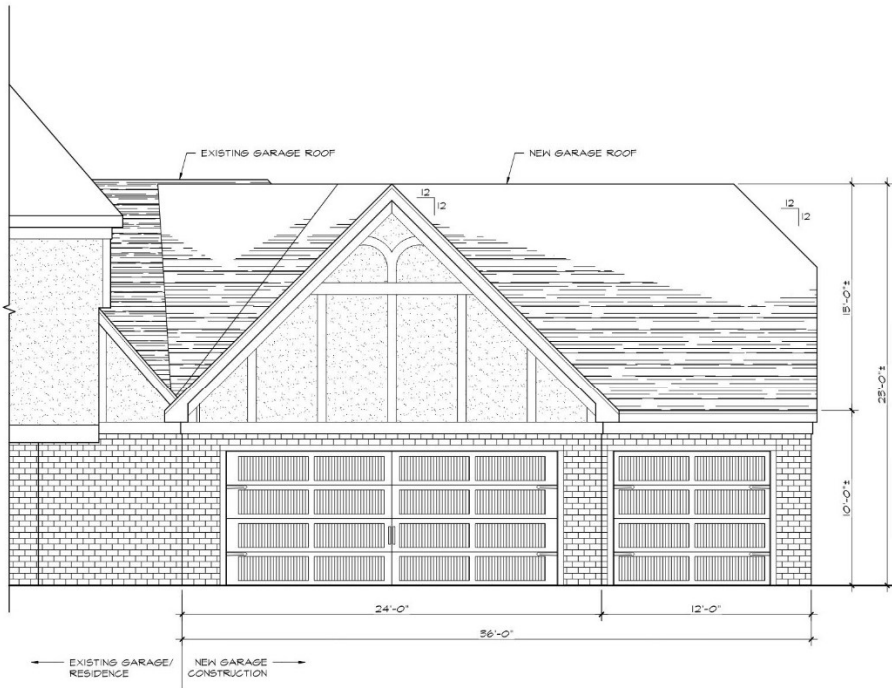


<p>DATE 2021.11.15</p> <p>DRAWN BY P.A.L.O.</p>	<p>TERRY STAHLY RESIDENCE ADDITION BLOOMINGTON, IL 61704</p>	<p>EA ARCHITECTURE & DESIGN, INC. 507 N. CLINTON ST., SUITE 1 BLOOMINGTON, IL 61705</p> <p>PHONE (309) 663-7311 WWW.EA-AD.NET ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 054-007142</p>
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1 ARCHITECTURAL SITE PLAN

SHEET 604	ARCHITECTURAL SITE PLAN	DATE: 2/22/21	EA ARCHITECTURE & DESIGN, INC. 2416 E. WASHINGTON ST., SUITE C-5 BLOOMINGTON, ILLINOIS 61704 PHONE: (309) 663-7111 WWW.EA-AD.NET ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.007110	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	REVISION												
		NO.			DATE	REVISION													
TERRY STAHLY RESIDENCE REMODEL 62 COUNTRY CLUB PLACE BLOOMINGTON, IL 61704		PREPARED BY: RAS, MOTTED CHECKED BY: RFA, J.M.																	



1 NEW GARAGE FRONT ELEVATION
1/4" = 1'-0"

No.	Date	REVISIONS

EA ARCHITECTURE & DESIGN, INC.
2416 E. WASHINGTON ST. SUITE C-3
BLOOMINGTON, ILLINOIS 61704
PHONE: (309) 663-7111 WWW.EA-AD.NET
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-007110

TERRY STAHLY RESIDENCE REMODEL
62 COUNTRY CLUB PLACE
BLOOMINGTON, IL 61704

DATE:	2022.12
SCALE:	AS NOTED
DRAWN BY:	RTA/JTM
JOB:	21-084
GARAGE ELEVATION	
SHEET:	A101
OF	

Attachment 5- Petitioner-Submitted Statement of Finding of Facts

Statement of Findings of Fact

62 N. Country Club
Bloomington, Illinois 61701
(309) 531-0655

Terry R. Stahly

trstahly@gmail.com

Contractual Interests: No

Brief project description: The applicant desires to request additional space on to his existing attached garage.

Code requirements involved are: Section 44-403(a)

Bulk and site standards for R1A districts

Variance requested is: 10-foot side yard variance reducing the side yard requirement to 6 feet.

1. The property at issue does not meet the current requirements for an R1A lot. The minimum width requirements for an R1A lot is currently one hundred twenty five feet (125). The applicant's lot at its widest is one hundred fourteen feet (114) and at its narrowest is twenty-eight and a half feet (28 ½ feet) creating issues with adherence to the code. The narrowest portion of the property is the East side which is the entrance.

2. The variance is the minimum action necessary to afford the applicant relief as the current side yard on the north side of the property has been reduced to six feet (6) from a prior nine-foot (9) variance from the then existing fifteen-foot (15) side yard requirement. If the applicant is going to expand his garage adjacent to the existing garage, he will need to expand it to encroach upon the current sixteen-foot (16) side yard requirement due to the way the lot significantly narrows near the street.

3. The special conditions and circumstances were not created by any action of the applicant due to the size and boundaries of the lot being the same as when the applicant purchased the property.

4. The granting of the variance requested will not grant the applicant any special privilege that is denied by others by the code as this is a unique shaped lot which does not meet the current code requirements for an R1A zoned lot. Additionally, it directly abuts an apartment building on the North side which only requires a six-foot (6) setback. Therefore, the property directly adjacent to the North could come within six feet (6) of the applicant's property but the applicant is disallowed from doing the same due to the current code requirements.

5. The granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor reasonably impair the use or development of adjoining properties. This will not be detrimental to the public welfare as a variance has already been granted allowing the applicant's property on the North side yard to be within six feet (6) of the property to the North. Due to the fact that the variance has already been granted it will not alter the essential character of the neighborhood as there is a golf course to the West, the aforementioned apartment building to the North, and this variance will not affect any of the other properties in the neighborhood except reducing the side yard on the North side where it has already been reduced on other portions of the property.

Attachment 6 - Neighborhood notice and map



Economic & Community
Development
Department
115 E Washington St, Ste 201
Bloomington, IL 61701
(309)434-2226
planning@cityblm.org

January 28, 2022

NOTICE OF PUBLIC HEARING

RE: 62 Country Club Place

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on **Wednesday, February 16th, 2022 at 4:00 PM at the Government Center Chambers, 4th Floor, Room #400, 115 E Washington St, Bloomington, IL 61701** on the following case: Z-02-22 Public hearing, review and action on a petition submitted by Terry Stahly for **a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701, PIN: 21-03-226-003.**

Due to the surge in COVID cases in McLean County, **this meeting will be presented virtually.**

- Those persons wishing to watch the meeting may do so at: www.cityblm.org/live.
- Those persons wishing to provide testimony on any of the agenda items designated as a public hearing may appear in-person or may appear virtually by registering at www.cityblm.org/register at least 15 minutes before the meeting.
- Since attendance is limited to 10 members of the public, members of the public are encouraged to attend virtually.
- Those persons wishing to provide public comment may register at www.cityblm.org or email publiccomment@cityblm.org.

This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs contact the City Clerk at 115 E. Washington St., Ste 103, Bloomington, IL 61701 (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

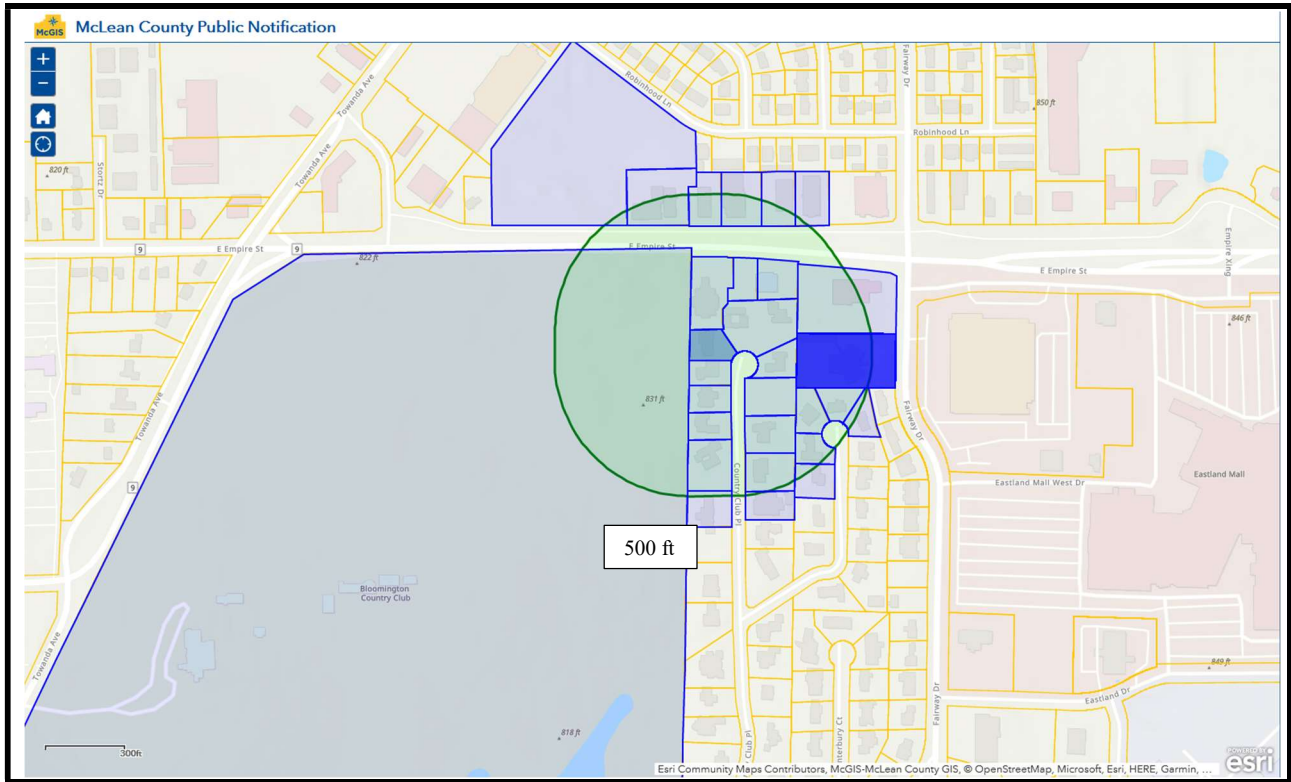
The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website <https://www.cityblm.org/government/boards-commissions>. Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at <https://www.cityblm.org/government/boards-commissions>.

For questions contact the Economic & Community Development Department at 309-434-2226.

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property





ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: February 16th, 2022

CASE NO: Z-03-22, Request for Variance

REQUEST: Public hearing, review and action on a petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705.

BACKGROUND

Petitioners' request:

The petitioner seeks a variance from §44-1031 (Solar energy conversion facilities), to allow a ground mounted solar array in the front yard of the business. §44-1031.E(2)b states that accessory freestanding systems are permitted in the rear and side yards only.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, January 31, 2022. Courtesy notices were mailed to 8 property owners within 500 feet of the subject property.

Property Characteristics:

The subject property consists of 8.8 acres of land located at 2407 Beich Rd, Bloomington, IL 61705. The property contains an Industrial Park/Commercial building that houses the IBEW LOCAL 19, Point of Change Church, and the Mechanical Allied Crafts Council. It is adjacent to primarily transportation corridors, other manufacturing, and public open space.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	C (County)	Office, Railway
South	M-1	Ferrero
East	P-2/A	Constitution Trail, Roadways
West	P-2	Railway, Pepper Ridge Park

ANALYSIS

Description of Current Zoning District:

M-1 (Restricted Manufacturing) District. The intent of this M-1 Restricted Manufacturing District is to provide for industrial, warehouse, storage and transfer service uses with an absence of objectionable external effects in areas that are suitable for this type of development by reason of topography, relative location, and adequate utility and transportation systems. Compatibility with surrounding districts is further assured by limiting development to low industrial densities. Just as industrial uses are excluded from residential areas to promote public health, safety, and welfare, so are residential subdivision developments excluded from this district.

Subject Code Requirements:

Lot Characteristics and Site Design standards for the M-1 District are as follows:

- Minimum front yard -20 feet
- Minimum side yard - Min. 5 feet or 1/3 of building height for buildings > 3 stories
- Minimum rear yard - Min. 5 feet or 1/3 of building height for buildings > 3 stories

§ 44-1031 [Ch. 44, 10-31] Solar energy conversion facilities.

E. Private solar energy conversion.

(2) Freestanding systems.

(a) Use. Freestanding private solar energy systems shall be accessory to the principal permitted use of the parcel, unless such facilities are located on a parcel dedicated by recorded easement for the conversion of energy to serve multiple users within a development or subdivision as a community solar energy system. Such congregate use shall be subject to site plan approval pursuant to § 44-1709 of this Code.

(b) Location.

[1] Accessory freestanding systems are permitted in the rear and side yards only, subject to the accessory structure provisions of § 44-908.

[2] Freestanding systems approved pursuant to site plan approval shall not be located within the front yard and shall in other respects comply with the accessory structure provisions of § 44-908.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Board of Zoning Appeals shall have the power to authorize, upon application, variations to this Code-except where in conflict with other provisions of this section, and to allow the enlargement and structural alterations of nonconforming structures. Such variations shall only be granted when the variation would be in harmony with this Code's general purpose and intent.

The Board of Zoning Appeals may grant variations only in specific instances where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

Standard	Discussion	Finding
That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.	The on-site septic system is required due to lack of city utility access, and the siting requirements for septic limit the ability for relocation. Due to the unique siting and alignment requirements of solar power generation, and the presence of on-site septic system, the only location option for a solar array is in the front portion of the property.	Standard is met.
That the variance would be the minimum action necessary to afford relief to the applicant.	Applicant has explored the feasibility of other options for installing solar power generation equipment on the current property.	Standard is met.
That the special conditions and circumstances were not created by any action of the applicant.	The special circumstances were not created by the action of the applicant. Solar siting requirements are directional, and the property's required septic service is prohibitive of placing in the rear yard.	Standard is met.
That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.	Solar power generation is a reasonable use of property, other uses and residents are allowed/capable of installing solar power generation on their properties.	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.	Even with the location of the array in the front yard, the minimum required front yard of 20 feet will be maintained. Applicant shows a >60-foot distance between the edge of the array and the front yard property line.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a variance application and recommends that the Zoning Board of Appeals take the following actions:

1. Motion to establish findings of fact that carrying out the strict letter of the Code **does** create a practical difficulty or particular hardship for the petitioner.
2. Motion to recommend **approval** of the petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705.

Respectfully submitted,
Alissa Pemberton
Assistant City Planner

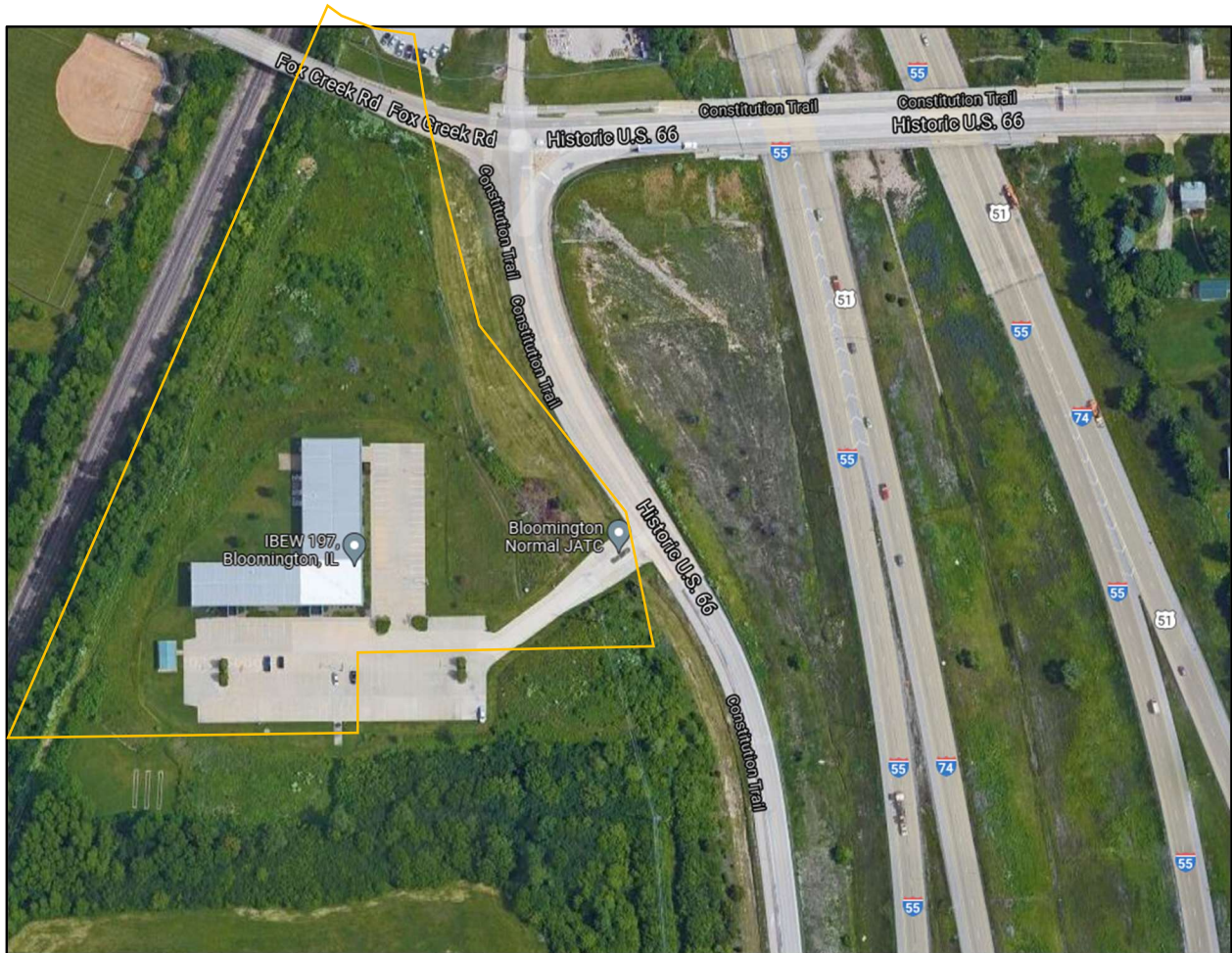
Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level View
4. Petitioner-Submitted Site Plan
5. Petitioner-Submitted Statement of Finding of Facts
6. Neighborhood notice and map

Attachment 1 - Zoning Map for 2407 Beich Rd and Surrounding Areas



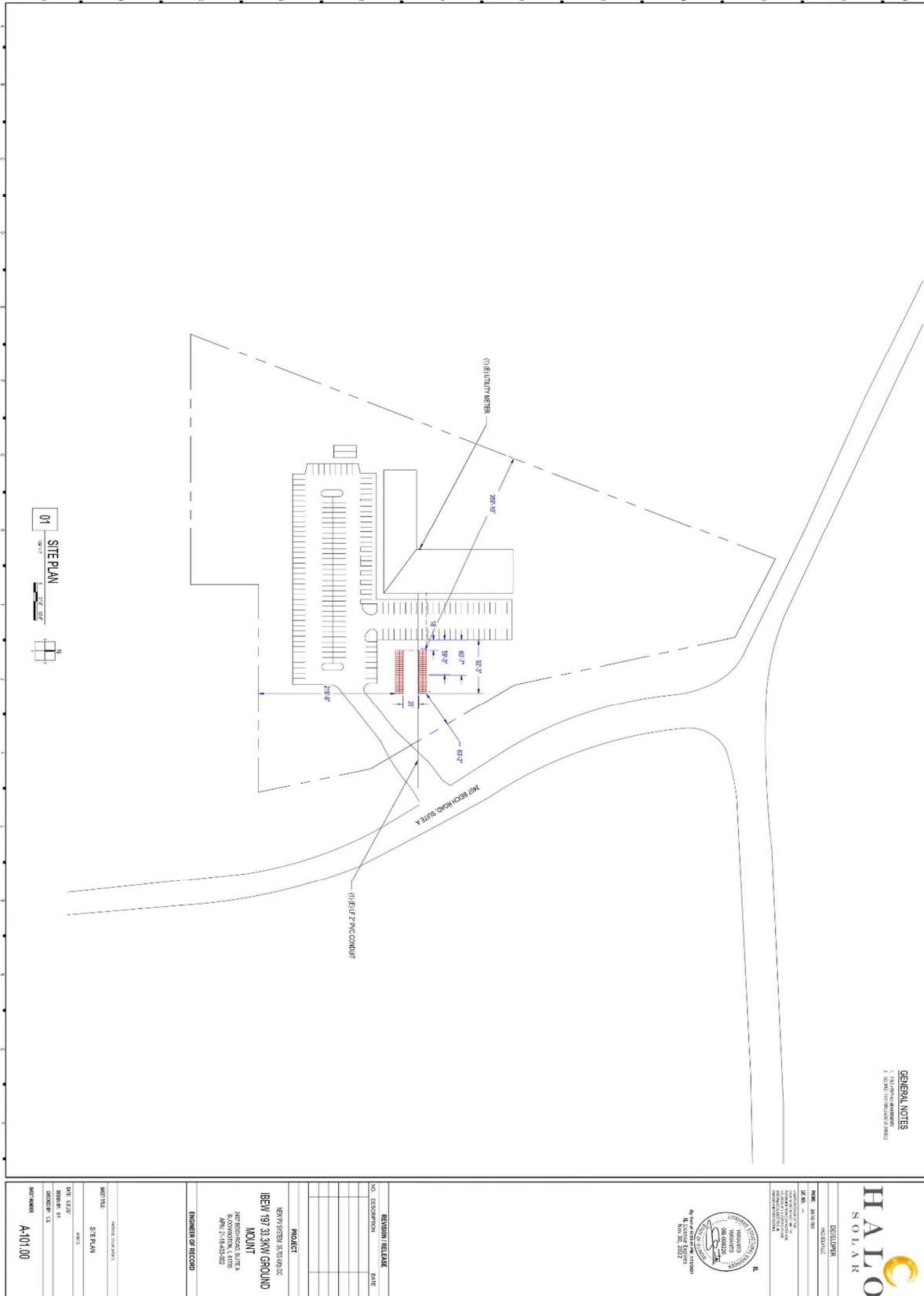
Attachment 2 - Aerial Image of 2407 Beich Rd with Property Line Indicated



Attachment 3- Ground-Level View of 2407 Beich Rd



Attachment 4 - Petitioner-Submitted Site Plan



Attachment 5- Petitioner-Submitted Statement of Finding of Facts

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

Alternative locations on the property provide obstructions to the array which render solar array unviable. Alternatively, potential location to the south of the building has a septic tank located there which poses issues with embedded posts for the array as well as getting back to the meter with wiring/conduit.

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

The front yard is the only viable location for a solar array on the property because of site conditions, making the variance the only option available to the property owners.

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

The property owners have not performed any site alterations that have created the issues that are necessitating this variance.

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

The customer will be unable to install a solar array unless this variance is approved.

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.

The structure that is being proposed is located in a manner that is far enough away from the street to meet standard setback requirements, and will not obstruct any view from neighboring properties.

Attachment 6 - Neighborhood notice and map



Economic & Community
Development
Department
115 E Washington St, Ste 201
Bloomington, IL 61701
(309)434-2226
planning@cityblm.org

January 28, 2022

NOTICE OF PUBLIC HEARING

RE: 2407 Beich Rd

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on **Wednesday, February 16th, 2022 at 4:00 PM at the Government Center Chambers, 4th Floor, Room #400, 115 E Washington St, Bloomington, IL 61701** on the following case: Z-02-22 Public hearing, review and action on a petition submitted by Morgan Bishop of Halo Solar for **a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705, PIN: 21-18-403-002.**

Due to the surge in COVID cases in McLean County, **this meeting will be presented virtually.**

- Those persons wishing to watch the meeting may do so at: www.cityblm.org/live.
- Those persons wishing to provide testimony on any of the agenda items designated as a public hearing may appear in-person or may appear virtually by registering at www.cityblm.org/register at least 15 minutes before the meeting.
- Since attendance is limited to 10 members of the public, members of the public are encouraged to attend virtually.
- Those persons wishing to provide public comment may register at www.cityblm.org or email publiccomment@cityblm.org.

This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs contact the City Clerk at 115 E. Washington St., Ste 103, Bloomington, IL 61701 (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website <https://www.cityblm.org/government/boards-commissions>. Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at <https://www.cityblm.org/government/boards-commissions>.

For questions contact the Economic & Community Development Department at 309-434-2226.

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property

