

**AGENDA
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, SEPTEMBER 21, 2016
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

A public comment period not to exceed thirty (30) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings, meetings of committees and/or task forces (hereinafter "committees") created by the City Council, work sessions, and special meetings of the City Council. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission, Committee or City Council, as applicable, must complete a public comment card at least five (5) minutes before the start time of the meeting. Public comment cards shall be made available at the location of the meeting by City staff at least 15 minutes prior to the start time of the meeting. The person must include their name, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation and said individual still desires to address the individuals at a future meeting of the same type, said individual shall be entitled to speak first at the next meeting of the same type. (Ordinance No. 2015-46))

5. MINUTES: Consideration, review and approval of Minutes from the August 17, 2016 meeting.

6. REGULAR AGENDA

- A. Z-27-16** Consideration, review and approval of a variance application submitted by Scott Hunter for a variance request to allow a rear setback of twenty six (26) feet in lieu of the required thirty (30) feet setback in the R-1B District for the property located at 1924 Garling Drive (**Ward 1**).
- B. Z-30-16** Consideration, review and approval of a variance application submitted by Frederick and Jean Kuppersmith for a variance request to allow an accessory structure to be four (4) feet away from the principal structure in lieu of the required ten (10) feet separation for the property located at 1015 ½ E Front Street (**Ward 4**).
- C. Z-31-16** Consideration, review and approval of a variance application submitted by Jennifer Vericella Prado/RJV Construction for a variance request to allow a six (6) foot fence in the front yard of a corner lot in lieu

of the permitted four (4) foot fence requirement for the property located at 1102 Elmwood Rd (**Ward 4**).

D. Z-32-16 Consideration, review and approval of a variance application submitted by Jennifer and Thomas Coon for a variance request to re-establish two adjacent, nonconforming lots of record under common ownership for residential purposes for the property located at 1203 S. Livingston Street (**Ward 6**).

E. Z-34-16 Consideration, review and approval of a variance application submitted by Peter and Mary Ellen Falstad for a variance request to allow a rear setback of twenty six (26) feet in lieu of the required thirty (30) feet in the R-1B District for the property located at 2014 Withers Ln (**Ward 9**).

7. OTHER BUSINESS

8. NEW BUSINESS

9. ADJOURNMENT

For further information contact:

Katie Simpson, City Planner

Department of Community Development

Government Center

115 E. Washington Street, Bloomington, IL 61701

Phone: (309) 434-2226 Fax: (309) 434-2857

E-mail: ksimpson@cityblm.org

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

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

Members absent: Mr. Simeone

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

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

PUBLIC COMMENT: None

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

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

REGULAR AGENDA:

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

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

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

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

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

OLD BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT: 4:14PM

Respectfully,

Tom Dabareiner AICP

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
SEPTEMBER 21, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-27-16 1924 Garling Drive	A variance request to allow a rear setback of twenty six (26) feet in lieu of the required thirty (30) feet setback in the R-1B District (44.6-40)	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance to allow a rear setback of twenty six (26) feet in lieu of the required thirty (30) feet setback in the R-1B District (44.6-40) for the property at 1924 Garling Drive. The petitioner would like to add a covered/screened porch that will encroach on into the rear setback.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on September 2, 2016.

GENERAL INFORMATION

Owner and Applicant: Scott Hunter

PROPERTY INFORMATION

Existing Zoning: R-1B, Medium density single family residential district
Existing Land Use: Single family home
Property Size: 125 X 120
PIN: 21-10-277-023

Surrounding Zoning and Land Uses

Zoning

North: R-1B Single family residential
South: R-1B Single family residential
East: R-1B Single family residential
West: R-1B Single family residential

Land Uses

North: Single family homes
South: Single family homes
East: Single family homes
West: Single family homes

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject property located on the corner of Garling Drive and Hastings Ave, at 1924 Garling Drive, is zoned R-1B, single family residential and is currently used as a single family home. The property is approximately 125 X 120 (15,000 sq ft) and was built in 1955. The property is relatively flat with no identifiable physical hardships.

The petitioner proposes to add a covered/screened in porch on the rear of the property with a stone fireplace. The porch will be twenty (20) feet by twelve (12) feet (approximately 240 square feet). Four (4) feet of the porch would extend into the rear of the property, encroaching on the thirty (30) foot rear yard setback. The encroachment would span the entire width of the proposed addition. The backyard is fenced in and the porch would not be visible from the street. Nonetheless, the majority of surrounding properties meet the thirty (30) foot setback requirement. There is one property to the north that has a roofed expansion which encroaches into the rear yard.

The following is a summary of the requested variations:

Applicable Code Sections:

Section 44.6-40 Bulk Requirements

Type of Variance	Request	Required	Variance
Rear yard setback for the R-1B District	26	30	4 feet decrease

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 property is flat and poses no identifiable physical hardships. The lot is a corner lot that exceeds the minimum lot size for the R-1B District. The property currently meets the rear yard setback and has a rear yard of approximately forty-seven (47) feet. The standard is not met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the petitioner could consider other possible layouts for the porch, including expanding and screening in the existing patio. The standard is not met.

That the special conditions and circumstances were not created by any action of the applicant; and the petitioner could consider screening the existing patio and/or other possible layouts that comply with Code. The standard is not met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and the majority of other houses in the neighborhood meet the setback requirements. One house to the north encroaches on the rear yard setback. The property is also fenced and the addition would not be visible to the street. 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. The four feet setback still allows for some buffering between neighboring properties and the property is fenced and screened. The standard is met.

STAFF RECOMMENDATION:

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-27-16

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property
- Legal Ad/Newspaper Publication

ZONING BOARD OF APPEALS

INSTRUCTIONS FOR SUBMISSION OF VARIANCE(S) REQUESTS

The Zoning Board of Appeals meets every third Wednesday of each month, at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois.

In order for your petition for variance requests(s) to be placed on the agenda you **MUST** complete and submit the following items to the Planning and Code Enforcement Department by the submission deadline, in the attached schedule:

1. A \$125.00 filing fee for a specified hearing date for one variance petition. For each additional request thereafter the fee is \$25.00 per request.
2. Both the attached application and statement of Findings of Fact filled out by the Petitioner. Only persons with a contractual interest in the property shall submit an application.
3. A site plan, **TO SCALE IN BLACK INK**, depicting your lot, location of all buildings, structures, driveways, parking areas and other improvements, you must show all dimensions. If you submit a site plan on paper larger than 8 ½" x 11", you must submit 12 copies.

You must call (309) 434-2341 to set up an appointment with the City Planner to discuss this petition. The site plan must be reviewed with the City Planner at your appointment, before the final submission deadline.

Notice of the variance request will be published in the Legal Section of The Pantagraph approximately 15 days before the scheduled meeting. Courtesy notices will be mailed to adjacent property owners and other interested parties.

You must be the owner of the property subject to the variance petition. You or your representative **MUST** attend the Zoning Board of Appeals meeting. You will be sworn in and you may offer additional testimony at the meeting.

It takes four concurring votes for your petition to be approved. If your petition is denied by a vote of less than five (5) members, you may appeal the decision to City Council. You must file with the City Clerk a "Notice of Appeal" within 10 days of the ruling.

If your petition is approved, you must obtain all the necessary building permits with regards to your project.

A variance is good for one (1) year and must be acted upon within this time frame or it will be void.

Note: it is unlawful to call or have contact with any member of the Zoning Board of Appeals prior to the meeting.



Zoning Board of Appeals Submission and Hearing Dates for 2015

Submission Deadline	Hearing Date
12/17/14	1/21/15
1/23/15	2/18/15
2/20/15	3/18/15
3/20/15	4/15/15
4/24/15	5/20/15
5/21/15	6/17/15
6/19/15	7/15/15
7/16/15 7/24/15	8/19/15
8/21/15	9/16/15
9/25/15	10/21/15
10/23/14	11/18/15
11/18/15	12/16/15
12/16/15	1/20/16

7/16
4:30 PM

→ ~~8/19/15~~ MON THU 3RD WED

#25609

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: 1924 GARLING DRIVE

Site Address: _____

CALL → KEVIN 207-7261

Petitioner: SCOTT HUNTER

Phone: (309) 662-9434

Petitioner's Email Address: BOXTOP77@HOTMAIL.COM

Petitioner's Mailing Address Street: 1924 GARLING DRIVE

City, State, Zip Code: BLOOMINGTON IL 61701

Contractual interest in the property ☒ yes ☐ no

Signature of Applicant S. Hunter

Brief Project Description:

COVERED/SCREENED PORCH 20' x 12' WITH STONE FIREPLACE
DEEP WIDE

Code Requirements Involved:

REAR YARD SETBACK FOR R1-B (30')

Variances(s) Requested:

ALLOW PORCH TO EXTEND INTO EASEMENT 48".

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.



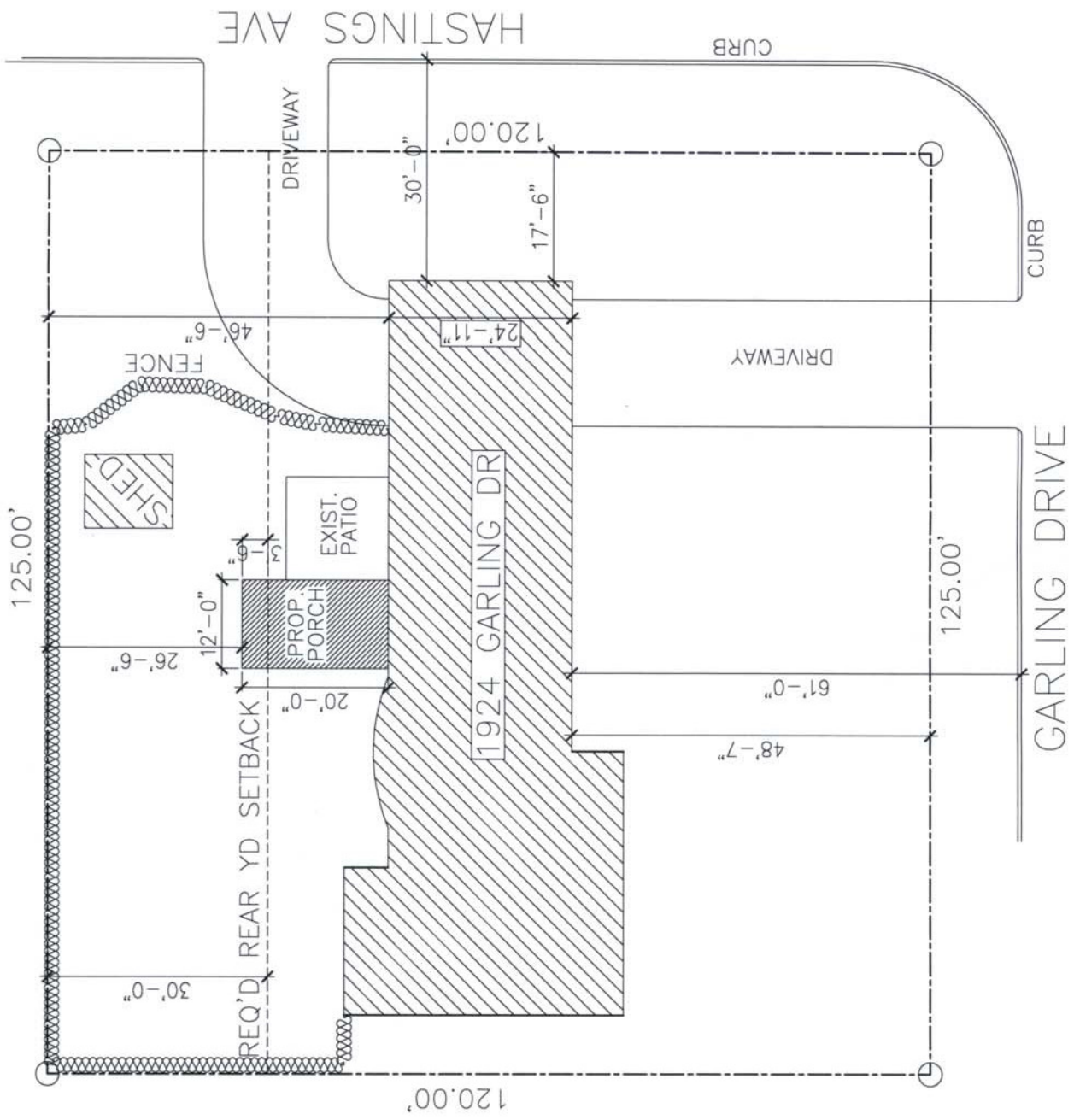
JUL 26 2016

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
CURRENTLY THE PROPERTY & ZONING ONLY ALLOW FOR A 16' DEEP STRUCTURE TO FIT IN THE REAR YARD DUE TO A 30' REAR YARD EASEMENT.
2. That the variance would be the minimum action necessary to afford relief to the applicant; and
THE ADDITIONAL 48" WOULD ALLOW A STRUCTURE THAT ADEQUATELY SUITS THE SIZE & NATURE OF THE PROJECT. GIVEN THE PROPOSED COST (\$30,000), ANY LESS SIZE WOULD MAKE THE PROJECT UNFEASIBLE.
3. That the special conditions and circumstances were not created by any action of the applicant; and
THE EXISTING HOXIE PLACEMENT DOES NOT ALLOW ANY OTHER ACTION. IT LEAVES ME THE CHOICE OF NO PORCH VS A PORCH WITH A 48" 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
I AM REQUESTING THE VARIANCE TO BUILD SOMETHING THAT IS ALLOWED & AN ASSET TO THE NEIGHBORHOOD. I JUST WANT TO FIT A SUITABLE SIZED PORCH ON THE LOT.
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 VARIANCE STILL ALLOWS FOR THE STRUCTURE TO REMAIN 26' AWAY FROM THE PROPERTY LINE. MY BACK YARD IS ENCLOSED/FENCED-IN & ESSENTIALLY OBSCURED FROM THE NEIGHBORHOOD. ALSO, THE NEIGHBOR ADJACENT TO THIS REAR YARD HAS NO VIEW OF MY REAR YARD FROM BOTH THE REAR & FRONT OF THEIR HOME. MY HOUSE FACES GARLING. THEIR HOME FACES HASTINGS AVE.



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AND RENOVATIONS
202 S ELDORADO RD, STE B1
BLOOMINGTON, ILLINOIS 61704
309-588-0346

REVISION/ISSUE	DATE
-	-
-	-
-	-

TITLE:
SCREENED PORCH
PIN 21-10-277-023

1924 CARLING DR
BLOOMINGTON

LOT 59
TOWN & COUNTRY SUBD.
SCOTT HARTER

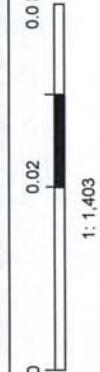
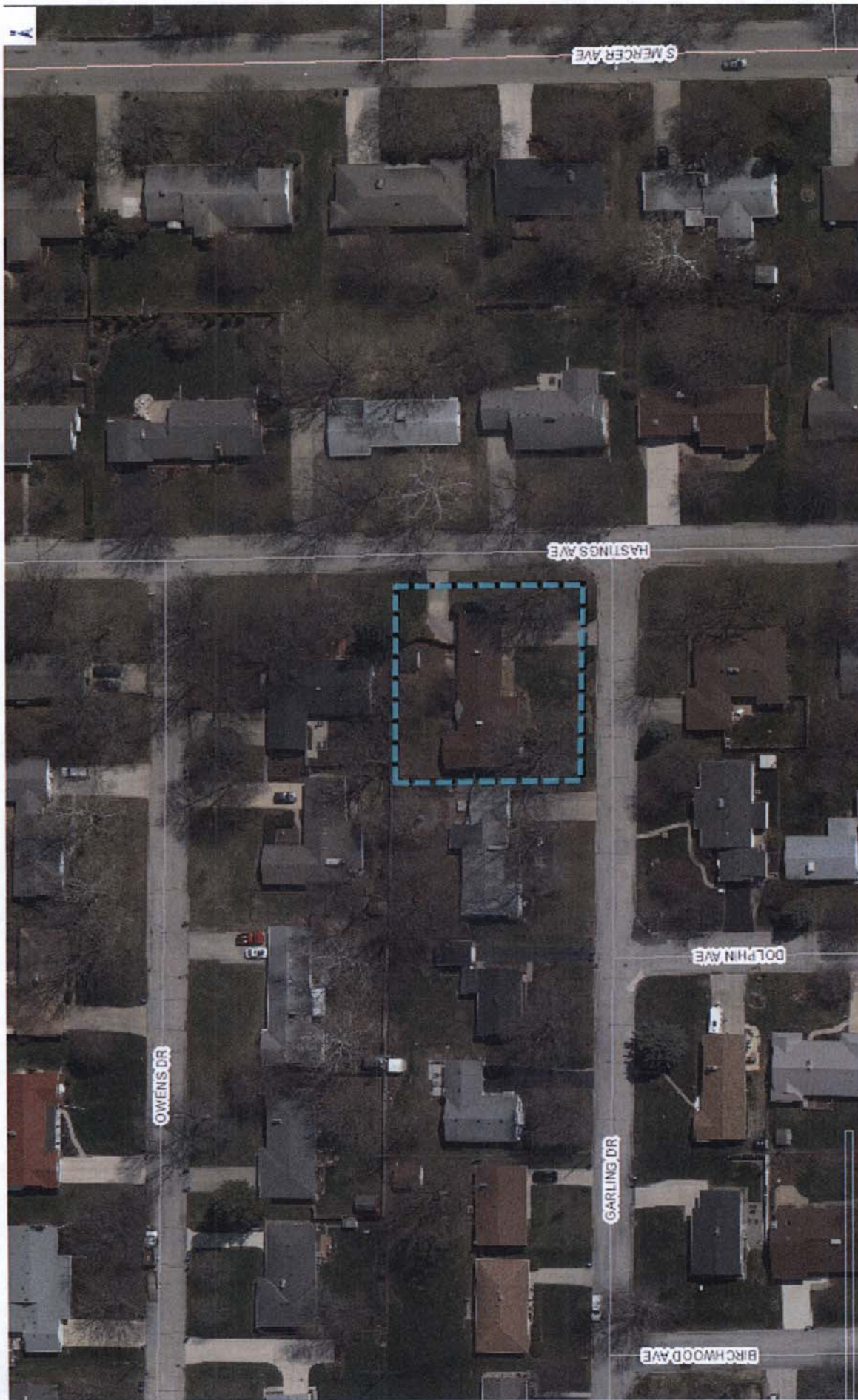
DRAWN	AS SHOWN
DATE	7-21-16
DATE BY	
LCR	
DATE	

S1

REF. NO.
1924 CARLING DRIVE



Aerial View for 1924 Garling Drive

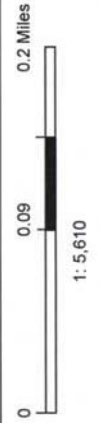


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Notes



Zoning Map for 1924 Garling Drive



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Notes

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1913 CROXTON AVE
BLOOMINGTON IL 617015701

ANNE FLEER
910 S MERCER
BLOOMINGTON IL 61701

ARI CRANE
917 S MERCER AVE
BLOOMINGTON IL 617017132

ASHLEY M SOLIDAY
1916 GARLING DR
BLOOMINGTON IL 617017128

BETH HARTZLER
910 BIRCHWOOD AVE
BLOOMINGTON IL 61701

BRIAN KEITH COX
905 BIRCHWOOD AVE
BLOOMINGTON IL 617017142

BRIAN L & MARGARET A KNUTSON
905 HASTINGS DR
BLOOMINGTON IL 617017139

CHARLES F BOAZ
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BLOOMINGTON IL 61701

CHRISTOPHER D & COURTNEY A
PARMLEY
914 HASTINGS DR
BLOOMINGTON IL 617017130

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COLFAX IL 61728

DANA DALBAK
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BLOOMINGTON IL 617017125

DANIEL PHILLIPS
902 HASTINGS DRIVE
BLOOMINGTON IL 61701

DAVID DONALDSON
1914 OWENS DR
BLOOMINGTON IL 617017135

DAWN OBRIEN
903 S MERCER AVENUE
BLOOMINGTON IL 61701

DEBRA SPARKS
902 S MERCER AVE
BLOOMINGTON IL 617017153

DIANNE M FLEMING TRUSTEE
P O BOX 5779
BLOOMINGTON IL 61702

DONALD F & SHIRLEY M HILL
904 HASTINGS DR
BLOOMINGTON IL 61701

ELAINE R GEORGE
1907 GARLING DR
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FORREST G & CONSUELO R WISELY
1921 OWENS DR
BLOOMINGTON IL 617017134

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BLOOMINGTON IL 617017132

GREGORY ZAPPA
910 HASTINGS DR
BLOOMINGTON IL 617017130

HAROLD E & WANDA G GRAY
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BLOOMINGTON IL 617017132

HERBERT D & ELIZABETH L LITWILLER
907 S MERCER AVE
BLOOMINGTON IL 617017132

HERBERT E & BARBARA A BURDETT
906 S MERCER AVE
BLOOMINGTON IL 617017153

HOLY TRINITY CHURCH
704 N MAIN ST
BLOOMINGTON IL 61701

JACK & JUDIE LU WHITE
905 S MERCER
BLOOMINGTON IL 61701

JAMES R & JUDITH M MC GINNES
1918 GARLING DR
BLOOMINGTON IL 617017128

JAMES W FRIZZELL
915 HASTINGS DR
BLOOMINGTON IL 617017140

JANENNE K SCOTT
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BLOOMINGTON IL 61701

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BLOOMINGTON IL 617017128

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BLOOMINGTON IL 617058031

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1920 GARLING DR
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JERRY & ROSITA BURGESS
1919 OWENS DR
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JEWELL K LUDWIG
917 HASTINGS DRIVE
BLOOMINGTON IL 61701

JODY WILEY
1910 OWENS
BLOOMINGTON IL 61704

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2209 FOXTAIL ROAD
BLOOMINGTON IL 61704

JOHN TARVIN
2209 Foxtail Rd
Bloomington IL 617041517

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KATHRYN BIGGER
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Bloomington IL 617017137

LARRY KEMP
1919 GARLING DR
BLOOMINGTON IL 617017138

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MARGUERITE A DEUTSCH
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BLOOMINGTON IL 617017130

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BLOOMINGTON IL 617015702

MARY KASHER
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MARY M SPENCER
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BLOOMINGTON IL 617017126

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BLOOMINGTON IL 617017135

MERLE DAVID ENGLE
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Bloomington IL 617015701

MERLE G & JENNIFER J WAGNER
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BLOOMINGTON IL 617017137

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BLOOMINGTON IL 61701

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DOWNS IL 617369657

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BLOOMINGTON IL 617017126

PATRICK D FRUIN
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BLOOMINGTON IL 617017125

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PETER HINTZMAN
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Bloomington IL 617017125

ROSEMARY SHEPHERD
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BLOOMINGTON IL 617015701

SEYMOUR R GOLDBERG
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BLOOMINGTON IL 617017129

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BLOOMINGTON IL 617017126

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BLOOMINGTON IL 617013483

SCOTT & JAMES HUNTER
1924 GARLING DR
BLOOMINGTON IL 617017128

STEPHEN C LESKOVISEK
1930 CROXTON AVE
BLOOMINGTON IL 617015702

WILBUR L DILLMAN DR
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BLOOMINGTON IL 617015701

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20834879
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
SEPTEMBER 21, 2016

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, September 21, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Scott Hunter for the approval of a variance from Chapter 44 of the City's Code on property located at 1924 Garling Drive at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:
TOWN & COUNTRY ADD E25'
LOT 58 & ALL LOT 59
REQUEST

A request for a variance from Chapter 44 of the City's Code to allow a rear yard of 26' in lieu of required 30' for R-1B Single Family Residential District (44.6-40).

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

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

Published: September 2, 2016

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
SEPTEMBER 21, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-30-16 1015 ½ E Front Street	A variance request to allow an accessory structure to be four (4) feet away from the principal structure in lieu of the required ten (10) foot separation.	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance request to allow an accessory structure to be four (4) feet away from the principal structure in lieu of the required ten (10) foot separation (44.4-4C2) for the property at 1015 ½ E Front Street.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on September 2, 2016.

GENERAL INFORMATION

Owner and Applicant: Frederick and Jean Koppersmith

PROPERTY INFORMATION

Existing Zoning: R-1C, Low density single family residential district
 Existing Land Use: Single family home
 Property Size: Approximately 4830 square feet (60' X 80')
 PIN: 21-03-307-046

Surrounding Zoning and Land Uses

Zoning

North: R-1C Single family residential
 South: R-3A Single family residential
 East: R-1C Single family residential
 West: R-1C Single family residential

Land Uses

North: Single family homes
 South: Mixed-use design studio and home
 East: Single family homes
 West: Single family homes

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject site is commonly known as 1015 ½ E. Front Street and is located between McClun Street and State Street. The site exists within the R-1C High Density Single-Family Residential District. The property is developed as a duplex with an upper unit and a lower unit. In 2015, the petitioner was awarded a building permit to replace the outside stairway and small porch. Stairways and open porches are permitted obstructions in the rear yard. The final, completed work at the property exceeded what was proposed and originally approved. The petitioner is exhausting their administrative remedies by petitioning for a variance. The next step is for the City to achieve compliance through court unless the corrections are made.

The subject property sits on a nonconforming lot. The lot is smaller than what is permitted in the R-1C district. Additionally, the property has an existing, nonconforming accessory structure that is located less than the required ten (10) feet from the house. When the second story roof line was expanded, this nonconformity was also expanded, which is prohibited in with city code. The new addition is approximately seven (7) feet by thirteen (13) feet.

The following is a summary of the requested variations:

Applicable Code Sections:

Section (44.4-4C2) Accessory Structures

Type of Variance	Request	Required	Variance
Proximity of accessory structure to principal structure	4	10	6 feet decrease

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 lot is nonconforming and smaller than what is required by code. However, the petitioner has an eighteen (18) foot setback between the existing accessory structure and rear lot line. Our code allows accessory structures to be three (3) feet from the lot line and therefore it would be possible to have the required ten (10) foot separation. The standard is not met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the petitioner could consider moving the accessory structure, removing the addition, or removing the accessory structure. A variance is not to be retroactive but to be obtained in advance. The standard is not met.

That the special conditions and circumstances were not created by any action of the applicant; and the expansion exceeds what was approved by the inspector. The standard is not met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and expanding a nonconformity is prohibited by the code. The standard is not 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. The zoning code requires a ten (10) foot separation for safety reasons including fire protection and density control. The building code requires a specific fire wall when structures are too close together. The standard is not met.

STAFF RECOMMENDATION:

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-30-16

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property
- Legal Ad/Newspaper publication

**ZONING BOARD OF APPEALS
INSTRUCTIONS FOR SUBMISSION OF VARIANCE(S) REQUESTS**

The Zoning Board of Appeals meets every third Wednesday of each month, at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois.

In order for your petition for variance requests(s) to be placed on the agenda you **MUST** complete and submit the following items to the Planning and Code Enforcement Department by the submission deadline, in the attached schedule:

1. A \$125.00 filing fee for a specified hearing date for one variance petition. For each additional request thereafter the fee is \$25.00 per request.
2. Both the attached application and statement of Findings of Fact filled out by the Petitioner. Only persons with a contractual interest in the property shall submit an application.
3. A site plan, **TO SCALE IN BLACK INK**, depicting your lot, location of all buildings, structures, driveways, parking areas and other improvements, you must show all dimensions. If you submit a site plan on paper larger than 8 1/2" x 11", you must submit 12 copies.

You must call (309) 434-2341 to set up an appointment with the City Planner to discuss this petition. The site plan must be reviewed with the City Planner at your appointment, before the final submission deadline.

Notice of the variance request will be published in the Legal Section of The Pantagraph approximately 15 days before the scheduled meeting. Courtesy notices will be mailed to adjacent property owners and other interested parties.

You must be the owner of the property subject to the variance petition. You or your representative **MUST** attend the Zoning Board of Appeals meeting. You will be sworn in and you may offer additional testimony at the meeting.

It takes four concurring votes for your petition to be approved. If your petition is denied by a vote of less than five (5) members, you may appeal the decision to City Council. You must file with the City Clerk a "Notice of Appeal" within 10 days of the ruling.

If your petition is approved, you must obtain all the necessary building permits with regards to your project.

A variance is good for one (1) year and must be acted upon within this time frame or it will be void.

Note: it is unlawful to call or have contact with any member of the Zoning Board of Appeals prior to the meeting.

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: 1015 1/2 E Front

Site Address: _____

Petitioner: Frederick E. Jean Koppersmith Phone: 304-706-5197
304-310-3183

Petitioner's Email Address: kktooddie@aol.com

Petitioner's Mailing Address Street: 5 Hidden Lake At.

City, State, Zip Code: Bloomington, Illinois 61704

Contractual interest in the property _____ yes _____ no

Signature of Applicant Frederick E. Koppersmith
jean koppersmith

Brief Project Description:

allow structure to be 4' close to principal structure instead of 10'

Code Requirements Involved:

44.4-4C2

Variances(s) Requested:

4ft. instead of 10

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 the porches and stairs to the back of our property at 1815 1/2 E. Front were replaced due to safety reasons. Since a tear down was necessary we no longer meet code and are requesting a variance.
2. That the variance would be the minimum action necessary to afford relief to the applicant; and the only other solution is to remove the existing garage. The garage and house have been this close for over 100 years. Due to the age of the garage it would be very costly to move to the back of the property.
3. That the special conditions and circumstances were not created by any action of the applicant; and the stairs and porches had become dangerous due to age.
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
NA
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 construction of the new stairs and porches have added to the character of the neighborhood and have increased safety to all involved.



306-022	306-023	306-024	306-025	306-026	306-027	306-028	306-029	306-030	306-031	306-032	306-033	306-034
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1015 1/2 E FRONT ST ROGERS

Front St



307-002	307-003	307-004	307-005	307-006	307-007	307-008	307-009	307-010	307-011	307-012	307-013	307-014	307-015
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JOHN MCLUNS

SELLS

307-027	307-028	307-029	307-030	307-031	307-032	307-033	307-034	307-035	307-036	307-037	307-038
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Grove St

Denver St

353-024	353-009	376-001	376-002
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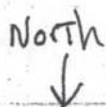








915 E. Oakland Avenue
Bloomington, IL 61701
Phone (309) 684-1052
Fax (309) 740-1833
www.G3Machining.com



1015 1/2 East Front St



Planning and Code Enforcement
BUILDING SAFETY DIVISION
115 E. Washington St., PO BOX 3157
Bloomington, IL 61702-3157
Phone: 309-434-2226
pace@cityblm.org

Miscellaneous Permit Application

Site Address: 1815 1/2 E. front	Office Use Only: 20355
Unit #:	Application Number
Scope of Work:	Permit Issued:
replacing outside stairway	Permit Number:
and small porch	Permit Ready to Issue: 36.40
TOTAL COST OF WORK: \$1800	Permit Fee:
Is this part of a larger project? YES NO	Contacted: Phone Email
If Yes, What is the project?	Application Date: 10-16-15
	Anticipated Start: 10-21-15
	Anticipated End Date: 12-1-15
Applicant (check one)	INFORMATION REQUIRED IF APPLICABLE
Owner of Property	Name: Frederick & Jean Koppersmith
	Address: 5 Hidden Lake Ct.
General Contractor	Name: Evan Coombs
	Address: Downs, Illinois

REQUIRED ITEMS TO BE SUBMITTED BY APPLICANT IF APPLICABLE

	Site Plan showing the location of home, parking and other structures Must have Dimensions and be drawn to scale.
	Building Plans (Foundation, Framing, Elevations)
Yes ☒ No	Located on a Corner Lot
Yes ☒ No	Located in a Mobile Home Park If Yes, Park Approval and Signature is required
Yes ☒ No	Located in a Historical S-4 Area If Yes, Certificate of Appropriateness Needed

Contractor/Applicant Signature: Fredrick Koppersmith



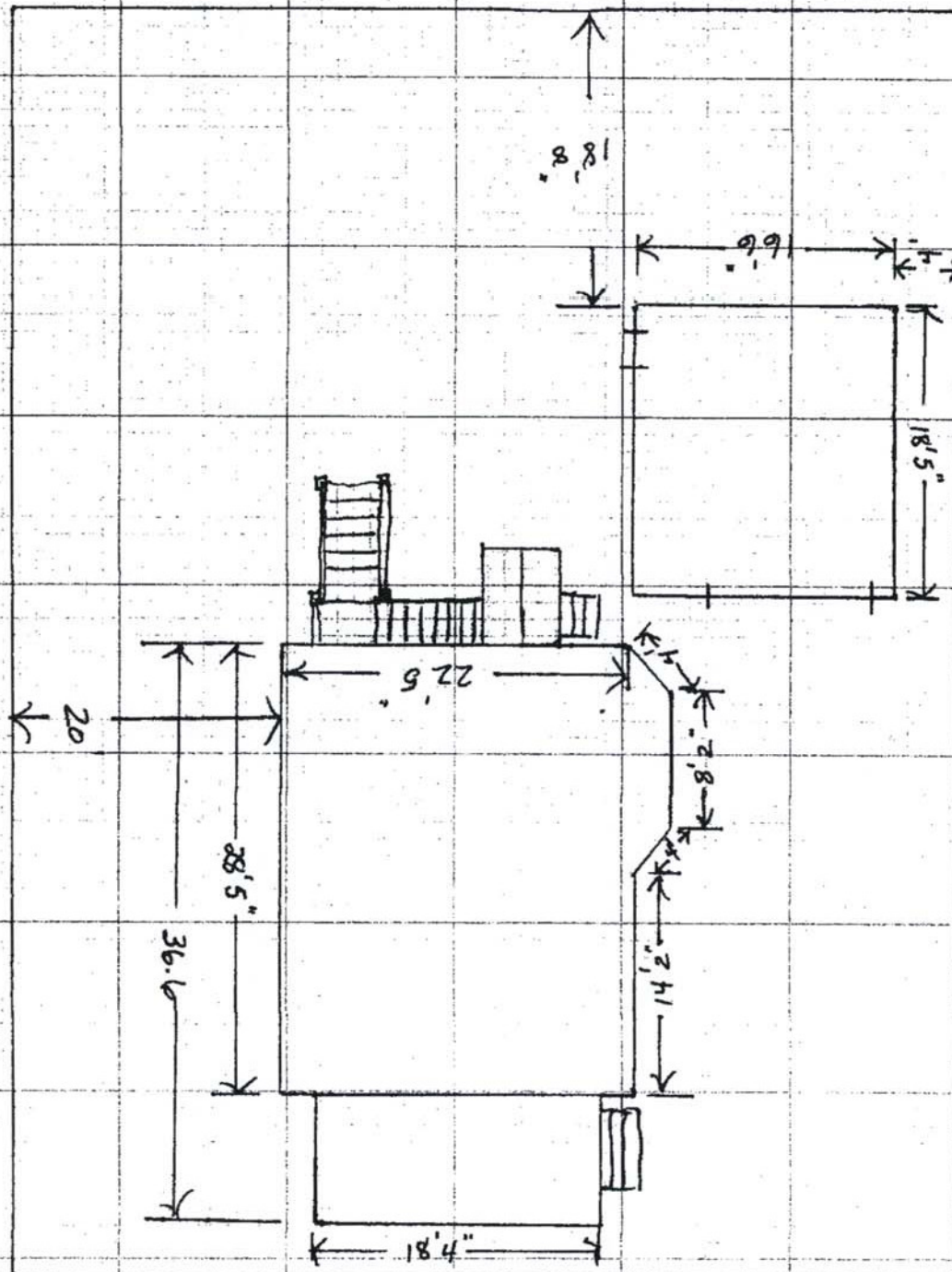
- PLEASE ATTACH PLANS / SKETCHES TO THIS APPLICATION.
- NOTE: PERMITS MUST BE OBTAINED BEFORE WORK BEGINS.
- SUBMISSION OF THIS FORM DOES NOT GUARANTEE OR GRANT APPROVAL TO START WORK.
- ACCEPTANCE OF PAYMENT DOES NOT CONSTITUTE A PERMIT.
- APPLICATION VOID IF WORK IS NOT STARTED WITHIN 6-MONTHS AFTER PERMIT ISSUANCE.

OCT 16 2015



G3 MACHINING, LLC

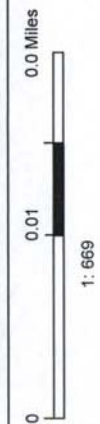
915 E. Oakland Avenue
Bloomington, IL 61701
Phone (309) 684-1052
Fax (309) 740-1833
www.G3Machining.com



1015 1/2 East Front St



Aerial View-1015 1/2 E Front Street



1: 669

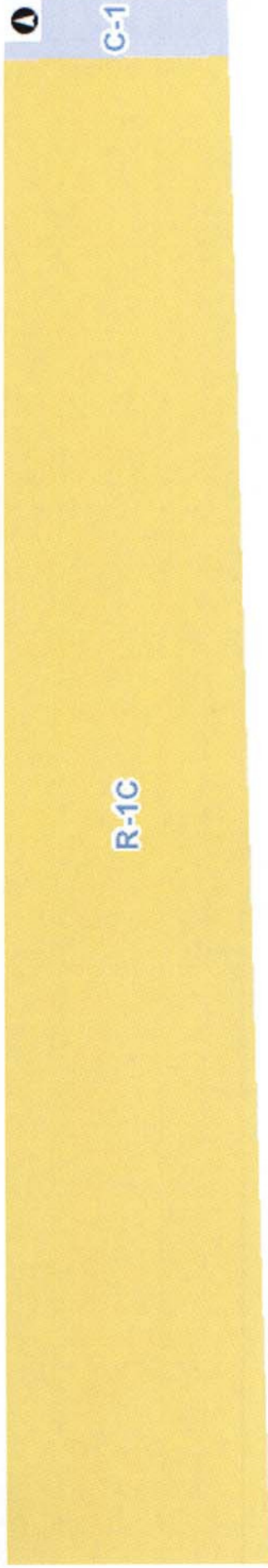
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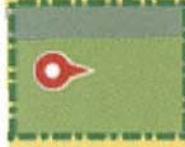
Notes



Zoning Map-1015 1/2 E Front Street



E FRONT ST



E GROVE ST

DENVER ST

R-3B

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Notes

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

September 9, 2016

Dear Property Owner or Resident:

The City of Bloomington Zoning Board of Appeals will hold a public hearing on **Wednesday, September 21, 2016 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois** for a petition submitted by Frederick and Jean Koppersmith for the approval of a variance from Chapter 44 of the City Code to allow an accessory structure to be four (4) feet away from a principle structure in lieu of the ten (10) foot required separation for the property at *1015 1/2 E Front Street*. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:
E ROGERS ADD N80' LOT 49

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested variance during the public 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 hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may call me at (309) 434-2226 or email me at ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Simpson', written over a light blue circular stamp.

Katie Simpson
City Planner

Attachment

Location Map of properties notified within 500 feet of the subject property



Public Hearing for a variance request at 1015 1/2 E Front Street on Wednesday, September 21 2016 at 4:00 pm, 109 E Olive Street, Bloomington



0 0.05 0.1 Miles

1: 3,407

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Notes

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TENET & NAPAPORN MISSAKASAVAKE
1003 E Washington St
Bloomington IL 617014146

JUAN FRANCISCO RINCON
1009 E WASHINGTON ST
BLOOMINGTON IL 617014146

JOANNE C BOSSINGHAM
PO BOX 34
MINIER IL 617590034

JENNIFER R WILKES
1001 E WASHINGTON
BLOOMINGTON IL 61701

KEVIN DRAEGER
202 Grandview Dr
Normal IL 617613135

% RAND VEERMAN RPLA LLC
6 THOMAS DR
NORMAL IL 61761

DKNA LLC
700 W MAIN ST
EL PASO IL 617381471

RENEE RUFFIN
3003 MORNINGSIDE DR
BLOOMINGTON IL 617046237

DAVID M & LISA M BARTON
1007 E JEFFERSON ST
BLOOMINGTON IL 617014142

APARTMENT MART
PO BOX 670
BLOOMINGTON IL 617020670

HELEN A BENSON
1005 1/2 E WASHINGTON ST
BLOOMINGTON IL 617014146

CAMERON BROOKS
1014 E FRONT ST
BLOOMINGTON IL 617014240

DAVID MARQUARDT
1006 E FRONT ST
BLOOMINGTON IL 617013732

DORETTA E GORDON
1014 E WASHINGTON ST
BLOOMINGTON IL 617014147

JAMES T DEFENBAUGH
1015 E WASHINGTON
BLOOMINGTON IL 61701

JESPER L JOEFFSON
1011 E Washington St
Bloomington IL 617014146

ELIZABETH ALARCON
1013 E FRONT ST
BLOOMINGTON IL 617014239

RUTH I PECK
501 Watford Dr
Bloomington IL 617041241

BRENT LAGE
18486 N 4100 EAST RD
ANCHOR IL 617209634

MIKE FINN
1001 E GROVE ST
BLOOMINGTON IL 617014203

CHRISTOPHER FROMAN
1005 E WASHINGTON
BLOOMINGTON IL 61701

PATRICIA J FERRILL
2514 TIMBER VIEW DR
BLOOMINGTON IL 617017842

SUE E MESCHER
1007 E WASHINGTON ST
BLOOMINGTON IL 617014146

MARETTA T CLEM
1012 E WASHINGTON ST
BLOOMINGTON IL 617014147

TERRY L ADREON TRUSTEE
9520 N 2200 East Rd
Downs IL 617369635

TERRENCE M ONEIL
1008 E WASHINGTON ST
BLOOMINGTON IL 617014147

RAND H VEERMAN
6 THOMAS DR
NORMAL IL 617613958

TIMOTHY WATSON
1016 E FRONT
BLOOMINGTON IL 61701

FREDERICK H KUPPERSMITH
5 HIDDEN LAKE CT
BLOOMINGTON IL 617047285

MARY MOORE
16 NORBLOOM AVE
BLOOMINGTON IL 617011950

LISA BALOG
1008 E GROVE ST
BLOOMINGTON IL 617014389

MILDRED L TJADEN
1108 ABERCORN ST
NORMAL IL 617615752

BRYAN FINN
1002 E GROVE ST
BLOOMINGTON IL 617014204

MATTHEW N STERRETT
1011 E FRONT ST
BLOOMINGTON IL 61701

M TIMOTHY & CAMILLE C LEARY
2911 GRANDVIEW DR
BLOOMINGTON IL 617044506

DOYLE G & TERESA TJADEN
1004 1/2 E GROVE
BLOOMINGTON IL 61701

DAVE BURCHAM
PO BOX 1009
BLOOMINGTON IL 61702

RAY & IRENE DENBESTEN
PO BOX 72
BLOOMINGTON IL 617020072

LAUREN J SCHULTZ
1013 E GROVE ST
BLOOMINGTON IL 617014203

TYLER SEXTON
1016 E Olive St
Bloomington IL 617015549

KATHLEEN E SPAHN
1003 E FRONT ST
BLOOMINGTON IL 617014239

ALAN R WILLIAMS
4215 ANDERSON DR
HEYWORTH IL 61745

RICHARD D FOX
1010 E GROVE ST
BLOOMINGTON IL 617014204

MICHAEL FINN
1001 E GROVE ST
BLOOMINGTON IL 617014203

JEFF PATTERSON
1012 E GROVE
BLOOMINGTON IL 61701

MICHAEL & JULIE RILEY
1015 E GROVE
BLOOMINGTON IL 61701

BARB A POPPE
1018 E OLIVE ST
BLOOMINGTON IL 61701

DOUGLAS DELONG
1016 E GROVE ST
BLOOMINGTON IL 617014204

EDWARD RUHRUP
203 Denver St
Bloomington IL 617015531

JODI BLOOMINGTON SF LLC
1716 R T DUNN DR STE 4
BLOOMINGTON IL 617018730

JOSEPH WILLIAM & KARLA JO
SAMUELSON
1019 E WASHINGTON ST
BLOOMINGTON IL 617014146

SUSAN K SMITH TRUSTEE
1022 E WASHINGTON ST
BLOOMINGTON IL 61701

DENIS & MICHELLE SACKETT
204 DENVER ST
BLOOMINGTON IL 61701

WILBUR C LUDWIG
1526 BECKENHAM DR
BLOOMINGTON IL 617047629

RYAN P & COURTNEY E MAGILL
1106 E GROVE ST
BLOOMINGTON IL 617014211

KEVIN WILTZ
1104 E GROVE
BLOOMINGTON IL 61701

JAMES A SMITH TRUST
2409 E WASHINGTON ST STE C1
BLOOMINGTON IL 617041610

YVAN J BACON
1026 1/2 E FRONT
BLOOMINGTON IL 61701

STACEY MCGRAW
1018 E WASHINGTON ST
BLOOMINGTON IL 617014147

LARRY L CALVERT
1115 E WASHINGTON ST
BLOOMINGTON IL 617014148

VICENTE ADAME
1111 E GROVE ST
BLOOMINGTON IL 61701

KATHLEEN CAMP
1103 E GROVE ST
BLOOMINGTON IL 617014210

KATHERINE MCELDOWNEY
1017 E WASHINGTON ST
BLOOMINGTON IL 617014146

JEFFREY CAGLEY
1107 E WASHINGTON
BLOOMINGTON IL 61701

RONALD E FERGUSON
3917 W EL PRADO BLVD
TAMPA FL 336298614

JAMES T FINEGAN
111 W FRONT ST
BLOOMINGTON IL 617015004

BRIAN D WELCH
1022 E FRONT ST
BLOOMINGTON IL 617014240

MICHAEL & PATRICIA GESKE
1020 E FRONT
BLOOMINGTON IL 61701

BRIAN M SCHENK
1026 E FRONT ST
BLOOMINGTON IL 61701

NICOLE & KEVIN W WILTZ
1104 E GROVE ST
BLOOMINGTON IL 617014211

DAVID G HUNT
1715 GREGORY ST
NORMAL IL 617612320

BEVERLY J MILLER
1029 E FRONT ST
BLOOMINGTON IL 617014239

DARRON & MELISSA NEWBILL
1027 E FRONT
BLOOMINGTON IL 61701

TROY OEHLER
1025 E FRONT ST
BLOOMINGTON IL 617013732

MYRANDA WHITMAN
1031 E FRONT ST
BLOOMINGTON IL 617014239

SARAH WARGO
1023 E FRONT ST
BLOOMINGTON IL 617013732

MICHAEL & SANDRA DOTY
1021 E FRONT ST
BLOOMINGTON IL 61701

GARY & DEBRA RETTIG
1108 E GROVE ST
BLOOMINGTON IL 61701

PATRICIA MARTON
1114 E GROVE ST
BLOOMINGTON IL 617014211

TYLER BOYER
1100 E GROVE ST
BLOOMINGTON IL 617014211

TERI J BRADSHAW
1101 E GROVE ST
BLOOMINGTON IL 617014210

JOHN FROST
1107 E GROVE ST
BLOOMINGTON IL 617014210

MICHAEL J & PAMELA S FOSTER
1105 E GROVE ST
BLOOMINGTON IL 617014210

JAMES K & KATHLEEN M SMITH
1020 E OLIVE ST
BLOOMINGTON IL 61701

GREGORY D & KATHY L COOK
19446 E 850 NORTH RD
BLOOMINGTON IL 61704

ERIC J WILLIAMS
1017 E GROVE STREET
BLOOMINGTON IL 61701

MARK & RENEE DURST LIFFITON
1018 E FRONT ST
BLOOMINGTON IL 617014240

MARVIN MEWMISTER
1108 REDWOOD
BLOOMINGTON IL 61701

JEAN E MENKEN
1024 E FRONT ST
BLOOMINGTON IL 617013732

SHAWN BOLS
1018 1/2 E FRONT ST
BLOOMINGTON IL 61701

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20834898
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS

September 21, 2016

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, September 21, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Frederick and Jean Koppersmith for the approval of a variance from Chapter 44 of the City's Code on property located at 1015½ E Front Street at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:

E ROGERS ADD N80' LOT 49

REQUEST

A request for a variance from Chapter 44 of the City's Code to allow an accessory structure to be four (4) feet away from the principal structure instead of the required twenty (10) foot separation (44.4-4C2).

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

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

Published: September 2, 2016

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
SEPTEMBER 21, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-31-16 1102 Elmwood Rd	A variance request to allow a six (6) foot fence in the front yard of a corner lot in lieu of a permitted four (4) foot fence.	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance request to allow a six (6) foot fence in the front yard of a corner lot in lieu of a permitted four (4) foot fence (44.4-5G2) for the property at 1102 Elmwood Road.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on September 2, 2016.

GENERAL INFORMATION

Owner and Applicant: Jennifer Vericella Prado/RJV Construction

PROPERTY INFORMATION

Existing Zoning: R-1B, Medium density single family residential district
 Existing Land Use: Single family home
 Property Size: Approximately 10,350 square feet (69 X 150)
 PIN: 21-03-176-001

Surrounding Zoning and Land Uses

Zoning

North: S-2 Public Land and Institutions
 South: R-1B, Single family residential
 East: R-1B Single family residential
 West: R-1B Single family residential

Land Uses

North: Bloomington High School
 South: Single family homes
 East: Single family homes
 West: Single family homes

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject site is commonly known as 1102 Elmwood Rd and is located on the corner of Elmwood Rd and Colton Ave. The property has two front yards along the south (Elmwood Rd) and western (Colton Ave) sides of the lot. The west property line slopes downward with a six (6) foot change in elevation between the front and rear yards of the lot (approximately). The site exists within the R-1B Medium Density Single-Family Residential District.

The subject property currently has a four (4) foot perimeter fence along the rear property line and a portion of the front yard. The petitioner is petitioning to replace the existing fence with a privacy fence, six (6) foot tall, along the western and northern property lines, approximately 92 feet and 66 2/3 feet respectively. City Code prohibits six foot tall fences are prohibited in the front yard of a property. The slope and changes in elevation of the property create a physical hardship for adhering to this requirement along a small portion of the front yard that faces Colton Street, as well as along the alley.

The following is a summary of the requested variations:

Applicable Code Sections:

Section (44.4-5G2) Lots and Yards

Type of Variance	Request	Required	Variance
Fence in the front yard	6	4	2 feet increase

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 property decreases in elevation along the rear and front lot line. The existing four (4) foot fence in the rear provides little privacy in areas with lower elevation. The standard is met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the six (6) foot fence along the rear property line and along the western property line behind the principal structure would provide relief (approximately 64 feet). A four (4) foot fence just along the remaining 18 feet of front yard (to the south of the principal structure) would still give the applicant privacy and honor the spirit of the code. The standard is not met.

That the special conditions and circumstances were not created by any action of the applicant; and the contours of the property are existing. The standard is met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and neighboring properties meet the four (4) foot fence requirement. The standard is not 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. The property is set far enough back that the fence should not block visibility of traffic but other properties do not have a six (6) foot fence. The standard is not met.

STAFF RECOMMENDATION:

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-31-16. However Staff supports a four (4) foot fence erected along the western property line south of the principal structure and a six foot fence along the western property line, north of the principal structure and along the alley.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property
- Legal Ad/Newspaper publication

pn

ZONING BOARD OF APPEALS

INSTRUCTIONS FOR SUBMISSION OF VARIANCE(S) REQUESTS

The Zoning Board of Appeals meets every third Wednesday of each month, at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois.

In order for your petition for variance requests(s) to be placed on the agenda you **MUST** complete and submit the following items to the Planning and Code Enforcement Department by the submission deadline, in the attached schedule:

1. A \$125.00 filing fee for a specified hearing date for one variance petition. For each additional request thereafter the fee is \$25.00 per request.
2. Both the attached application and statement of Findings of Fact filled out by the Petitioner. Only persons with a contractual interest in the property shall submit an application.
3. A site plan, **TO SCALE IN BLACK INK**, depicting your lot, location of all buildings, structures, driveways, parking areas and other improvements, you must show all dimensions. If you submit a site plan on paper larger than 8 1/2" x 11", you must submit 12 copies.

You must call (309) 434-2341 to set up an appointment with the City Planner to discuss this petition. The site plan must be reviewed with the City Planner at your appointment, before the final submission deadline.

Notice of the variance request will be published in the Legal Section of The Pantagraph approximately 15 days before the scheduled meeting. Courtesy notices will be mailed to adjacent property owners and other interested parties.

You must be the owner of the property subject to the variance petition. You or your representative **MUST** attend the Zoning Board of Appeals meeting. You will be sworn in and you may offer additional testimony at the meeting.

It takes four concurring votes for your petition to be approved. If your petition is denied by a vote of less than five (5) members, you may appeal the decision to City Council. You must file with the City Clerk a "Notice of Appeal" within 10 days of the ruling.

If your petition is approved, you must obtain all the necessary building permits with regards to your project.

A variance is good for one (1) year and must be acted upon within this time frame or it will be void.

Note: it is unlawful to call or have contact with any member of the Zoning Board of Appeals prior to the meeting.

*Zoning Board of Appeals
Hearing Dates for 2016*



Submission Deadline	Hearing Date
12/29/2015	01/20/2016
01/26/2016	02/17/2016
02/23/2016	03/16/2016
03/29/2016	04/20/2016
04/26/2016	05/18/2016
05/24/2016	06/15/2016
06/28/2016	07/20/2016
07/26/2016	08/17/2016
08/30/2016	09/21/2016
09/27/2016	10/19/2016
10/25/2016	11/16/2016
11/29/2016	12/21/2016
12/27/2016	01/18/2017

#26024

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: 1102 ELMWOOD RD

Site Address: _____

RJV CONSTRUCTION

Petitioner: Jennifer Venicella PRADO Phone: 312 622 5910

Petitioner's Email Address: JENVERICELLA@GMAIL.COM

Petitioner's Mailing Address Street: 1102 ELMWOOD RD

City, State, Zip Code: BLOOMINGTON IL 61701

Contractual interest in the property ☒ yes ☐ no

Signature of Applicant

Brief Project Description:

Install 6' Fence Along lot on Aprox 92' Install 6' Fence Along Alley Aprox 66'

Code Requirements Involved:

Variances(s) Requested:

6' FENCE



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.

AUG 16 2016

WE would like to add privacy to our backyard as there is lots of foot traffic + we would like to protect the safety of our young child. Our house backs up to BHS field (they have an 8ft fence) + our yard dips down in the back so 4ft is not enough.

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 Front yards. Corner lot

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

Provide Privacy For back yard Due to
Traffic + High school Adjacent.

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

All Existing Conditions

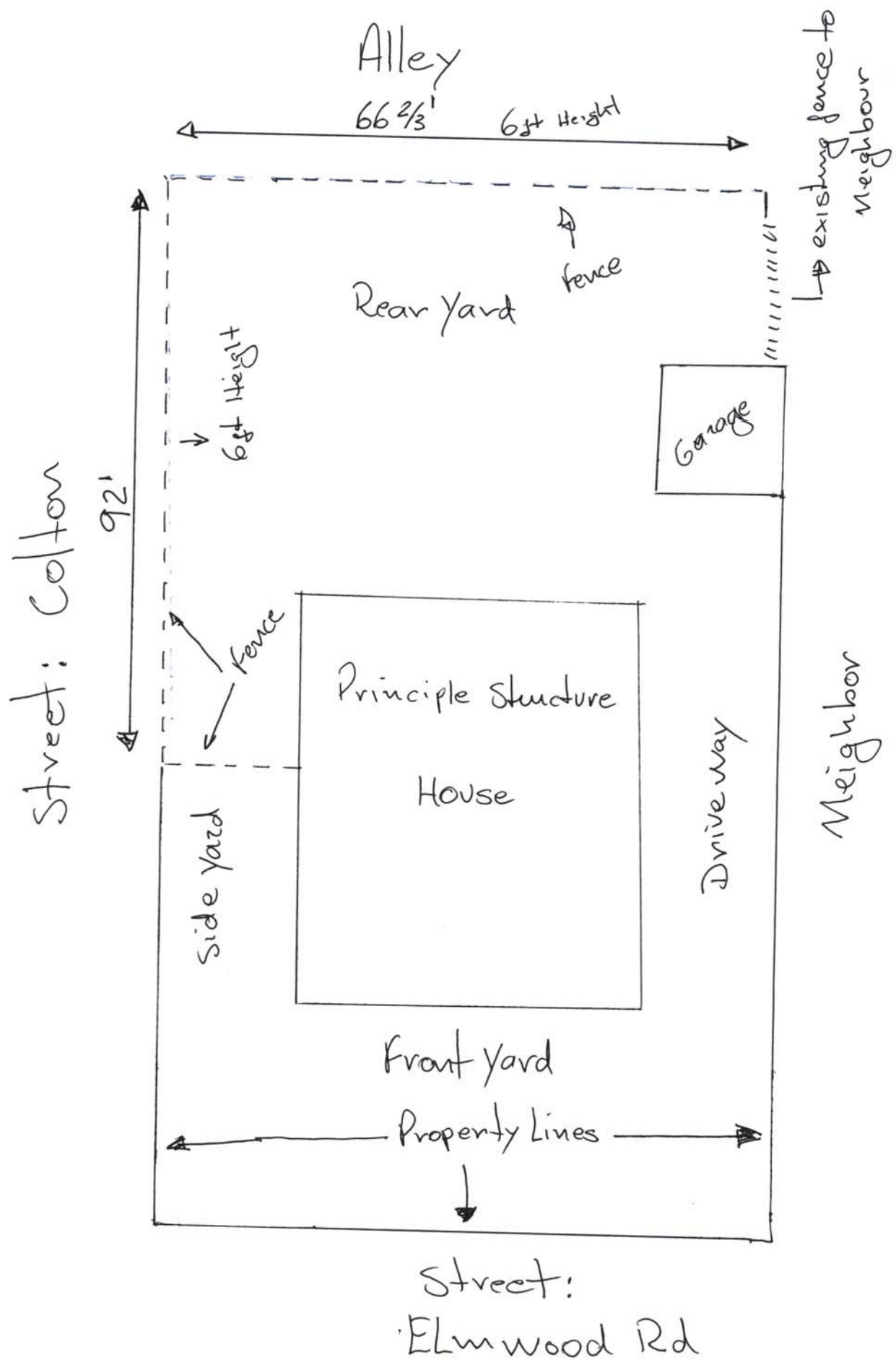
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and

Fence is only in Rear of House.

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.

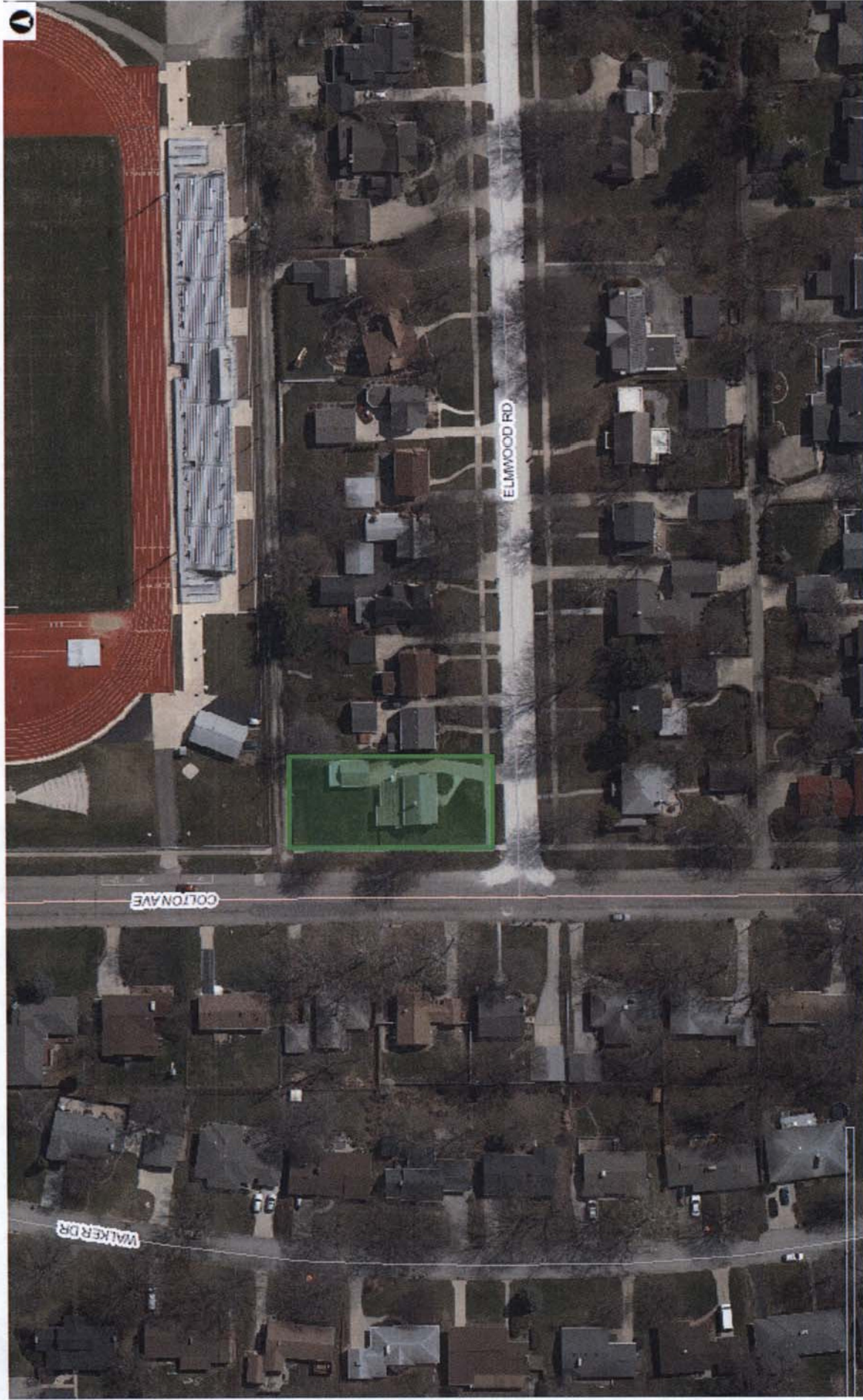
will not block line of sight on Intersection

Bloomington High School Stadium





Aerial View-1102 Elmwood Rd



0 0.03

0.1 Miles

1: 1,704

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<http://www.McGIS.org/License>

Notes

Printed: 9/9/2016 9:02:13 AM



Zoning Map-1102 Elmwood Rd



0 0.03 0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Notes

1: 1,704

Printed: 9/9/2016 9:03:29 AM





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

September 9, 2016

Dear Property Owner or Resident:

The City of Bloomington Zoning Board of Appeals will hold a public hearing on **Wednesday, September 21, 2016 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois** for a petition submitted by Jennifer Vericella Prado/RJV Construction for the approval a variance from Chapter 44 of the City Code to allow a six (6) foot fence in the front yard in lieu of the permitted four (4) foot fence at the property located at *1102 Elmwood Road*. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:
DAVIS 4th ADD LOT 7 BLK 4

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested variance during the public 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 hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may call me at (309) 434-2226 or email me at ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Simpson", written over a horizontal line.

Katie Simpson
City Planner

Attachment

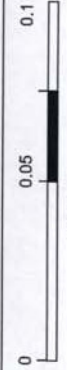
Location Map of properties notified within 500 feet of the subject property



Public Hearing for a variance request at 1102 Elmwood Road, Wednesday September 21 2016. 4:00 pm. 109 E. Olive Street, Bloomington IL



Courtesy notices mailed to property owners within 500 ft
of 1102 Elmwood Road



1: 3,239

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

Notes

Printed: 9/9/2016 1:38:31 PM

JONATHAN BACKMAN
3 WALKER DR
BLOOMINGTON IL 617013338

JOAN BRUCKER
8 WALKER DR
BLOOMINGTON IL 617013339

MARC B SVENSSON
PO Box 1986
Bloomington IL 617021986

JANE FLANDERS OSBORN
11 WALKER DR
BLOOMINGTON IL 617013338

KAREN ANN HOFFMAN
12 WALKER DR
BLOOMINGTON IL 617013339

DARNELL V DENNISTON
1 WALKER DR
BLOOMINGTON IL 617013338

MARK A. & CONNIE S. GRIFFIN
MCINTOSH
17 WALKER DR
BLOOMINGTON IL 617013338

BRYNLEY NASSERI
602 N COLTON
BLOOMINGTON IL 61701

BOARD OF EDUCATION BHS BJHS
MAINT BLDG
300 E MONROE
BLOOMINGTON IL 61701
ALAN L & KIM R STERNBERG
1114 ELMWOOD ROAD
BLOOMINGTON IL 61701

DAVID O BIDDLE
10 WALKER DR
BLOOMINGTON IL 617013339

DOROTHY L HILEMAN
5 WALKER DR
BLOOMINGTON IL 617013338

ELIZABETH KERRICK
15 Walker Dr
Bloomington IL 617013338

JOHN & JENNIFER SEDBROOK
7 Kenyon Ct
Bloomington IL 617013320

KAREN BROOKS
5 KENYON CT
BLOOMINGTON IL 617013320

JOHN & CAROLYN WINTERROTH
108 N BELLEMONT RD
BLOOMINGTON IL 617014344

ELIZABETH & CAROLINE FOX ANVICK
20 WALKER DR
BLOOMINGTON IL 617013339

STEVE MILES
512 N COLTON
BLOOMINGTON IL 61701

JOSEPH & LIZA CAROLINA YAMBAY
VALIENTE DIMICHELE
1103 ELMWOOD RD
BLOOMINGTON IL 617013316
DEBORAH L & KENT A KETTER
1112 ELMWOOD RD
BLOOMINGTON IL 617013317

SHARON WHEAT
13 WALKER DR
BLOOMINGTON IL 617013338

FRANK PAPATYI
6 WALKER DR
BLOOMINGTON IL 617013339

RANY TRUST
% ROY & INEZ RANEY 14 WALKER DR
BLOOMINGTON IL 617013339

IUVO CONSTRUCTION LLC
1709 TULLAMORE AVE STE B
BLOOMINGTON IL 617049603

MARY JO REYNOLDS JORDINE
7 Walker Dr
Bloomington IL 617013338

MARLEEN MONTS
22 WOODRUFF DRIVE
BLOOMINGTON IL 61701

LINDA A SMITH
18 WALKER DR
BLOOMINGTON IL 617013339

STEVE & CHERYL MARDIS
510 COLTON AVE
BLOOMINGTON IL 617013312

KENDRA VANHOOF
1101 ELMWOOD RD
BLOOMINGTON IL 61701

EUGENE D FUNK IV
1112 E MONROE ST
BLOOMINGTON IL 617013329

JAMES W & PATRICIA YODER
1110 ELMWOOD RD
BLOOMINGTON IL 617013317

SHANDA CUSHING WALTERS
15628 GOLF CT
BLOOMINGTON IL 617055434

WILLIAM E BRADY
1202 ELMWOOD
BLOOMINGTON IL 61701

C/O REDBIRD PROPERTY MGT. BRADLEY
PARK-COLTON
200 N. LINDEN
NORMAL IL 61761

CRYSTAL L MORAN
13464 ELLSWORTH LN
JACKSONVILLE FL 32225

STEPHEN C & SARAH V PILCHER
1105 ELMWOOD
BLOOMINGTON IL 61701

DAVID DENEEN
1108 E Monroe St
Bloomington IL 617013329

DAVID SKILLRUD M/M
1102 E MONROE
BLOOMINGTON IL 61701

MARK A PARKER
1101 E MONROE ST
BLOOMINGTON IL 617013328

SCOTT HENDERSON
1108 ELMWOOD RD
BLOOMINGTON IL 617013317

JAMES R & JOANN C BOWERS
1106 ELMWOOD RD
BLOOMINGTON IL 617013317

EDWARD C GOLD
1116 ELMWOOD RD
BLOOMINGTON IL 617013317

MICHAEL BOGE
1201 ELMWOOD RD
BLOOMINGTON IL 617013318

DAVID L & SALLY F HILL
1110 E MONROE ST
BLOOMINGTON IL 617013329

RONALD CURRY
508 COLTON AVE
BLOOMINGTON IL 617013312

MICHAEL BAUM
1106 E MONROE ST
BLOOMINGTON IL 617013329

WILLIAM R & MELODY J JAMES
504 COLTON AVE
BLOOMINGTON IL 617013312

KEVIN & JEANETTE LEARY
305 COLTON AVE
BLOOMINGTON IL 617013309

GEORGE & CAROL CHURUKIAN
1102 ELMWOOD RD
BLOOMINGTON IL 61701

DANIEL FLEMING III
1104 ELMWOOD RD
BLOOMINGTON IL 617013317

STEPHEN M KWIA TEK
408 COLTON AVE
BLOOMINGTON IL 61701

JACOB E COWARD
1109 ELMWOOD RD
BLOOMINGTON IL 617013316

PAUL & PATRICIA MORRIS
1030 MONROE DR
BLOOMINGTON IL 617013370

MICHAEL S & ANN HOSSIS R SULLIVAN
SULLIVAN
1111 ELMWOOD RD
BLOOMINGTON IL 617013316

JEFF L BLACK
1104 E MONROE
BLOOMINGTON IL 61701

JAMES & CAROLYN HEPPERLEY
410 N COLTON
BLOOMINGTON IL 61701

JASON A & MCKENZI DUNN
502 COLTON AVE
BLOOMINGTON IL 617013312

20834891
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS

September 21, 2016

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, September 21, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Jennifer Vericella Prado/RJV Construction for the approval of a variance from Chapter 44 of the City's Code on property located at 1102 Elmwood Road at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:

DAVIS 4th ADD LOT 7 BLK 4

REQUEST

A request for a variance from Chapter 44 of the City's Code to allow a six (6) foot fence in the front yard in lieu of the required four (4) foot fence.

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 con-

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

Published: September 2, 2016

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
SEPTEMBER 21, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-32-16 1203 S Livingston St.	A variance request to re-establish two abutting, nonconforming lots of record under common ownership	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance request re-establish two abutting, nonconforming lots of record under common ownership (44.4-6) for the property at 1203 S. Livingston Street.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on September 2, 2016.

GENERAL INFORMATION

Owner and Applicant: Jennifer and Thomas Coon

PROPERTY INFORMATION

Existing Zoning: R-1C, High density single family residential district
 Existing Land Use: Single family home
 Property Size: Approximately 12,420 square feet (90 X 138)
 PIN: 21-08-254-032

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single family residential
 South: R-1C, Single family residential
 East: S-2 Public Land and Institutions
 West: R-1C Single family residential

Land Uses

North: Single family homes
 South: Single family homes
 East: Park Hill Memorial Cemetery
 West: Single family homes

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject property is commonly known as 1203 S. Livingston Street and is located in the R-1C District. The property is approximately 12,420 square feet (90 X 138). The property was originally platted in 1904 as two (2) forty five (45) feet wide lots. About five years ago when these parcels were under separate ownership, the principal structure at 1205 S. Livingston St (PIN 21-08-254-012) was destroyed in a fire leaving only the existing accessory structure. Shortly after, the petitioner, who resides at 1203 S. Livingston St, purchased 1205 S. Livingston St at which time the two nonconforming lots came under common ownership. The City Code requires that two adjoining, nonconforming lots under common ownership be deemed a single parcel (section 44.4-6A).

The petitioner is applying for a variance to re-establish the two nonconforming lots. Section 44.4-6 of the Zoning Ordinance allows two or more abutting lots of record to be re-established as long as they are a minimum of forty (40) feet wide, development of the lots is appropriate and compatible and the request meets all other standards of the code. The two lots would have a shared access and the properties have utilities.

The petitioner plans to convert the existing accessory structure, or garage, at 1205 S. Livingston into a home. The garage at 1205 S. Livingston Street is five (5) feet from the former property line. City Code permits accessory structures to be constructed a minimum of three (3) feet from a property line and at the time the garage was constructed as an accessory structure it was in compliance with City Code. However if the garage is to be converted into a single family home, or principal structure, the structure will need to meet the six (6) foot setback required in the R-1C District. Otherwise, the garage as a principal structure would be considered a nonconforming structure, which can have other implication for the property owner specifically for future financing and rebuilding. After re-establishing the two lots, the petitioner could address the setback by moving the side lot line between 1203 S. Livingston and 1205 S. Livingston to the north one (1) foot. Shifting the lot line to the north would address the nonconformity while ensuring all other existing structures are in accordance with Code.

The following is a summary of the requested variations:

Applicable Code Sections:

Section (44.4-6) Nonconformities

<u>Type of Variance</u>	<u>Request</u>	<u>Required</u>	<u>Variance</u>
Re-establish two abutting lots of record	45 ft wide	50 ft wide	5 ft decrease in width

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 lots in this neighborhood were platted in 1904 prior to the adoption of the current code and were created as 45 feet wide lots. The standard is met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the variance would be the minimum action necessary to afford relief for re-establishing the two lots. To avoid creating a nonconforming structure, the petitioner northern lot line of 1205 S. Livingston should move one (1) foot to the North. The standard is met.

That the special conditions and circumstances were not created by any action of the applicant; and the lots were platted in 1904 and were 45 feet wide. Other properties in the area have 45 foot wide lots. The standard is met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and surrounding properties are 45 feet wide, as that was the width established in 1904. 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. The variance will re-establish a 45 foot wide lot. If the petitioner wishes to convert the garage into a principal structure, they will be creating a nonconforming structure and should seek other remedies (such as moving the lot line or moving the structure) to address this. The standard is met.

STAFF RECOMMENDATION:

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a variance. Staff recommends **approval** of the requested variance in Case Z-32-16; Staff recommends the middle property line be moved one (1) foot to the north to avoid the creation of a nonconforming structure at 1205 S. Livingston.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Zoning Map

- List of notified property owners within a 500 ft radius of property
- Legal Ad/Newspaper publication

City of Bloomington
Planning and Zoning
115 E. Washington St.
Bloomington, IL 61701

August 17, 2016

To Whom It May Concern:

Attached are two site plans. One site plan is as the adjacent parcels exist, and the other is our proposed plan for the two parcels. We appreciate the opportunity for you to review our proposal to re-subdivide the two parcels.

To give a little background, the parcel at 1203 S. Livingston St. has been occupied by Thomas Coon for over thirty years. In 2005 Thomas Coon purchased 1203 S. Livingston St. from his landlord. In the spring of 2013, the lot at 1205 S. Livingston had a house fire which destroyed the existing house but left the garage unscathed. Thomas purchased the lot at 1205 S. Livingston in the fall of 2013. In 2015 our mortgage holder indicated our monthly mortgage payment for 1203 S. Livingston was to be higher due to a property tax increase in 2014 and a shortage in escrow. We did not discover until mid- 2015 that it was due to the city combining the parcels and sending the property taxes for 1205 S. Livingston, a parcel paid for in full, to the mortgage holder for 1203 S. Livingston, although we had questioned why we did not receive a tax bill for 1205 S. Livingston.

The intent at the time of purchasing 1205 S. Livingston was to leave the parcels at 1203 and 1205 S. Livingston separate and to eventually upgrade the existing garage to a residence of some sort. In 2015, it was explained to us by the assessor's office that the property taxes had gone to our mortgage holder but no explanation for this was given. In July of 2016, it was finally explained to us that the parcel number for 1205 S. Livingston had been deleted because of a city ordinance that allowed the city to combine the parcels.

We would like to apply for a building permit, and in order to do so, respectfully request that the parcels that are now listed solely under 1203 S. Livingston be re-subdivided back to their original lines. We wish to keep both parcels in line with much of the neighborhood which have lots that are approximately 45 feet wide. In doing so, we would also be staying uniform for the area, specifically with the 1200 block of S. Livingston, in keeping with a smaller home on each lot. Please see our attached site plans indicating such. Please note that the site plans are as accurate as possible based upon existing pins.

Thank you in advance for your time and attention in reviewing our proposal.

Sincerely,

Thomas and Jennifer Coon

26315

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.

X Site Address: 1203 S. Livingston St. Bloomington

Site Address: 1205 S. Livingston St. Bloomington

Petitioner: Jennifer and Thomas Coon Phone: 309-828-8656

Petitioner's Email Address: jennycoon3@gmail.com

Petitioner's Mailing Address Street: 1203 S. Livingston St.

City, State, Zip Code: Bloomington, IL 61701

Contractual interest in the property ☒ yes ☐ no

Signature of Applicant Jennifer L. Coon Thomas A Coon

Brief Project Description:

add on to accessory structure and convert
accessory structure to dwelling

Code Requirements Involved:

44.4 - 6(A)

Variances(s) Requested:

re-establish a lot of record previously combined
with an adjacent lot

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.

The intent at the time of purchasing the adjacent lot was to place a dwelling on the lot at such time as we could afford to do so. A dwelling existed on the property for decades before the dwelling was destroyed by fire, and due to the configuration of adjacent lots, the most logical remedy is to revert back to the original parcels which were combined by the city with no notice to the property owner.

AUG 29 2016

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

The property cannot be otherwise subdivided as all lots on the block are nonconforming. The adjacent lot is nonconforming and cannot ~~give any~~ be divided, i.e. 1203 cannot give 1205 five feet or it will not conform to code.

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

The minimum action, and most logical, to revert the combined parcels back to their original single and separate parcels, will afford relief to the applicant and appears to be the only option available.

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

The dwelling that existed at 1205 S. Livingston St. for decades was destroyed by fire. The city combined the parcels at 1203 S. Livingston St. and 1205 S. Livingston St. with no notice to the owner of the properties when the intent of purchasing 1205 S. Livingston St. was to replace

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

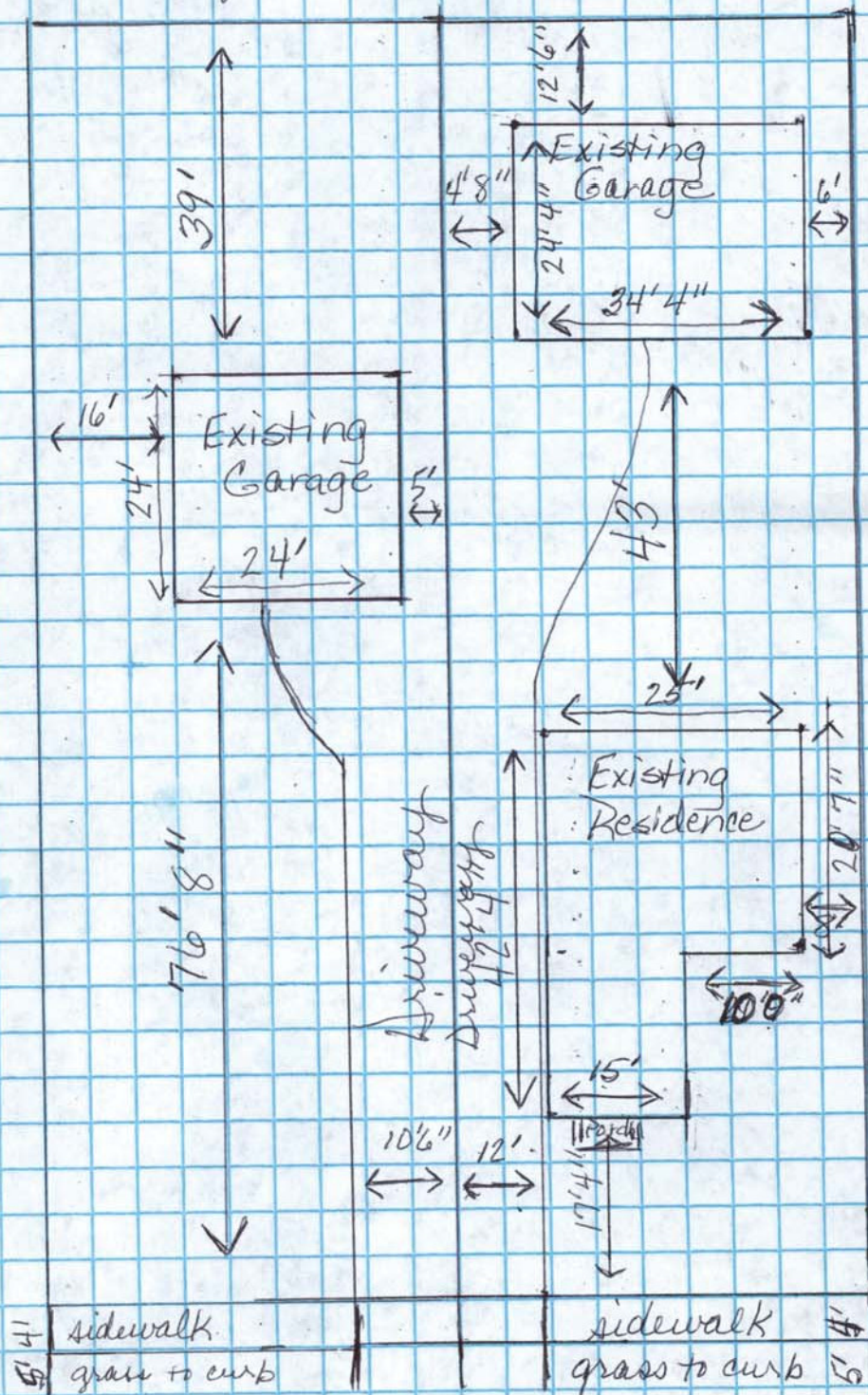
Five of the ^{other} six dwellings on the block sit on parcels that are 45 ft. wide or less. The sixth dwelling that sits on more than one parcel was purchased as such decades ago.

~~By~~ allowing the variance will place the parcels as conforming to the majority of the block.

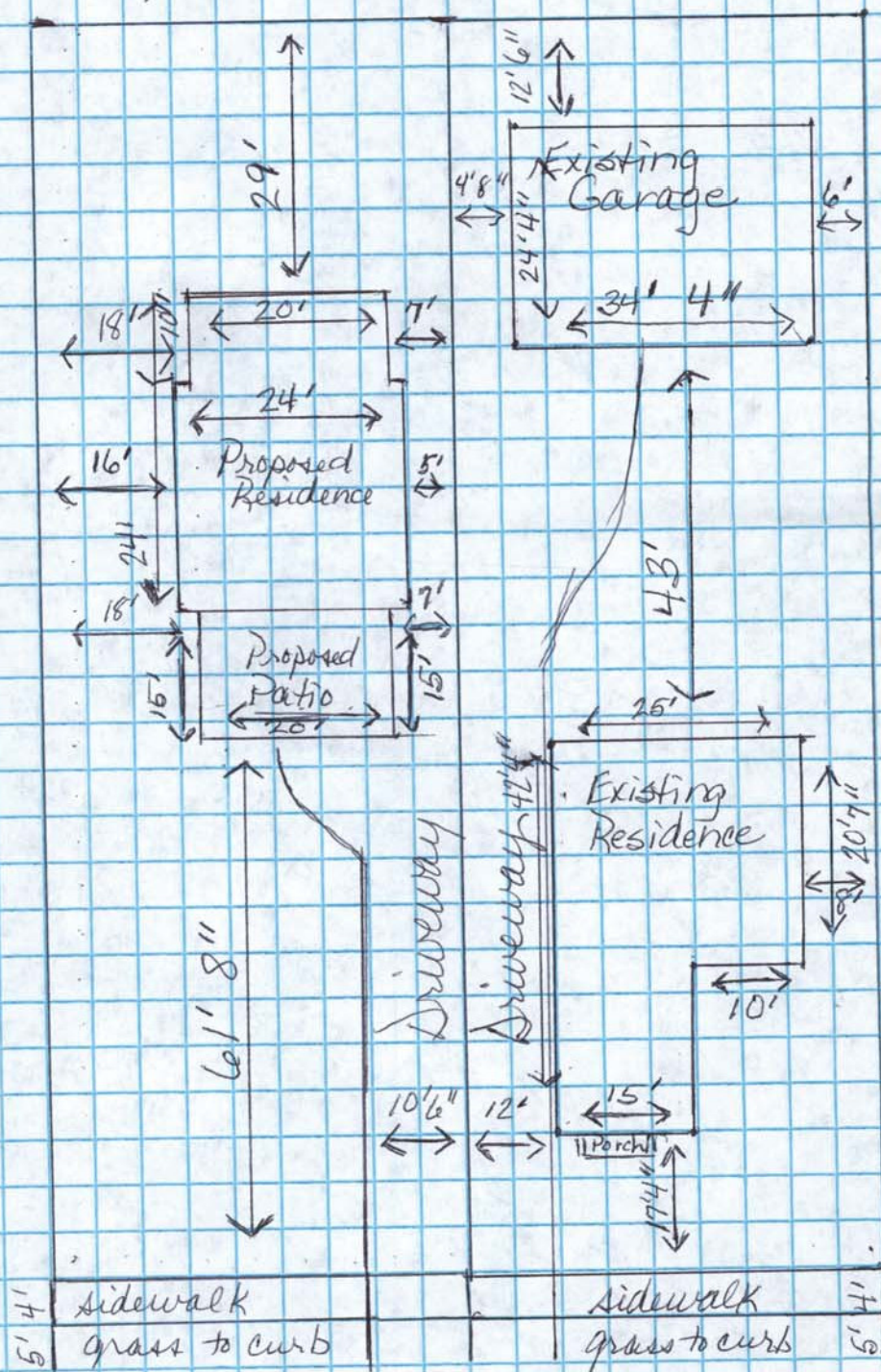
5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.

As stated in #4, allowing the variance will more uniformly align the parcels with the majority of the block. Therefore, granting the variance should be an asset to the neighborhood and keep more in line with its essential character.

1203 S. Livingston St.
1205 S. Livingston St.
Bloomington, IL
Existing Site



1203 S. Livingston St.
 1205 S. Livingston St.
 Bloomington, IL
 Proposed Residence



[illegible]



Aerial View-1203 Livingston St



0

0.02

0.0 Miles

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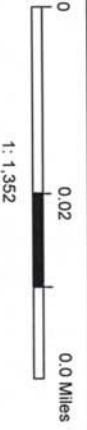
1: 1,352

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Notes



Zoning Map-1203 Livingston Street



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Notes



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

September 9, 2016

Dear Property Owner or Resident:

The City of Bloomington Zoning Board of Appeals will hold a public hearing on **Wednesday, September 21, 2016 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois** for a petition submitted by Thomas and Jennifer Coon for the approval a variance from Chapter 44 of the City Code to reestablish two abutting, nonconforming lots of record for residential use at the property located at *1203 S Livingston St*. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:

PARKVIEW SUB LOT 169 & 170 AND E1/2 VAC ALLEY LYG N & ADJ

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested variance during the public 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 hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may call me at (309) 434-2226 or email me at ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Simpson", written over a horizontal line.

Katie Simpson
City Planner

Attachment

Location Map of properties notified within 500 feet of the subject property



Public hearing for a variance request for 1203 S. Livingston Street at 4:00 pm at 109 E. Olive Street Bloomington, IL



Courtesy notices mailed to property owners within 500 ft
of 1203 S. Livingston St

1203 S. Livingston Street

0 0.05 0.1 Miles

0.1 Miles

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Notes

1: 3,455

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JOYCE BUSS
1118 BARKER ST
BLOOMINGTON IL 617016327

JANICE K OUTLAW
1112 BARKER ST
BLOOMINGTON IL 617016327

RICHARD C MCCORMICK
1222 BARKER ST
BLOOMINGTON IL 617016329

HELEN SWICK
1221 S LIVINGSTON ST
BLOOMINGTON IL 617016339

LARRY SPENCER JR
1217 S BARKER
BLOOMINGTON IL 61701

BEVERLY J JONES
1124 S HINSHAW AVE
BLOOMINGTON IL 617016317

JOHN E WILLIAMS
1109 S LIVINGSTON
BLOOMINGTON IL 61701

DONNA SCHMIDT
1218 S BARKER AVE
BLOOMINGTON IL 61701

CAROLYN J BUTLER
1123 S LIVINGSTON ST
BLOOMINGTON IL 61701

ALAN BRAYFIELD
1817 E LAFAYETTE ST
BLOOMINGTON IL 617017014

DALE G THOMAS
1107 S LIVINGSTON
BLOOMINGTON IL 61704

DIANE L ROBINSON
1118 S HINSHAW
BLOOMINGTON IL 61701

SCOTT LYNCH
606 N Main St
Bloomington IL 617013010

RYAN D CHRISTENSEN SOLE MEMBER
ILLINI HOME BUYERS OF
BLOOMINGTON LLC
PO BOX 6031

ANDREA BRUEGGEMANN
1220 Barker St
Bloomington IL 617016329

CAREY HENSLEY
1225 BARKER ST
BLOOMINGTON IL 617016328

CAROL KELLEHER
1122 BARKER ST
BLOOMINGTON IL 617016327

CECILIA SCHAFFER
1218 S HINSHAW
BLOOMINGTON IL 61701

DANIEL A COUILLARD
108 S SEMINARY AVE
PARK RIDGE IL 600683827

JOAN H SCHAPMIRE
1117 S LIVINGSTON ST
BLOOMINGTON IL 617016338

GEORGE ADAMS
1214 S BARKER ST
BLOOMINGTON IL 61701

ALAN WILLIAMS
1127 Barker St
Bloomington IL 617016326

GERALD L PIERSON
1220 S HINSHAW AVE
BLOOMINGTON IL 617016318

BRADLEY JEAKINS
1212 S HINSHAW AVE
BLOOMINGTON IL 617016318

ABBY TEN HAKEN
1213 S LIVINGSTON ST
BLOOMINGTON IL 617016339

STEPHEN KANSKI
1121 S LIVINGSTON ST
BLOOMINGTON IL 617016338

BEATRICE JOHNSON
2605 E WASHINGTON ST
BLOOMINGTON IL 617044675

MARILYN MAYS
1217 S LIVINGSTON ST
BLOOMINGTON IL 617016339

MARK BARNETT
1124 S BARKER
BLOOMINGTON IL 61701

JEFFREY R JORDINE
1115 BARKER ST
BLOOMINGTON IL 617016326

EMILY WATKINS
1209 S BARKER
BLOOMINGTON IL 61701

HORACIO ALMANZA
1201 S LIVINGSTON
BLOOMINGTON IL 61701

SHAWN E BOWEN
1117 BARKER ST
BLOOMINGTON IL 617016326

DONALD R RICHARDS
1208 S HINSHAW AVE
BLOOMINGTON IL 617016318

MARK KLETZ TRUSTEE
1120 S HINSHAW AVE
BLOOMINGTON IL 617016317

OCTAVIO GONZALEZ
1206 SOUTH BARKER
BLOOMINGTON IL 61701

DEREK WHITE
1113 Barker St
Bloomington IL 617016326

PARK HILL MEMORIAL ASSOCIATION
INC
1105 S MORRIS
BLOOMINGTON IL 61701

BILLY J GLASSCOCK
1207 W OLIVE ST
BLOOMINGTON IL 617014751

DANIEL A COUILLARD
108 S SEMINARY AVE
PARK RIDGE IL 600683827

WILLIAM L DAVIS
1200 S BARKER
BLOOMINGTON IL 61701

PAUL JR & JENNIE C TURNER
1215 S LIVINGSTON
BLOOMINGTON IL 61701

BERTHA R MARTINEZ
1114 S HINSHAW AVE
BLOOMINGTON IL 617016317

BILLY J GLASSCOCK
1207 W OLIVE ST
BLOOMINGTON IL 617014751

LATONYA S REED
1221 S BARKER ST
BLOOMINGTON IL 61701

RICHARD A SWICK
1209 S LIVINGSTON ST
BLOOMINGTON IL 617016339

LAWRENCE SPENCE M/M
1121 S BARKER
BLOOMINGTON IL 61701

PARK HILL MEMORIAL ASSOCIATION
INC
1105 S MORRIS AVE
BLOOMINGTON IL 617016352

JENNIFER ABELS
1213 BARKER ST
BLOOMINGTON IL 617016328

LANE T & STACY DECKARD COLYER
1111 S LIVINGSTON ST
BLOOMINGTON IL 617016338

ADRIA LYONS
1302 BEYER ST
BLOOMINGTON IL 617016353

PARK HILL MEMORIAL ASSOCIATION
INC
1105 S MORRIS
BLOOMINGTON IL 61701

CAROLYN S TICE
1116 S BARKER
BLOOMINGTON IL 61701

JENNIFER ABELS
1213 BARKER ST
BLOOMINGTON IL 617016328

JUDITH K FOWLER
6609 N TALISMAN TER
PEORIA IL 616152352

KEVIN G & JENNIFER L HENDERSON
1114 BARKER ST
BLOOMINGTON IL 617016327

DALE C PHILBY
1123 BARKER ST
BLOOMINGTON IL 61701

ADRIA LYONS
1302 BEYER ST
BLOOMINGTON IL 617016353

LARRY SPENCE JR
1217 S BARKER
BLOOMINGTON IL 61701

EMILY WATKINS
1209 S BARKER
BLOOMINGTON IL 61701

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20834893
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
September 21, 2016

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, September 21, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Thomas and Jennifer Coon for the approval of a variance from Chapter 44 of the City's Code on property located at 1203 S. Livingston at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:
PARKVIEW SUB LOT 169 &
170 AND E1/2 VAC ALLEY
LYG N & ADJ.
REQUEST

A request for a variance from Chapter 44 of the City's Code to reestablish two abutting non-conforming lots of record for residential use. (44.4-6).

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

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

Published: September 2, 2016

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
SEPTEMBER 21, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-33-16 2014 Withers Ln.	A variance request to allow a rear yard setback of twenty six (26) feet in lieu of the required thirty (30) foot setback	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance request allow a rear yard setback of twenty six (26) feet in lieu of the required thirty (30) foot setback (44.6-40) for the property at 2014 Withers Ln.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on September 2, 2016.

GENERAL INFORMATION

Owner and Applicant: Peter and Mary Ellen Falstad

PROPERTY INFORMATION

Existing Zoning: R-1B, High density single family residential district
 Existing Land Use: Single family home
 Property Size: Approximately 7,154 square feet (49 X 146)
 PIN: 14-25-404-001

Surrounding Zoning and Land Uses

Zoning

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

Land Uses

North: Single family homes
 South: Single family homes
 East: Single family homes
 West: Single family homes

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject property is commonly known as 2014 Withers Ln and is located in the Tipton Trails subdivision, zoned R-1B Medium Density Single Family Residential. The property is a triangular shaped lot, approximately 7,154 square feet (46 X 146). A fifteen (15) foot drainage easement runs along the rear of the property, along the northern property line.

The petitioner is proposing to enclose the existing patio and convert the area into a sunroom. The room would be approximately nineteen (19) feet by fourteen (14) feet. One corner of the addition will encroach four (4) feet into the rear setback.

The following is a summary of the requested variations:

Applicable Code Sections:

Section (44.6-40) Bulk Requirements

Type of Variance	Request	Required	Variance
Rear yard setback in the R-1B District	26 ft	30 ft	4 ft decrease

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 property is located on a triangular lot which creates a physical hardship not experienced by other square lots in the area. The standard is met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the variance would be the minimum action necessary to afford relief; only one corner of the sunroom would encroach into the property line. The standard is met.

That the special conditions and circumstances were not created by any action of the applicant; and the lot is uncommonly shaped with a triangular configuration. The standard is met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and the shape of the property creates a physical hardship for the petitioners. 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. One corner of the proposed sunroom addition would encroach into the rear setback. The size and shape of the property allows creates open space along the northwest corner helping to mitigate the four (4) foot encroachment and still provide buffering between neighboring parcels. The proposed addition will not encroach on the drainage easement. The standard is met.

STAFF RECOMMENDATION:

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a variance. Staff recommends **approval** of the requested variance in Case Z-33-16.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property
- Legal Ad/Newspaper publication



26321

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: 2014 Withers Ln.

Site Address: _____

Petitioner: Peter + Mary Ellen Falstad Phone: 309-212-5824Petitioner's Email Address: peter.falstad@gmail.comPetitioner's Mailing Address Street: 2014 Withers Ln.City, State, Zip Code: Bloomington IL 61704Contractual interest in the property X yes noSignature of Applicant Peter FalstadBrief Project Description:

We are trying to build a 4 seasons sun room on the back of our home. Our lot is triangular which significantly limits our space to build. We would like to build out 14 feet but the setback will only allow for 10 feet. That would not allow for furniture and traffic flow.

Code Requirements Involved:~~Setback~~Variances(s) Requested:

We are asking for a rear setback variance to allow one corner of the sunroom to go beyond the limit by 4 feet

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.

Only the north east corner of the sunroom would go beyond the 30 foot setback. Building a room limited by the setback would not allow for furniture and movement with in including passage to the exit.

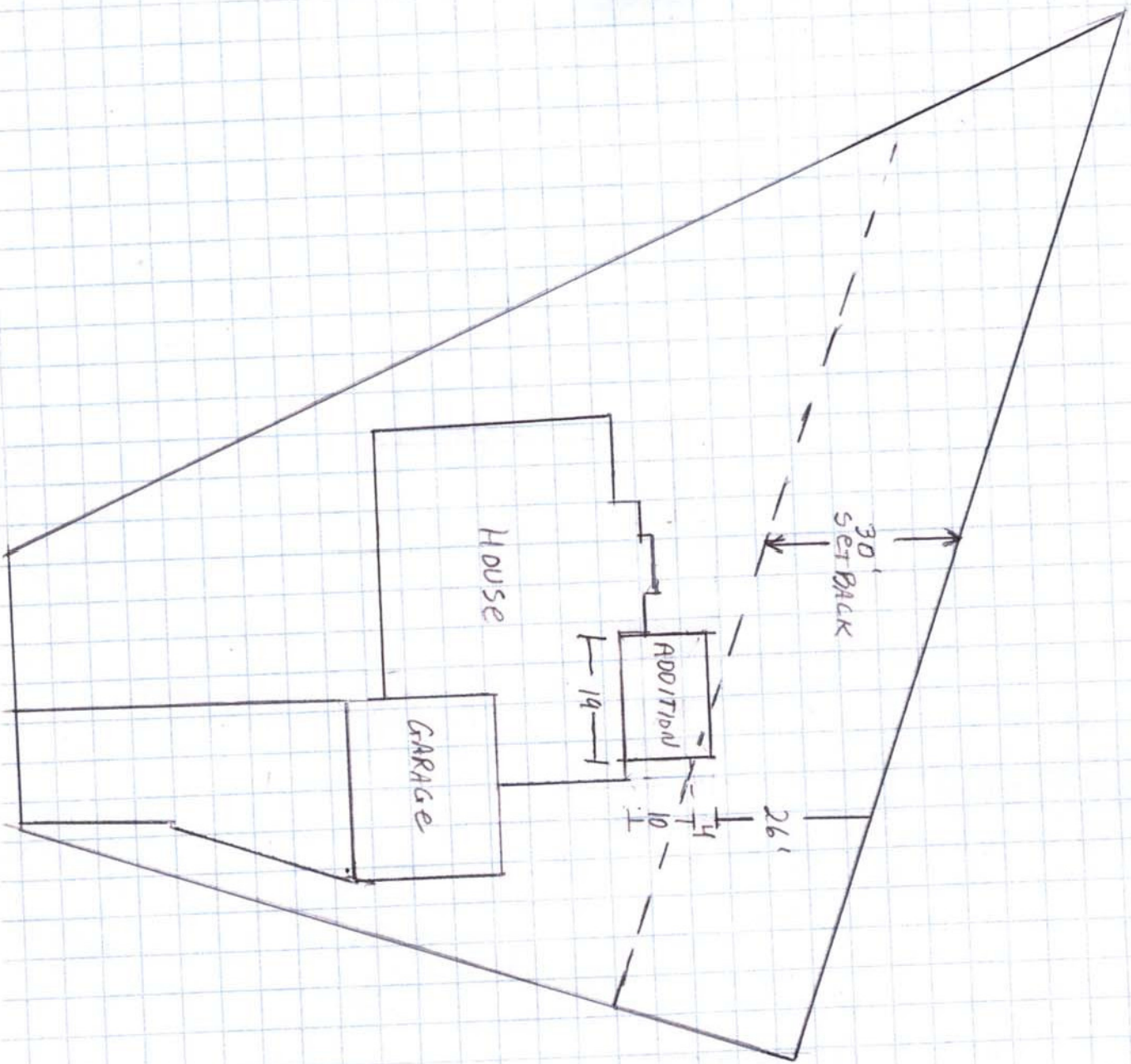
AUG 29 2016

STATEMENT OF FINDINGS OF FACT
(Must be answered by the Petitioner)

Chapter 44, Section 9.40(d)

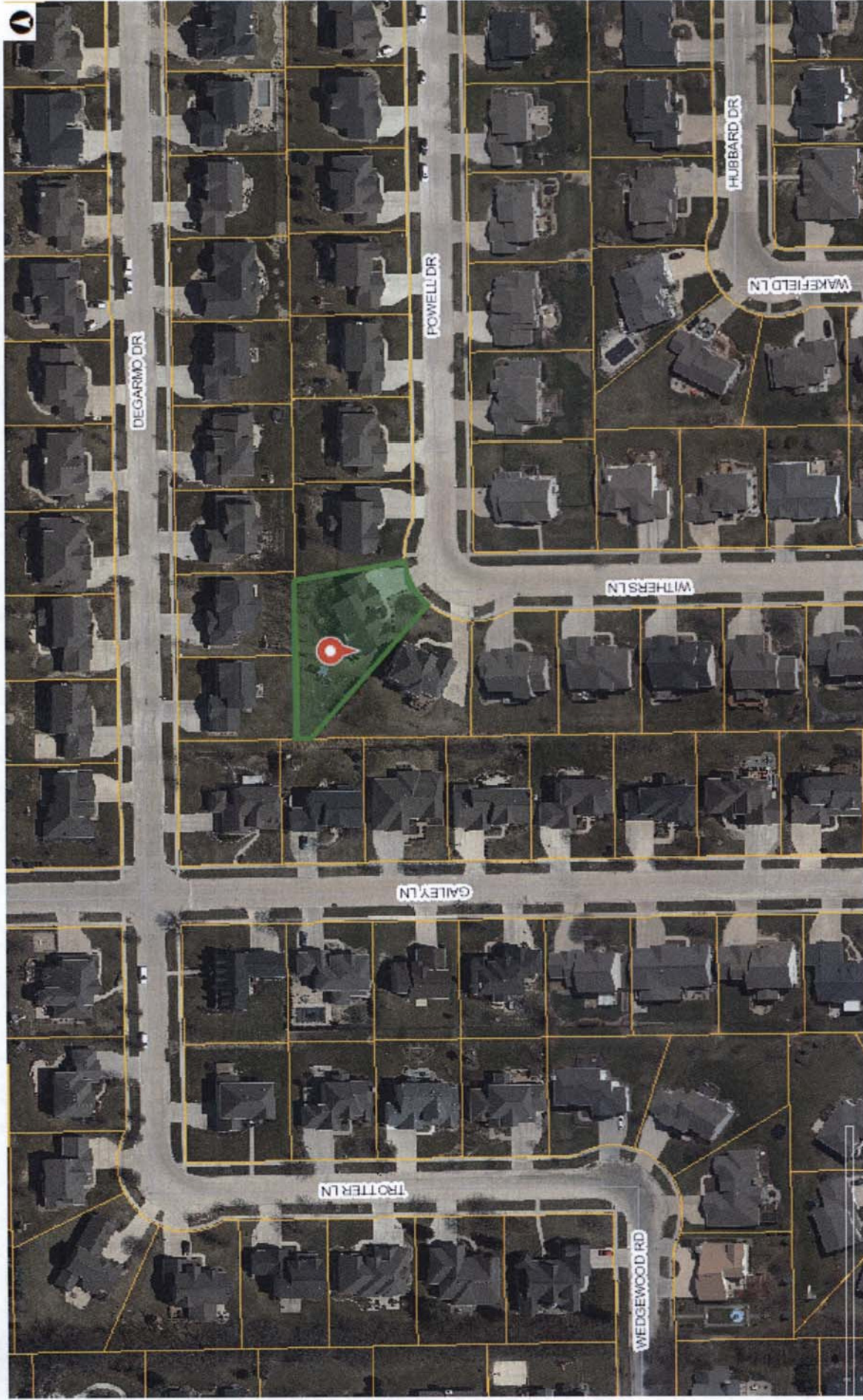
A variation from the terms of this Code shall not be granted by the Zoning Board of Appeals unless and until findings of fact are submitted demonstrating:

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and
Due to the size and shape of our lot, as well as how our home is situated on the lot, the only way to build this sun room is to exceed the 30 foot rear setback
2. That the variance would be the minimum action necessary to afford relief to the applicant; and
To build less than 14 feet out from our home would not allow for minimum size requirements for this type of room allowing for a table, chairs and traffic flow.
3. That the special conditions and circumstances were not created by any action of the applicant; and
The house was built on a lot that does not allow for an addition due to the odd shape.
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
This variance will not go back any further than our existing patio.
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.
This addition will tie in nicely with our existing home using similar siding, windows and roof. Only a small portion of one corner of the addition will actually cross the 30 foot setback.





Aerial View-2014 Withers Ln



0 0.03 0.1 Miles



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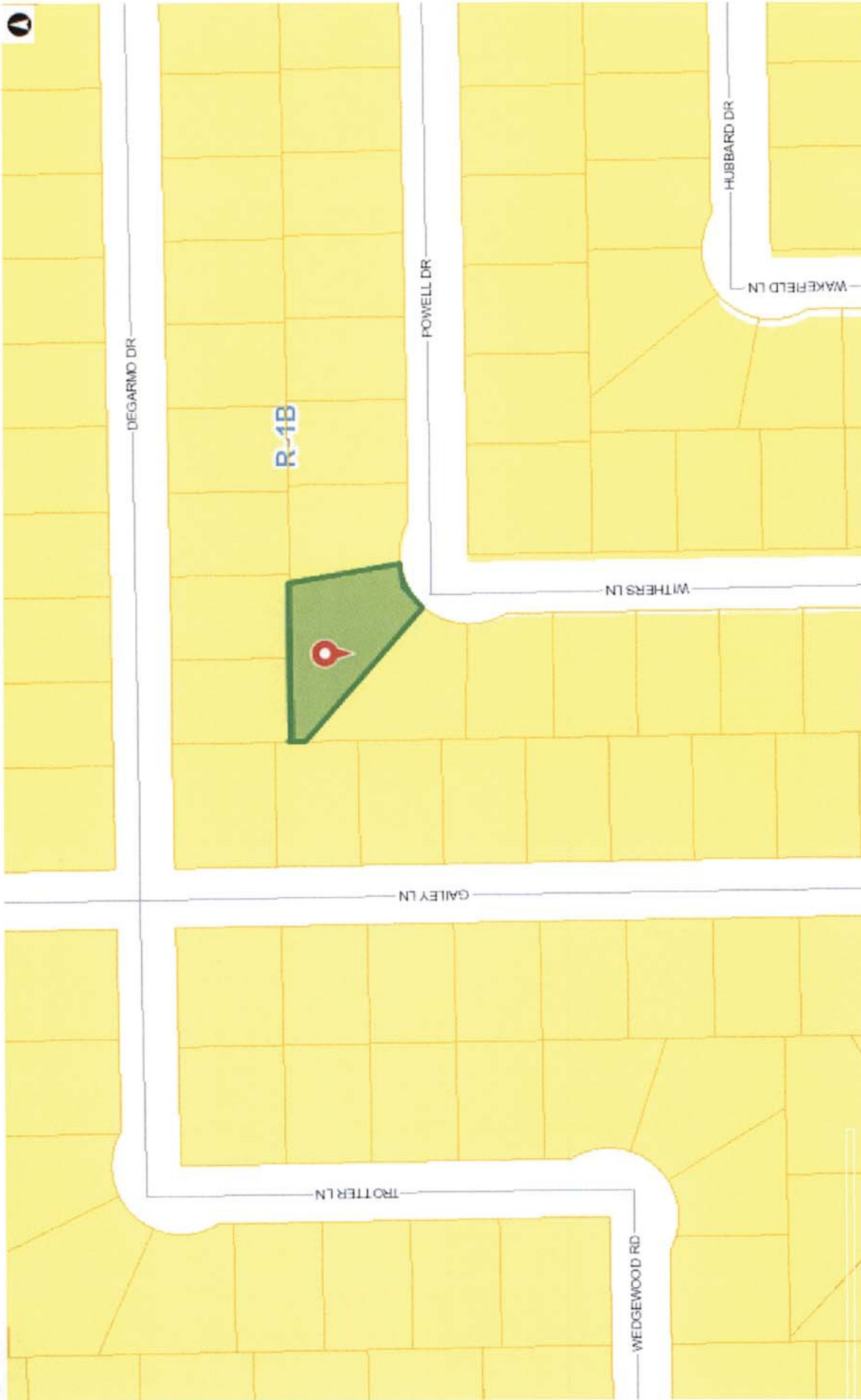
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Notes

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Zoning Map-2014 Withers Ln



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0.1 Miles

0.03

0

1: 2,180

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

September 9, 2016

Dear Property Owner or Resident:

The City of Bloomington Zoning Board of Appeals will hold a public hearing on **Wednesday, September 21, 2016 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois** for a petition submitted by Peter and Mary Ellen Falstad for the approval of a variance from Chapter 44 of the City Code to allow a rear yard setback of twenty six (26) feet in lieu of the required thirty (30) foot setback for the property at *2014 Withers Lane*. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:

TIPTON TRAILS SUB 4th ADD LOT 172

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested variance during the public 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 hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may call me at (309) 434-2226 or email me at ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Simpson", written over a light blue circular stamp.

Katie Simpson
City Planner

Attachment

Location Map of properties notified within 500 feet of the subject property



Public hearing for a variance request at 2014 Withers Ln on Wednesday, September 21 2016 at 4:00 pm at 109 E Olive Street Bloomington IL



Courtesy notices sent to property owners within 500 ft
of 2014 Withers Ln

Notes

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JOSEPH AND MARTIA LEONE
2002 GAILEY LANE
BLOOMINGTON IL 61704

LARRY J & JACQUELINE A SCHMIDT
2007 TROTTER LN
BLOOMINGTON IL 617049178

DAVID H & LISA G JONES
2008 GAILEY LN
BLOOMINGTON IL 617042483

RICHARD & CATHERINE SIKORA
2004 GAILEY LN
BLOOMINGTON IL 617042483

JAMES E & LAURA R ADAMS
2702 Degarmo Dr
Bloomington IL 617049177

MICHAEL E ALLEN
2013 GAILEY LANE
BLOOMINGTON IL 61704

ROBERT A KOECHLE
2003 TROTTER LN
BLOOMINGTON IL 617049178

JONATHAN D & MARY KETCHAM
SLATER
2705 DEGARMO DR
BLOOMINGTON IL 617049177

DESMOND C FRANCIS
2011 Trotter Ln
Bloomington IL 617049178

JASON MAYES
2009 GAILEY LANE
BLOOMINGTON IL 61704

CRAIG A PARKER
2707 STEVENSON DR
BLOOMINGTON IL 617049169

BRUCE WELDY
2005 TROTTER LN
BLOOMINGTON IL 617049178

JARED T & NICOLE M HALL
2706 DEGARMO DR
BLOOMINGTON IL 617049177

JOHN M POGGE
2704 DEGARMO DR
BLOOMINGTON IL 617049177

ALMA YOUNG
2010 GAILEY LANE
BLOOMINGTON IL 61704

BRYAN BAUER
2009 TROTTER LN
BLOOMINGTON IL 617049178

BHARAT & GIRA PATEL TRUSTEES
BHARAT PATEL REVOCABLE TRUST
2705 STEVENSON DR
BLOOMINGTON IL 61704

STEVE & LISA FEENEY
2006 GAILEY LN
BLOOMINGTON IL 617042483

MARK HANSON
2012 GAILEY LN
BLOOMINGTON IL 617042483

JAMIE & GREG HEAD SCHWEITZER
2811 Degarmo Dr
Bloomington IL 617049102

KEVIN & STEPHANIE MOORE
2809 DEGARMO
BLOOMINGTON IL 61704

TREVOR KRAWCYK
2007 GAILEY LANE
BLOOMINGTON IL 61704

BERNARDO BRACERO JR
2710 DEGARMO DR
BLOOMINGTON IL 617049177

JOSE ADRIAN RODRIGUEZ
2712 DEGARMO DR
BLOOMINGTON IL 617049177

GARY SEVERSON
2003 WITHERS LN
BLOOMINGTON IL 617049069

KHONDKIAR KARIM
2005 WITHERS LN
BLOOMINGTON IL 617049069

ERIN L BERRY ENGLE KEVIN AND
2803 POWELL DRIVE
BLOOMINGTON IL 61704

CHAD & DENISE KILBY
2009 WITHERS LN
BLOOMINGTON IL 617049069

GREGG MCDONALD
2810 POWELL DRIVE
BLOOMINGTON IL 61704

KENNETH & CHERYL DORSEY
2808 POWELL DRIVE
BLOOMINGTON IL 61704

BRAD R & HEIDI A BRINEY
2806 POWELL DR
BLOOMINGTON IL 617044716

TODD BOSSARD
2713 DEGARMO
BLOOMINGTON IL 61704

SUDHIR PATEL
2711 DEGARMO
BLOOMINGTON IL 61704

MICHAEL & KATHRYN HARDESTY
2011 GAILEY LN
BLOOMINGTON IL 617042488

FEI WU
2004 WITHERS LN
BLOOMINGTON IL 617049068

VINAY & SWAROOPA DEVARI
2001 GAILEY LN
BLOOMINGTON IL 617042488

ELSHON J MILLER
1913 GAILEY LN
BLOOMINGTON IL 617042487

AARON VOGEL
2810 DEGARMO DRIVE
BLOOMINGTON IL 61704

KYLE & JANINE SCHIEBEL
2713 STEVENSON DR
BLOOMINGTON IL 617049169

TERRY & KAREN FRIEND
2801 STEVENSON DR
BLOOMINGTON IL 61704

MICHAEL W KISH TRUSTEE
2804 DEGARMO DR
BLOOMINGTON IL 617049101

GUOXIANG CHU
2803 STEVENSON DR
BLOOMINGTON IL 617049115

DON PAUL
2711 STEVENSON DR
BLOOMINGTON IL 617049169

JOHN COSTIGAN
2709 STEVENSON
BLOOMINGTON IL 61701

JAMES TERFRUCHTE
2001 WITHERS LANE
BLOOMINGTON IL 61704

JERRY & ANGELA SCROGGINS
2809 POWELL
BLOOMINGTON IL 61704

JASON & NICHOLLE EISFELDER
2807 POWELL
BLOOMINGTON IL 61704

DAVID & TAMALYNN KENEY
2807 DEGARMO DR
BLOOMINGTON IL 617049102

JUSTIN MEYERS
2803 DEGARMO DR
BLOOMINGTON IL 617049102

VASUDHA & SURYA GADHIRAJU
PINNAMARAJU
2008 WITHERS LN
BLOOMINGTON IL 617049068

MICHAEL G HANNER
2003 GAILEY LN
BLOOMINGTON IL 617042488

JEREMY & KRISTEN HOEHL LEVINE
2002 WITHERS LN
BLOOMINGTON IL 617049068

JASON & TERESA HERRERA
2802 DEGARMO DR
BLOOMINGTON IL 617049101

Edward & Priscilla Escobar
2805 Stevenson Dr
Bloomington IL 617049115

DANIEL J GREEN
2807 STEVENSON DR
BLOOMINGTON IL 617049115

KIM OMMEN
2007 WITHERS LN
BLOOMINGTON IL 617049069

JASON & MICHELLE MICHAEL
2805 POWELL DRIVE
BLOOMINGTON IL 61704

JOHN & MEGHAN E MACMILLAN
2812 Powell Dr
Bloomington IL 617044716

RUDOLF CIMALA
2805 DEGARMO DRIVE
BLOOMINGTON IL 61704

GREGORY J & MELISSA A MILLER
2801 DEGARMO DR
BLOOMINGTON IL 617049102

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BLOOMINGTON IL 617042488

BRIAN HAMM
2006 WITHERS
BLOOMINGTON IL 61704

VIJAYASRI YERRAGUNTLA PONNADA
JAYARM

2804 POWELL
BLOOMINGTON IL 61704

CHAD & AMY MOSER
2714 DEGARMO DR
BLOOMINGTON IL 61704

MAHESH & ARCHANA PATEL
2806 DEGARMO RD
BLOOMINGTON IL 61704

SJ & CONNIE CHANG
2808 DEGARMO DR
BLOOMINGTON IL 61704

MARY ANN CULLEN
2010 WITHERS LN
BLOOMINGTON IL 617049068

SEAN & LAURIE DUNNE
2012 WITHERS LN
BLOOMINGTON IL 617049068

MARY & PETER FALSTAD
2014 WITHERS LN
BLOOMINGTON IL 617049068

BRYAN J STARK
2802 POWELL DR
BLOOMINGTON IL 61704

DAVID & MELISSA DOUGALL
2006 WAKEFIELD LN
BLOOMINGTON IL 617049198

NICOLAS & MONICA CANCHOLA
2008 WAKEFIELD LN
BLOOMINGTON IL 617049198

JONATHON & ELIZABETH CLEVELAND
2802 Hubbard Ln
Bloomington IL 617049096

KEVIN REEVES
2804 HUBBARD LN
BLOOMINGTON IL 617049096

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CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
September 21, 2016

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, September 21, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by Peter and Mary Ellen Falstad for the approval of a variance from Chapter 44 of the City's Code on property located at 2014 Withers Lane at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description:
TIPTON TRAILS SUB 4TH
ADD LOT 172
REQUEST

A request for a variance from Chapter 44 of the City's Code to allow a rear yard setback of 26' in the R-1B District (30' required) (44.6-40).

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

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

Published: September 2, 2016