

**AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, AUGUST 24, 2016 4:00 P.M.
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))

4. MINUTES: Review the minutes of the August 10, 2016 regular meeting of the Bloomington Planning Commission.

5. REGULAR AGENDA:

- A. **Z-28-16** Public hearing, review and action on the petition submitted by Rebecca Schurr requesting the approval of a petition to rezone the property located 827 W Jackson Street from C-2, Neighborhood Shopping District, to R-1C, Single Family Residential District. **(Ward 6)**

City Council: September 26, 2016

- B. **Z-29-16** Public hearing, review and action on the petition submitted by Patrick Babbitt and Pam Hill Trustees of the Harlan Babbitt Estate requesting the approval of a petition to rezone the property located 829 W Jackson Street from C-2, Neighborhood Shopping District, to R-1C, Single Family Residential District.
(Ward 6)

City Council: September 26, 2016

6. OLD BUSINESS:

7. NEW BUSINSS:

8. 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
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, AUGUST 10, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Boyd, Mr. Pearson, Ms. Schubert, Mr. Suess, Mr. Scritchlow, Chairman Stanczak

MEMBERS ABSENT: Mr. Protzman

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney, Kevin Kothe, City Engineer.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. A quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the June 22, 2016 minutes. Mr. Balmer moved to approve the June 22, 2016 minutes; Mr. Suess seconded the motion, which passed unanimously by a voice vote of 8-0.

REGULAR AGENDA:

Z-25-16 Public hearing, review and action on the petition submitted by Neil A. Gauger, Trustee of the T&R Trust Dated December 24, 2014 requesting the approval of an annexation agreement and the annexation of the property located at 2229 Springfield Road, approximately 1.50 acres

Chairman Stanczak introduced the case and noted the scrivener's error indicating a 1.50 acre property when it is instead 2.50 acres. Ms. Simpson presented the staff report and recommended in favor of the annexation agreement and annexation. She added that staff is recommending in favor of the rezoning for the next case, Z-26-16, which is related to the annexation. For convenience, staff will provide one presentation for both cases because they are contingent on each other. She explained that the subject property would gain access through an existing, incorporated property, adding that the new property would gain access from and be used by the existing business at 2229 Springfield Road. She reviewed the surrounding uses, their zoning, and characteristics of the existing property, including the provision of photos of the surrounding uses. Ms. Simpson indicated the findings of fact supported, in staff's opinion, the annexation agreement, annexation and rezoning. She noted the lack of suitability for residential, as it is now zoned in the County. She stated that the proposed B-1 zoning is appropriate given its proposed

use once in the City. She stated that the rezoning triggers certain requirements such as providing a transitional yard where it is adjacent to residential.

Chairman Stanczak reaffirmed that while the 1.50 acres as listed in the agenda is incorrect that the proper legal description for the lot was published; Ms. Simpson confirmed this was the case. Chairman Stanczak asked if any of the staff analysis was contingent on the size of the property; Ms. Simpson replied in the negative.

Mr. Balmer asked whether the rezoning triggered buffering requirements; Ms. Simpson replied yes, explain that a transitional yard and fencing is required. Mr. Scritchlow asked whether the screening requirements took into consideration the higher grade of the property proposed to be annexed or if the screening requirements were measured from the lower grade property line; Mr. Dabareiner indicated that the code requirements specify that these requirements start at the property line but that the Commission could place a condition to address the grade differential and sight lines. Mr. Scritchlow asked if the lighting would be shield; Mr. Dabareiner responded that this is a code requirement.

Tim Leighton, attorney for the petitioner, was sworn in. Mr. Leighton provided background information on the property and the associated business. He established the ownership interest and relationship to the business on behalf of the petitioner, repeating that the 2229 Springfield Road address applies to the existing business and would include the annexed property. He stated the property is surrounded by a line of trees and a fence would be extended for screening. The business is a towing and storage facility, he stated, and the expansion will allow for more long term storage of vehicles already on the property. He praised Ms. Simpson for her helpfulness with this process. He introduced Bruce Pedigo, the business president, and Kristy Petigo.

Mr. Scritchlow asked if this first vote includes the rezoning or is just the annexation agreement and annexation case; Chairman Stanczak replied that it would be for the annexation items, not the rezoning.

Chairman Stanczak closed the public hearing. Mr. Balmer motioned to approve the annexation case; seconded by Mr. Pearson. The following votes were cast: Mr. Balmer—yes; Mr. Pearson—yes; Mr. Scritchlow—yes; Mr. Boyd—yes; Mr. Suess—yes; Mr. Barnett—yes; Ms. Schubert—yes; Chairman Stanczak—yes. Motion **approved** 8-0.

Z-26-16 Public hearing, review and action on the petition submitted by Neil A. Gauger, Trustee of the T&R Trust Dated December 24, 2014 requesting the approval of a rezoning from R-1(County) to B-1, Highway Business District of the property located 2229 Springfield Road, approximately 1.50 acres

Chairman Stanczak introduced the case and corrected the property size to 2.50 acres. Ms. Simpson indicated that the staff report for Z-26-16 was included in with the prior staff report for Z-25-16. Mr. Leighton also indicated that his summary related to this rezoning was presented earlier.

Mr. Scritchlow asked about the fence frame which exists along the north side of the property and whether that would provide the fence to be extended for screening; Mr. Bruce Pedigo, was sworn in, and stated that the existing fence frame was placed there in 1999 and provided an opaque fence but McLean County told them an opaque fence was not allowed and required them to remove it. Mr. Scritchlow asked about reported late night work on-site; Mr. Pedigo confirmed that one load of asphalt millings was being moved around and he stopped that once the police arrived to report the noise complaint.

Mr. Scritchlow asked about the need for detention; Mr. Pedigo pointed out that the runoff enters the creek which exits the property. Mr. Kothe stated that gravel or millings does not count towards impervious surface calculations so detention is not required.

Ms. Cindy Szarek, 18 Szarek Drive, was sworn in. She stated that her home shares a property line with the petitioner's. She stated the petitioner has cut down trees and brought in a lot of millings and the runoff comes into her backyard, which created a mosquito problem. She also noted concerns with the lights, the noise and the smell come from the petitioner's property. Ms. Szarek stated that the existing lights are already too bright, the beeping from trucks backing up wake them, and the diesel fumes do not provide a healthy environment. She asks that they be good neighbors.

Mr. Pedigo responded that the lights are arranged to keep the north corner dark to help avoid flood lighting Ms. Szarek's property. He added no plans exist for additional lighting and the trees will remain to help block any light. He also pointed out the area where they work in the evenings, located about as far away from the residential as possible. He also stated that no millings were added to the north side of the property and the grade was not changed on the subject property. He reiterated that moving long term parking to the back lot will help reduce the noise impacting neighbors by focusing activity in an area of the property away from the residential areas.

Chairman Staczak asked if Mr. Pedigo had plans to increase the grade. Mr. Pedigo replied no, but that the millings are needed to help prevent the vehicles from sinking in the mud. He described the natural flow of water through his property and onto the neighbor's property.

Mr. Balmer asked if the millings have changed the runoff; Mr. Kothe indicated he did not see how it could, as water would still drain to the ditch.

Ms. Lynn Dorin, related to the neighbor, was sworn in and showed a photo from her cell phone to the Chairman and Mr. Dabareiner. Mr. Dabareiner asked the city attorney whether we can accept photos from a cell phone as evidence; Mr. Boyle responded only if printed. Chairman Stanczak stated the photos could be admitted if shared with all the Commissioners and the petitioner as well as having printed copies for the record.

Mr. Barnett also asked whether the size of the pile of millings made a difference for the runoff; Mr. Kothe indicated that as long as the millings are spread out as planned, there should not be a concern. Mr. Scritchlow asked how thick the millings would be; Mr. Pedigo indicated no plans to exceed 12 inches and most would be at-grade.

Ms. Schubert tried to clarify Ms. Dorin's intention behind showing the cell phone photos; Ms. Dorin stated her intention was to show how close the adjacent properties are to each other and how that relates to Ms. Szarek's concerns. She added that the milling pile was in the photo.

Mr. Balmer stated that the requirements of the rezoning require meeting the code for buffering and screening and the light infiltration, those issues will be addressed. He added that perhaps time is needed for everyone to view the site, so he would consider a motion to layover the case.

Mr. Balmer motioned to layover the rezoning case; seconded by Mr. Scritchlow.

Mr. Pearson stated that Mr. Kothe indicated the pile size does not relate to the rezoning and the remaining questions are only the fencing and lights. He was wondering if the lights needed to be adjusted, but that is code enforcement rather than a rezoning question. Mr. Balmer stated the height of the pile does not relate to the rezoning but that evidence related to the screening may benefit from a site visit.

Mr. Scritchlow stated his concern is with the runoff that he says will be created because the neighbor is downstream and he believes the millings will sheet water, in contrast with what the City Engineer concluded. He stated he would like more information on the runoff and how it could affect properties downstream.

Ms. Schubert stated she does not agree with the layover, because the neighbors are not disputing the development but are trying to address concerns that exist today. She reminded the Commission that conditions could be added without laying over the case. Mr. Scritchlow asked how added restrictions on runoff would work given that City Code is different than what might be seen in a site visit; he added that a site visit could provide the information needed for a more definitive condition.

Mr. Balmer noted that once the property is annexed and, if rezoned, the City can enforce violations on the property rather than County.

The following votes were cast: Mr. Balmer—yes; Mr. Scritchlow—yes; Mr. Pearson—no; Mr. Boyd—yes; Mr. Suess—yes; Mr. Barnett—no; Ms. Schubert—no; Chairman Stanczak—no. Motion **defeated** 4-4.

Chairman Stanczak stated that because the cell phone photos only indicated reference points between the adjacent properties and no probative value for the rezoning case, he did not believe they should be considered as evidence.

Mr. Pearson motioned to recommend approval of the rezoning; seconded by Mr. Barnett. The following votes were cast: Mr. Balmer—yes; Mr. Barnett—yes; Mr. Scritchlow—yes; Mr. Pearson—yes; Mr. Boyd—yes; Mr. Suess—yes; Ms. Schubert—yes; Chairman Stanczak—yes. Motion **approved** 8-0.

OLD BUSINESS

None

NEW BUSINESS

Mr. Barnett announced that he is resigning from the Planning Commission as he is joining the County Board and this is his last meeting. He was thanked for his service.

ADJOURNMENT

Mr. Balmer motioned to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 4:51 PM.

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
AUGUST 24, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-28-16 827 W. Jackson Street	Rezone from C-2, Neighborhood Shopping District to R-1C, Single Family Residential	Katie Simpson City Planner

REQUEST

The petitioner is requesting to rezone the property located at 827 W. Jackson Street from C-2, Neighborhood Shopping District to R-1C, Single Family Residential.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Rebecca Schurr

LEGAL DESCRIPTION: 2E E59' 4 Owners Subdivision S End Lot 5 Waddles Subdivision Lot 7 Subdivision S, ½ 5 23.

PROPERTY INFORMATION

Existing Zoning: C-2 Neighborhood Shopping District
Existing Land Use: Single Family Home
Property Size: 59 X 125 (approximately 7,375 square feet)
PIN: 21-05-478-024

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residential District
South: C-1, Office District
East: R-1C, Single-Family Residential District
West: C-2, Neighborhood Shopping District

Land Uses

Single and two family homes
Health Clinic
Single family homes
Duplex

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites

Project Description

The subject property is located at 827 W. Jackson Street, near the corner of W. Jackson and Morris Ave. The corner lot of W. Jackson and Morris Ave (833 W. Jackson) along with the next two lots to the east (829 and 827 W. Jackson) are zoned C-2, Neighborhood Shopping District. The property owners at both 827 and 829 W. Jackson are requesting to rezone the property to R-1C. The subject property is also contiguous to other R-1C properties on its north and east boundaries. The corner lot would remain as it is, zoned C-2.

The subject property is currently used a single family home, a legal nonconforming use in the C-2 District. The lot is approximately 7,375 square feet.. The lot meets the required lot width and bulk requirements of the R-1C district, where single family home is permitted by right. The property currently has ingress and egress, and utilities. Rezoning would eliminate the nonconforming use.

The Comprehensive Plan 2035 identifies the need for an adequate supply of housing in Bloomington. Rezoning this property to R-1C would bring the current use into conformance with the Code also decreasing potential barriers to financing created by the nonconforming status. The rezoning of this property and the neighboring parcel, 829 W. Jackson, would not be severely detrimental to the intention of the current zoning and encouraging economic development on Bloomington's Westside. The corner lot (833 W. Jackson) would remain C-2 and could be developed with a use contemplated in the C-2 District that complements the surrounding uses and provides value for neighboring resident. Additionally, there are already commercial pockets along Morris Ave, particularly where it intersects with more frequently traveled roads like Wood Street and Washington Street.

Compliance with the Comprehensive Plan

The R-1C district is intended to allow for higher densities of single family residences and duplexes. The Comprehensive plan identified housing as a top priority and ensuring the availability of safe, attractive and high quality housing as a goal. Rezoning these properties to R-1C allows the properties at 827 and 829 W. Jackson to comply with the City's Zoning Code.

Nearby Zoning and Land Uses

FINDINGS OF FACT

The Zoning Ordinance has "*Zoning Map Amendment Guidelines*" and by states, "*In making its legislative determination to zone or rezone property to a R-1C, Single Family Residential District zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The capacity of existing and proposed community facilities and utilities including water and sewer systems to serve the permitted uses which lawfully occur on the property so zoned; the property exists as a single family home and has adequate utilities. The standard is met.*
2. *The adequacy of public services including police and fire protection and solid waste collection serving the property and the impact permitted uses would have upon these*

services; the property is currently served by public services, no change is anticipated. Irving Elementary School is located a few blocks east along with a number of churches. Additionally the property is adjacent to Immanuel Health Clinic. The standard is met.

3. *The extent to which the permitted uses will promote balanced growth in the community and will be consistent with the City's goals for equal housing opportunities and a variety of housing types;* the proposed rezoning would permit a single family home on the property at 827 W. Jackson eliminating a legal nonconforming use. The standard is met.
4. *The extent of vacant properties in the vicinity that can be developed for uses compatible to those permitted in the district;* the property at 833 W. Jackson is currently vacant. It is zoned C-2 and could be developed as a service that serves neighboring residents. There are also a few vacant parcels in the neighborhood which could be developed into pocket parks to serve residents or additional housing stock. The R-1C zoning is compatible with vacant residences in the area.
5. *The impact of natural disasters, including flooding, would have upon permitted uses;* no changes to the use have been proposed and no change in impact is expected. The standard is met.
6. *The impact the proposed development would have upon the environment including noise, air and water pollution;* single and two family homes are less intense developments than uses allowed in the C-2 district. The property exists as a single family home. No change is expected. The standard is met.
7. *The potential impact existing or permitted uses in the vicinity would have upon uses authorized in the R-1C District and the impact such uses, if developed on the property would have upon existing uses in the vicinity;* the R-1C district is contiguous to the subject property. Surrounding uses are compatible with the R-1C district. The standard is met.
8. *The conformance of the proposal to the Official Comprehensive Plan and Official Map (Ordinance No. 2006-137).* The Comprehensive Plan identifies affordable and available housing as a priority. The standard is met.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission pass a recommendation that City Council **approve** an ordinance rezoning the property located at 827 W. Jackson from C-2 Neighborhood Shopping District, to R-1C, Single Family Residential District.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

Agenda Item A.

1. Ordinance
2. Exhibit A-Legal Description
3. Petition
4. Aerial View
5. Zoning Map
6. List of Permitted Uses in the R-1C District
7. Neighborhood Notice List
8. Neighborhood Notice Location and Buffer Map

ORDINANCE NO. 2016 - _____

**AN ORDINANCE REZONING 827 WEST JACKSON FROM C-2 to R-1C, SINGLE
FAMILY RESIDENTIAL DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit(s) "A" shall be and the same are hereby rezoned from "C-2", Neighborhood Shopping District to "R-1C", Single Family Residential District
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeff Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

2E E59' 4 OWNERS SUBDIVISION S END LOT 5 WADDLES SUBDIVISION LOT 7
SUBDIVISION S, ½ 5-23;

PIN: 21-05-478-024

827 W. Jackson St.
Bloomington, IL 61701

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Rebecca Schurr, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of C-2 Neighborhood Shopping District under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R-1C zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from C2 - R-1C.

Respectfully submitted,

By: Rebecca Schun

Legal Description

2E E59' 4 Owners Subdivision S End Lot 5 Waddles Subdivision Lot 7 Subdivision S, 1/2 5 23;
common address 827 W. Jackson St.

PIN: 45-21-05-478-024

It is being respectfully requested that the property at 829 W. Jackson and 827 W. Jackson be rezoned from C-2 Neighborhood Shopping District to R-1C. Both properties have been residential properties and to our knowledge have never operated as a small business. Keeping these properties as C-2 Neighborhood Shopping District is a detriment to the owners and will ultimately reduce value in these properties. Financing for someone to purchase the property cannot be done as these properties could not be rebuilt if 50% were to be destroyed as they are in a C-2 Neighborhood Shopping District.

The trustees for Harlan Babbitt who are responsible for 829 W. Jackson had their property on the market and do have an accepted agreement for the purchase of this property. However as it stands with the current zoning of C-2, the bank will not approve financing for the buyer.

Peg Donaldson and Karen Staley-Landers

Realtors BHHS Snyder Real Estate



827 W Jackson Street-Aerial View



0 0.04

0.1 Miles

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

Notes

1: 2,360

Printed: 8/16/2016 4:42:17 PM



829 W Jackson Street-Zoning View



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

0.1 Miles

0.04

0

1: 2,360

Printed: 8/16/2016 4:44:13 PM

Notes

Permitted Uses in the R-1C District	
Agency-Operated Family Homes	P
Agriculture	P
Cemeteries	S
Churches, Synagogues, Temples	S
Columbarium	S
Country Clubs, Golf Clubs	S
Day Care Centers	S
Dwellings, Single-Family	P
Dwellings, Two-Family	S
Electricity Regulating Substations	P
Flammable Liquid Pipelines	P
Forestry	P
Gas Regulatory Stations	P
Golf Courses - Not Miniature Golf	S
Group Homes for Parolees	S
Group Homes for Parolees	S
Irrigation Channels	P
Non-hazardous Storage, College/University	S
Non-residential College/Univer.Student Clubs & Assoc.	S
Nursery Schools	S
Offices, College/University	S
Parking Lot, College/University	S
Parking Lot, Noncommercial	S
Parks, Playgrounds, Aboretums	P
Police Stations, Fire Stations	P
Postal Services	P
Pre-Schools	S
Religious Education Facility	S
Sewage Lift Stations	P
Swimming Pools	S
Telecommunication Antenna Facilities	S
Telephone Exchange Substations	S
Utility Conduits, Lines, Pipelines	P
Water Pressure Control Stations	P
Water Purification Plants	P
Water Storage Reservoirs	P



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

August 11, 2016

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on Wednesday, August 24, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois for 1). a petition submitted by Rebecca Schurr for the rezoning of 827 W Jackson Street from C-2 Neighborhood Shopping District to R-1C, Single Family Residential District and 2). a petition submitted by Patrick Babbitt and Pam Hill Trustees of the Harlan Babbitt Estate, for the rezoning of 829 W. Jackson Street from C-2 Neighborhood Shopping District to R-1C, Single Family Residential District. The above referenced properties are legally described as follows:

827 W. Jackson Street

OWNERS SUB S END LOT 5 WADDLES SUB LOT 7 SUB S1/2 5-23-2E E59' LOT 4

829 W. Jackson Street

OWNERS SUB S END LOT 5 WADDLES SUB LOT 7 SUBN S1/2 5-23-2E W50' E109' LOT 4

You are receiving this 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 rezoning 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 contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

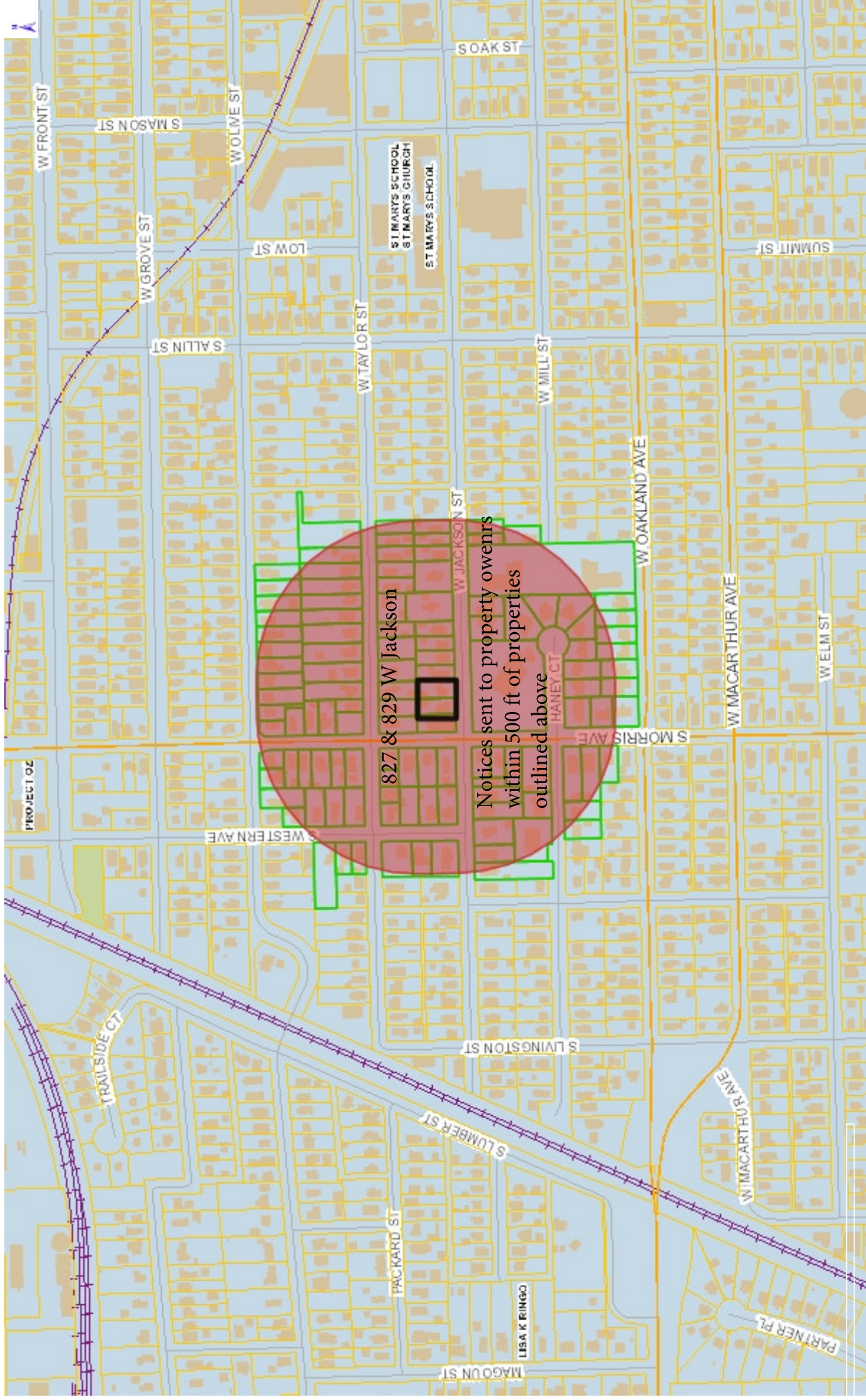
A handwritten signature in black ink, appearing to read "Katie Simpson", with a long horizontal flourish extending to the right.

Katie Simpson
City Planner

Attachments: Location map with 500 ft. notification buffer



Courtesy notification for a public hearing for 827 W. Jackson and 829 W. Jackson. Rezoning from C-2 to R-1C



LINE1	LINE2	LINE3
Deborah Skillrud, Supervisor	607 S Gridley St, Suite B	Bloomington, IL 61701
VINCENTE ADAME	1111 E GROVE ST	BLOOMINGTON IL 617014210
VICENTE & JENNIFER ADAME	1111 E Grove St	Bloomington IL 617014210
ERNEST E ADAMS	310 S WESTERN AVE	BLOOMINGTON IL 617014802
TONY S & DEBORAH ADEKOYA	3 HANEY CT	BLOOMINGTON IL 617014983
TONY & DEBORAH ADEKOYA	3 HANEY CT	BLOOMINGTON IL 617014983
ALL SEASONS PROPERTIES LLC	208 PRAIRIE RIDGE DR	LEXINGTON IL 617534509
DOROTHY G ALLEN	308 S MORRIS AVE	BLOOMINGTON IL 617014864
DOROTHY ALLEN	308 S MORRIS AVE	BLOOMINGTON IL 617014864
FRANCISCO & HILDA ALVARADO	1012 W TAYLOR ST	BLOOMINGTON IL 617014915
%WILLIAM N ANDERSON ANDERSON	304 S MORRIS AVE	BLOOMINGTON IL 617014864
PAULA ARREOLA	924 W OLIVE	BLOOMINGTON IL 61701
STONEY ATKINS	1000 W JACKSON	BLOOMINGTON IL 61701
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
JAMES E BANKS JR	812 WEST JACKSON ST	BLOOMINGTON IL 61701
IRENE BARNES	1017 W TAYLOR ST	BLOOMINGTON IL 617014914
NANCY BEASLEY	1008 W Mill St	Bloomington IL 617014831
JOHN C BLAKENEY	8585 E 1950 NORTH RD	BLOOMINGTON IL 617056811
JOHN BLAN M/M	1022 W TAYLOR ST	BLOOMINGTON IL 617014915
BLOOMNORM LLC	666 DUNDEE RD STE 1102	NORTHBROOK IL 600622735
DAVID E BOWALD	8789 CANOPY OAKS DR	JACKSONVILLE FL 322564508
ANGELA BROOKS	831 W Oakland Ave	Bloomington IL 617014925
GERALD L BURKEY	806 E OLIVE ST	BLOOMINGTON IL 617015430
DAVID L BUTLER JR	1009 W TAYLOR ST	BLOOMINGTON IL 617014914
BRAD & MARTHA BUTZIRUS	14225 N 900 EAST RD	BLOOMINGTON IL 617046973
VICTOR M CARMONA	305 S MORRIS AVE	BLOOMINGTON IL 617014863
CRAIG A CEBUHAR	912 W OLIVE	BLOOMINGTON IL 61701
LAURI CHAMBERLAIN	808 W Jackson St	Bloomington IL 617014908
JAMES CODDING	825 W JACKSON ST	BLOOMINGTON IL 617014907
JASON M COE	1019 W TAYLOR	BLOOMINGTON IL 61701
MANUEL & JUDY CORNEJO	918 W OLIVE ST	BLOOMINGTON IL 617014963
THOMAS W COWDERY JR	821 W JACKSON	BLOOMINGTON IL 61701
GENE & GEORGIANNA CUNNINGHAM	1409 BUTCHERS LN	BLOOMINGTON IL 617019512
CHARLES R DAVIS	829 W OAKLAND AVE	BLOOMINGTON IL 617014925
VICTOR DELGADO	4 HANEY COURT	BLOOMINGTON IL 61701
JOHN E DELGADO	13 LAKE BLUFF CT	BLOOMINGTON IL 61704

DONALD W DONALDSON JR	1006 W OLIVE ST	BLOOMINGTON IL 617014866
KEIMYA O DOVE	10 HANEY CT	BLOOMINGTON IL 617014983
MARCILE M DUEHR	811 W JACKSON ST	BLOOMINGTON IL 61701
DAWN M DUERFELDT	311 S MORRIS AVE	BLOOMINGTON IL 617014863
ARTHUR L & THERESA K ELLIS	308 S WESTERN AVE	BLOOMINGTON IL 617014802
JACOB P ELTERICH	2 HANEY CT	BLOOMINGTON IL 617014983
JOYCE A FOX-KRUTKE-WITHAM	2890 Glendale Ln	Normal IL 617615523
JASON FUSS	1010 W TAYLOR ST	BLOOMINGTON IL 617014915
SONNY GARCIA	703 W MONROE ST	BLOOMINGTON IL 617013851
LINDA & RITA LAYTEN GARLOCK	1 HANEY CT	BLOOMINGTON IL 617014983
ARTHUR JR & ARITHA GARRISON	835 W OAKLAND AVE	BLOOMINGTON IL 61701
NATHAN GATES	1206 E EMPIRE ST	BLOOMINGTON IL 617013349
VERNON GODBEY	1020 W TAYLOR	BLOOMINGTON IL 61701
NATHAN HANSEN	401 S Morris Ave	Bloomington IL 617014836
YUWADEE JOHNSON HAPPINESS SE	18570 E 2375 NORTH RD	TOWANDA IL 617767598
FERNANDO HARO	608 S MORRIS AVE	BLOOMINGTON IL 617014839
THOMAS H & EVA SMYRNA B HARRIS	306 S MORRIS AVE	BLOOMINGTON IL 617014864
LAUREEN HAYES	1024 W TAYLOR ST	BLOOMINGTON IL 617014915
MIKE HEARNE	833 W OAKLAND AVE	BLOOMINGTON IL 617014925
JOHN JR & BETTIE A NESBY HEBERT	928 W OLIVE	BLOOMINGTON IL 61701
MYONA HENRY	914 W Olive St	Bloomington IL 617014963
GERALD H HORNKE	303 S MORRIS AVE	BLOOMINGTON IL 617014863
Nathan Houlihan	407 S MORRIS AVE	BLOOMINGTON IL 617014836
HOUSING AUTHORITY OF THE CITY C	104 E WOOD	BLOOMINGTON IL 61701
LUKE A IJAMS	603 DELMAR LN	BLOOMINGTON IL 617012104
GARY V JACOBS	29395 E 800 NORTH RD	ELLSWORTH IL 617379457
LAREESE JEFFRIES	922 W OLIVE ST	BLOOMINGTON IL 617014963
LIONEL JOYCE	606 S MORRIS AVE	BLOOMINGTON IL 617014839
CIHAT KARASEN	814 E LOCUST	BLOOMINGTON IL 61701
ANNABELLE KERRIGAN	805 W JACKSON ST	BLOOMINGTON IL 617014907
SHAWN LATTA	304 S WESTERN AVE	BLOOMINGTON IL 617014802
CARRIE LEAKS	408 S Western Ave	Bloomington IL 617014850
NEAL LEMAN	1002 W Jackson St	Bloomington IL 617014811
DOUGLAS R LITWILLER	PO BOX 203	MINIER IL 617590203
DOUGLAS LYONS	1005 W TAYLOR ST	BLOOMINGTON IL 617014914
MARIA GUADALUPE MARTINEZ	1029 W TAYLOR ST	BLOOMINGTON IL 617014914
COLIN & LINDA MATTHEWS	1026 W TAYLOR	BLOOMINGTON IL 61701

FRANK L MCSWAIN SR	12 HANEY CT	BLOOMINGTON IL 61701
ANGELA %HABITAT FOR HUMANITY	103 W JEFFERSON ST	BLOOMINGTON IL 617013904
STEVEN W & RANDI L MEYER	814 W JACKSON ST	BLOOMINGTON IL 61701
ANGELA ROSE MILEWSKI	1030 W TAYLOR	BLOOMINGTON IL 61701
JEFFREY M MILLER	503 S MORRIS AVE	BLOOMINGTON IL 61701
MYRON MINTZ	823 W MILL ST	BLOOMINGTON IL 61701
BRITTANY MOTT	819 W JACKSON ST	BLOOMINGTON IL 617014907
DAVID K NELSON	405 S WESTERN AVE	BLOOMINGTON IL 617014849
RANDY NEWBILL	904 W JACKSON	BLOOMINGTON IL 61701
Kristi Norfleet	815 W Jackson St	Bloomington IL 617014907
CAROL OMALLEY	936 W OLIVE	BLOOMINGTON IL 61701
DEXTER ONEAL	1106 W TAYLOR	BLOOMINGTON IL 61701
GWENDOLYN PERRY	1001 W JACKSON	BLOOMINGTON IL 61701
BENJAMIN PETTIE	1501 E WASHINGTON ST	BLOOMINGTON IL 617014232
DOUG PRICE	1003 W TAYLOR ST	BLOOMINGTON IL 617014914
BETTY REINDL	1004 W OLIVE ST	BLOOMINGTON IL 617014866
ANTHONY P REPPLINGER	8 HANEY CT	BLOOMINGTON IL 617014983
GEORGE E REYNAR	1008 W TAYLOR	BLOOMINGTON IL 61701
GLADYS RICHARDSON	903 W MILL ST	BLOOMINGTON IL 617014829
RICK S & REBECCCA A ROOTS	621 W JEFFERSON ST	PITTSFIELD IL 623631333
OSCAR RUIZ	601 S Morris Ave	Bloomington IL 617014838
OSCAR & SILVIA RUIZ	601 S MORRIS AVE	BLOOMINGTON IL 617014838
FRANCISCO RUIZ	2004 E WASHINGTON ST	BLOOMINGTON IL 617014319
BECKY SCHURR	809 W JACKSON	BLOOMINGTON IL 61701
CASSIE SIMMONS	920 W OLIVE ST	BLOOMINGTON IL 617014963
JACQULYN SMITH	309 S MORRIS AVE	BLOOMINGTON IL 617014863
ROBERT & SHARON STANFORD	406 S WESTERN AVE	BLOOMINGTON IL 61701
DUSTIN STONE	603 S MORRIS	BLOOMINGTON IL 61701
ERIC THACKER	1007 W Taylor St	Bloomington IL 617014914
DEREK T & LAURA K THORP	18651 N 800 EAST RD	CARLOCK IL 617259555
TOMORROW ENTERPRISES	912 IRONWOOD CC DR	NORMAL IL 617615237
ALMA TORRES	403 S MORRIS AVE	BLOOMINGTON IL 617014836
WALLACE D & GLENNA TUDOR	309 S WESTERN	BLOOMINGTON IL 61701
TVCO CORPORATION	1901 MARTIN LUTHER KING DR	BLOOMINGTON IL 61701
US BANK TRUST LSF9 MASTER TRUS	LYLE REYES 16745 WEST BERNARD	C SAN DIEGO CA 92127
DAVID J VANGORDER	213 S COTTAGE AVE	NORMAL IL 617612736
MARIA VILLASENOR	403 S WESTERN AVE	BLOOMINGTON IL 617014849

ROBERT B & LINDA WESLEY	1002 W TAYLOR ST	BLOOMINGTON IL 617014915
GARY D WHITE	910 W OLIVE ST	BLOOMINGTON IL 617014963
CHARLES V & PHYLLIS M WILBURN	1004 W JACKSON ST	BLOOMINGTON IL 617014811
CALVIN E WILSON	1014 W TAYLOR ST	BLOOMINGTON IL 617014915
FRANCES M WRIGHT	1011 W MILL ST	BLOOMINGTON IL 617014830
MARY ZIVALICH	6 HANEY CT	BLOOMINGTON IL 617014983
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
REBECCA L SCHURR	809 W JACKSON ST	BLOOMINGTON IL 617014907
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
AUGUST 24, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-29-16 829 W. Jackson Street	Rezone from C-2, Neighborhood Shopping District to R-1C, Single Family Residential	Katie Simpson City Planner

REQUEST

The petitioner is requesting to rezone the property located at 827 W. Jackson Street from C-2, Neighborhood Shopping District to R-1C, Single Family Residential.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Patrick Babbitt and Pam Hill, Trustees of the Harlan Babbitt Estate

LEGAL DESCRIPTION: Owners Subdivision S End Lot 5 Waddles Subdivision Lot 7 Subdivision S, ½ 5-23-2E W50' E109' Lot 4

PROPERTY INFORMATION

Existing Zoning: C-2 Neighborhood Shopping District
Existing Land Use: Duplex
Property Size: 50 X 109 (approximately 5,450 square feet)
PIN: 21-05-478-023

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residential District
South: C-1, Office District
East: C-2, Neighborhood Shopping District
West: C-2, Neighborhood Shopping District

Land Uses

Single and two family homes
Health Clinic
Single family homes
Vacant property, former sign store

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites

Project Description

The subject property is located at 829 W. Jackson Street, near the corner of W. Jackson and Morris Ave. The corner lot of W. Jackson and Morris Ave (833 W. Jackson) along with the subject property and the adjacent lot to the east (827 W. Jackson) are zoned C-2, Neighborhood Shopping District. The property owners at both 827 and 829 W. Jackson are requesting to rezone the property to R-1C. The subject property is also contiguous to other R-1C properties on its north boundary. The corner lot, which is currently vacant but was formerly used as retail, would remain zoned C-2.

The subject property has several issues with the City Code and is in nonconformance (as described below):

Property Characteristic	R-1C	C-2	Conformance
Use-Duplex	Permitted	Not permitted	Nonconforming in C-2
Minimum Lot Width-50 ft	50 ft required	No minimum	Conformance in R-1C & C-2
Minimum Lot size-5,450 sq ft	6,600 required	No minimum	Nonconforming lot in R-1C
Side yard-2 ft	6 ft	5 ft	Nonconforming in C-2 & R-1C

The subject property existed as a single family home and was remodeled into a duplex in 1982. The property currently has utilities, ingress and egress. Although the property is a nonconforming lot in the R-1C district, the R-1C zoning is more suitable given the lots proximity to other residential, the availability of public services and the development trend in the area.

The Comprehensive Plan 2035 identifies the need for an adequate supply of housing in Bloomington. Rezoning this property to R-1C would bring the current use into conformance with the Code also decreasing potential barriers to financing created by the nonconforming status. The rezoning of this property and the neighboring parcel 827 W. Jackson would not be severely detrimental to the intention of the current zoning and encouraging economic development on Bloomington's Westside. The corner lot (833 W. Jackson) would remain C-2 and could be developed with a use contemplated in the C-2 District that complements the surrounding uses and provides value for neighboring resident. Additionally, there are already commercial pockets along Morris Ave, particularly where it intersects with more frequently traveled roads like Wood Street and Washington Street.

Compliance with the Comprehensive Plan

The R-1C district is intended to allow for higher densities of single family residences and duplexes. The Comprehensive plan identified housing as a top priority and ensuring the availability of safe, attractive and high quality housing as a goal. Rezoning these properties to R-1C allows the properties at 827 and 829 W. Jackson to comply with the City's Zoning Code.

Nearby Zoning and Land Uses

FINDINGS OF FACT

The Zoning Ordinance has "*Zoning Map Amendment Guidelines*" and by states, "*In making its legislative determination to zone or rezone property to a R-1C, Single Family Residential*

District zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:

1. *The capacity of existing and proposed community facilities and utilities including water and sewer systems to serve the permitted uses which lawfully occur on the property so zoned; the property exists as a duplex and has adequate utilities. The standard is met.*
2. *The adequacy of public services including police and fire protection and solid waste collection serving the property and the impact permitted uses would have upon these services; the property is currently served by public services, no change is anticipated. Irving Elementary School is located a few blocks east along with a number of churches. Additionally the property is adjacent to Immanuel Health Clinic. The standard is met.*
3. *The extent to which the permitted uses will promote balanced growth in the community and will be consistent with the City's goals for equal housing opportunities and a variety of housing types; the proposed rezoning would permit a single family home on the property at 829 W. Jackson, a duplex would be allowed with a special use permit eliminating a legal nonconforming use. Nonetheless, the property could still be legally used as a single family in the R-1C District. The standard is met.*
4. *The extent of vacant properties in the vicinity that can be developed for uses compatible to those permitted in the district; the property at 833 W. Jackson is currently vacant. It is zoned C-2 and could be developed as a service that serves neighboring residents. There are also a few vacant parcels in the neighborhood which could be developed into pocket parks to serve residents or additional housing stock. The R-1C zoning is also be more compatible with vacant residences in the area.*
5. *The impact of natural disasters, including flooding, would have upon permitted uses; no changes to the use have been proposed and no change in impact is expected. The standard is met.*
6. *The impact the proposed development would have upon the environment including noise, air and water pollution; single and two family homes are less intense developments than uses allowed in the C-2 district. The property exists as a duplex. No change is expected. The standard is met.*
7. *The potential impact existing or permitted uses in the vicinity would have upon uses authorized in the R-1C District and the impact such uses, if developed on the property would have upon existing uses in the vicinity; the R-1C district is contiguous to the subject property. Surrounding uses are compatible with the R-1C district. The standard is met.*
8. *The conformance of the proposal to the Official Comprehensive Plan and Official Map (Ordinance No. 2006-137). The Comprehensive Plan identifies affordable and available housing as a priority. The standard is met.*

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission pass a recommendation that City Council **approve** an ordinance rezoning the property located at 829 W. Jackson from C-2 Neighborhood Shopping District, to R-1C, Single Family Residential District.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

1. Ordinance
2. Exhibit A-Legal Description
3. Petition
4. Aerial View
5. Zoning Map
6. List of Permitted Uses in the R-1C District
7. Neighborhood Notice List
8. Neighborhood Notice Location and Buffer Map

ORDINANCE NO. 2016 - _____

**AN ORDINANCE REZONING 829 WEST JACKSON FROM C-2 to R-1C, SINGLE
FAMILY RESIDENTIAL DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit(s) "A" shall be and the same are hereby rezoned from "C-2", Neighborhood Shopping District to "R-1C", Single Family Residential District
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeff Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

OWNERS SUBDIVISION S END LOT 5 WADDLES SUBDIVISION LOT 7 SUBDIVISION
S, ½ 5-23-2E W50' E109' LOT4;

PIN: 21-05-478-023

829 W. Jackson St.
Bloomington, IL
61701

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Patrick Babbitt and Pam Hill
Trustees of The Harlan Babbitt Estate, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of C-2 Neighborhood Shopping under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R-1C zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from C 2 to R-1C.

Respectfully submitted,

By:

Patricia Blum
Pamela Klee-trustee

Legal Description

Owners Subdivision S End Lot 5 Waddles Subdivision Lot 7 Subdivision S1/2 5 23 2E W50' E109' 4; common address 829 W. Jackson St.

PIN: 45-21-05-478-023

It is being respectfully requested that the property at 829 W. Jackson and 827 W. Jackson be rezoned from C-2 Neighborhood Shopping District to R-1C. Both properties have been residential properties and to our knowledge have never operated as a small business. Keeping these properties as C-2 Neighborhood Shopping District is a detriment to the owners and will ultimately reduce value in these properties. Financing for someone to purchase the property cannot be done as these properties could not be rebuilt if 50% were to be destroyed as they are in a C-2 Neighborhood Shopping District.

The trustees for Harlan Babbitt who are responsible for 829 W. Jackson had their property on the market and do have an accepted agreement for the purchase of this property. However as it stands with the current zoning of C-2, the bank will not approve financing for the buyer.

Peg Donaldson and Karen Staley-Landers

Realtors BHHS Snyder Real Estate

PRATT AND PRATT, P.C.
ATTORNEYS AT LAW

415 North Center Street
Bloomington, Illinois 61701

HARLAN D. BABBITT TRUST

I, HARLAN D. BABBITT, of Bloomington, McLean County, Illinois, have transferred ten dollars to myself as trustee. That asset and any other assets received by the trustee (the "trust estate") shall be held in trust subject to the provisions of this instrument.

Article 1
Introduction

1.1 **Family.** My "spouse" is DONITA A. BABBITT. I have four adult children, namely: MICHAEL D. BABBITT, presently of Roanoke, Illinois; PATRICK L. BABBITT, presently of Bloomington, Illinois; MARY A. RANEY, presently of Danvers, Illinois; and PAMELA K. HILL, presently of Normal, Illinois.

1.2 **Name of Trust.** The name of this trust, as amended at any time and from time to time, shall be the HARLAN D. BABBITT TRUST.

Article 2
Lifetime Trust

2.1 **Right To Amend or Revoke.** I reserve the right from time to time to amend or revoke this instrument in whole or in part by instrument (other than my Will) signed by me, referring to this instrument, and delivered to the trustee during my life. If I revoke this instrument, the trustee shall deliver the trust estate to me or as I direct.

2.2 **Distributions During My Life.** During my life, the Lifetime Trust shall be administered for my primary benefit. As long as I am not incapacitated, the trustee shall pay to me that part of the income and principal as I shall request from time to time. If I become incapacitated, then while I am incapacitated, the trustee (a) shall pay to me as much of the income and principal as the trustee considers advisable for my health, maintenance in reasonable comfort, or best interests, and (b) may pay as much of the income and principal as the trustee considers necessary for the health or maintenance in reasonable comfort of any person dependent on me. Any income not so paid in each year and any income not so paid at my death shall be added to principal.

2.3 **Determination of Incapacity.** I shall be incapacitated if I am under a legal disability or unable to give prompt and intelligent consideration to financial affairs. The determination of my inability shall be made in writing, signed by my personal physician and delivered to the trustee. The trustee may rely conclusively on that writing.

Article 3 Gifts at My Death

On my death, the trustee shall distribute the balance of the trust estate as follows:

- A. To my spouse, any all interest in the manufactured home located at 305 Southgate Drive, Bloomington, Illinois; and
- B. The balance of the trust estate *per stirpes* to my then living descendants.

Article 4 Distribution to Beneficiaries Under Prescribed Age

Any property to be distributed (other than a discretionary payment or a distribution pursuant to a power of appointment) to a beneficiary who is not a child of mine and is under age 25 at the time of distribution shall immediately vest in the beneficiary, but the trustee shall retain the property as a separate trust for the beneficiary on the following terms. The trustee may pay to the beneficiary as much of the income and principal as the trustee deems advisable for the beneficiary's health, maintenance in reasonable comfort, education, or best interests. Any income not so paid in each tax year shall be added to principal at the end of each tax year. The trustee shall distribute the remaining trust assets to the beneficiary when the beneficiary attains age 25 or to the beneficiary's estate if the beneficiary dies prior to receiving the assets. At the time the trust is created or during the administration of the trust the trustee may terminate the trust and distribute the property to a custodian for the beneficiary under a Uniform Transfers or Gifts to Minors Act.

Article 5 Trustee Succession

5.1 **Successor Trustee.** When I cease to act as trustee, then my son, PATRICK L. BABBITT, and my daughter, PAMELA K. HILL, shall be co-trustees. In the event either PATRICK L. BABBITT or PAMELA K. HILL is unable or unwilling to be a co-trustee or is unable or unwilling to finish his or her duties as a co-trustee, then the other shall be

sole trustee. In the event both PATRICK L. BABBITT and PAMELA K. HILL are unable or unwilling to be trustee or unable or unwilling to finish his or her duties as trustee, then HEARTLAND BANK AND TRUST COMPANY, having an office in Bloomington, Illinois, shall be trustee.

5.2 Corporate Trustee Substitution. A corporate trustee may be removed at any time by an instrument signed by a majority of the income beneficiaries but only if, on or before the effective date of removal, a qualified corporation has been appointed corporate trustee in the same manner.

Article 6 Trustee Actions

6.1 Accountings. Upon written request, the trustee shall send a written account of all trust receipts, disbursements, and transactions, and the property comprising the trust to each income beneficiary. Unless court proceedings on the account are commenced within three months after the account is sent, the account shall bind and be deemed approved by all of the following beneficiaries who have not filed written objections to the account with the trustee within three months after the account is sent, and the trustee shall be deemed released by all such beneficiaries from liability for all matters covered by the account as though such account was approved by a court of competent jurisdiction: (a) each beneficiary to whom the account was sent, and (b) if the account was sent to all income and future beneficiaries of the trust, then all beneficiaries of the trust who have any past, present, or future interest in the matters covered by the account.

6.2 Trustee's Right to Account Settlement Before Distribution. Before distribution of any trust principal, the trustee shall have the right to require settlement of any open accounts of the trust from which the distribution is being made, either by the written approval and release of all beneficiaries having an interest in the distribution or, if the releases cannot be obtained, by court settlement of the open accounts. All the trustee's reasonable fees and expenses (including attorneys' fees) attributable to approval of the trustee's accounts shall be paid by the trust involved.

6.3 Acceptance of Predecessor's Accounts. On the signed direction of the income beneficiaries, the trustee shall accept without examination the accounts rendered and property delivered by or for a predecessor trustee or my executor. Such acceptance shall fully discharge the predecessor trustee or my executor and shall bind all beneficiaries.

6.4 Notice. If a beneficiary is under legal disability, the trustee shall give any notice or accounting to the beneficiary's personal representative, if any, and if none, to a parent of the beneficiary, if any, and if none, to any person whom the trustee believes has demonstrated concern for the interest of the beneficiary. That person may sign any instrument for the beneficiary.

6.5 Special Trustees. If the trustee (the "principal trustee") is unable or unwilling to act as trustee as to any property, such person or qualified corporation as the principal trustee shall designate by signed instrument shall act as special trustee as to that property. Any special trustee may resign at any time by giving written notice to the principal trustee. The special trustee shall have the powers granted to the principal trustee under this instrument, to be exercised with the approval of the principal trustee. Net income and any proceeds of sale shall be paid to the principal trustee, to be administered under this instrument. The principal trustee may remove and replace the special trustee at any time.

6.6 Compensation. The trustee shall be entitled to reimbursement for expenses and to reasonable compensation.

6.7 Determinations by Trustee. The trustee's reasonable determination of any question of fact shall bind all persons.

6.8 Third-Party Dealings. The trustee's certification that the trustee is acting according to this instrument shall protect anyone dealing with the trustee. No one need see to the application of money paid or property delivered to the trustee.

6.9 Exoneration of Trustee. Any individual trustee acting in good faith shall not be liable for any act or omission. No trustee shall be liable for any act or omission of another trustee.

6.10 Bond. No trustee need give bond, qualify before, or account to any court.

6.11 Powers of Successor Trustee. Unless expressly limited, each successor trustee shall have all the titles, powers, duties, discretions, and immunities of the original trustee.

Article 7

Trustee Powers

In addition to all powers granted by law, the trustee shall have the following

powers, to be exercised in a fiduciary capacity:

7.1 Retention. To retain any property transferred to the trustee, regardless of diversification and regardless of whether the property would be considered a proper trust investment;

7.2 Sale. To sell at public or private sale, contract to sell, grant options to buy, convey, transfer, exchange, or partition any real or personal property of the trust for such price and on such terms as the trustee sees fit;

7.3 Real and Tangible Personal Property. To make leases and subleases and grant options to lease, although the terms thereof commence in the future or extend beyond the termination of any trust; to purchase, operate, maintain, improve, rehabilitate, alter, demolish, abandon, release, or dedicate any real or tangible personal property; and to develop or subdivide real property, grant easements, and take any other action with respect to real or tangible personal property that an individual owner thereof could take;

7.4 Borrowing. To borrow money from any lender, extend or renew any existing indebtedness, and mortgage or pledge any property in the trust;

7.5 Investing. To invest in bonds, common or preferred stocks, notes, options, common trust funds, mutual funds, shares of any investment company or trust, or other securities, life insurance, partnership interests, general or limited, joint ventures, real estate, or other property of any kind, regardless of diversification and regardless of whether the property would be considered a proper trust investment;

7.6 Joint Investments; Distribution; Determination of Value. To make joint investments for two or more trusts held by the same trustee; to distribute property in cash or in kind, or partly in each; to allocate or distribute undivided interests or different property or disproportionate interests to the beneficiaries; and to determine the value of any property so allocated or distributed; but no adjustment shall be made to compensate for a disproportionate allocation of unrealized gain for federal income tax purposes, and no action taken by the trustee pursuant to this paragraph shall be subject to question by any beneficiary;

7.7 Rights as to Securities. To have all the rights, powers, and privileges of an owner of the securities held in trust, including, but not limited to, the powers to vote, give proxies, and pay assessments; to participate in voting trusts, pooling agreements, foreclosures, reorganizations, consolidations, mergers, and liquidations and, incident to

such participation, to exercise or sell stock subscription or conversion rights;

7.8 Conservation of Assets. To take any action that an individual owner of an asset could take to conserve or realize the value of the asset and with respect to any foreclosure, reorganization, or other change with respect to the asset;

7.9 Delegation. To employ agents, attorneys, and proxies of all types (including any firm in which a relative of mine or his or her spouse is a partner, associate, or employee or is otherwise affiliated) and to delegate to them any powers the trustee considers advisable;

7.10 Payment of Expenses and Taxes. To pay all expenses incurred in the administration of the trust and to pay all taxes imposed on the trust;

7.11 Determination of Principal and Income. To determine in cases not covered by statute the allocation of receipts and disbursements between income and principal, except that (a) if the trust is beneficiary or owner of an individual account in any employee benefit plan or individual retirement plan, income earned after death in the account shall be income of the trust, and if the trustee is required to pay all trust income to a beneficiary, the trustee shall collect and pay the income of the account to the beneficiary at least quarterly (and to the extent that all income cannot be collected from the account, the deficiency shall be paid from the principal of the trust); (b) reasonable reserves for depreciation, depletion, and obsolescence may be established out of income and credited to principal only to the extent that the trustee determines that readily marketable assets in the principal of the trust will be insufficient for any renovation, major repair, improvement, or replacement of trust property that the trustee deems advisable; and (c) any premium paid for interest-bearing debt obligations shall be amortized out of income;

7.12 Dealings with Fiduciaries. To deal with, purchase assets from, or make loans to the fiduciary of any trust made by me or a trust or estate in which any beneficiary under this trust has an interest, even though a trustee under this instrument is the fiduciary, and to retain any assets or loans so acquired, regardless of diversification and regardless of whether the property would be considered a proper trust investment; to deal with a corporate trustee under this instrument individually or a parent or affiliate company; to deal with the fiduciary of any other estate, trust, or custodial account even though the fiduciary is a trustee under this instrument;

7.13 Compromising Claims. To litigate, compromise, settle, or abandon any claim or demand in favor of or against the trust;

7.14 Nominee Arrangements. To hold any asset in the name of a nominee, in bearer form or otherwise, without disclosure of any fiduciary relationship;

7.15 Elections Under Retirement Plans. To elect, pursuant to the terms of any employee benefit plan, individual retirement plan, or insurance contract, the mode of distribution of the proceeds thereof, and no adjustment shall be made in the interests of the beneficiaries to compensate for the effect of the election;

7.16 Liability Insurance. To purchase liability and casualty insurance of any kind for the protection of the trust estate, including comprehensive liability insurance;

7.17 Accepting Additional Property. To accept additional property from any source and administer it as a part of the trust; if the addition is made by a will, the trustee may accept the statement of the personal representative of the estate of the transferor that the property delivered to the trustee constitutes all of the property to which the trustee is entitled without any duty to inquire into the representative's administration or accounting;

7.18 Environmental Matters. To inspect and monitor businesses and real property (whether held directly or through a partnership, corporation, trust, or other entity) for environmental conditions or possible violations of environmental laws; to remediate environmentally damaged property or to take steps to prevent environmental damage in the future, even if no action by public or private parties is currently pending or threatened; to abandon or refuse to accept property that may have environmental damage; to expend trust property to do the foregoing; and no action or failure to act by the trustee pursuant to this paragraph shall be subject to question by any beneficiary;

7.19 Ability To Take Other Actions. To do all other acts to accomplish the proper management, investment, and distribution of the trust.

Article 8 Administrative Provisions

8.1 Administration After My Death. After my death, the trustee may hold the Lifetime Trust as a separate trust until all payments, allocations, and distributions from the Lifetime Trust directed by this instrument have been completed. If the Lifetime Trust is held as a separate trust under the preceding sentence, the trustee may from time to time distribute income or principal in satisfaction of the succeeding trusts, distributive shares, or gifts and shall (a) distribute the Lifetime Trust in complete satisfaction of such trusts,

shares, or gifts as soon as practicable after my death, and (b) distribute at least annually income attributable to any gift with respect to which a federal estate tax marital deduction is allowable in my estate.

8.2 **Income Payments.** Mandatory income payments shall be made at least quarterly.

8.3 **Standard for Discretionary Payments.** In the exercise of discretion to make a payment to a beneficiary, the trustee may consider all income and resources known to the trustee to be available to the beneficiary and the standard of living of the beneficiary.

8.4 **Exercise of Power of Appointment.** A lifetime power of appointment granted under this instrument may be exercised only by written instrument specifically referring to the power. A testamentary power of appointment granted under this instrument may be exercised only by a will specifically referring to the power. The appointment may be either outright or subject to such trusts and conditions as the holder of the power designates. The holder of the power may grant further powers of appointment to any person to whom principal may be appointed. In determining whether a testamentary power of appointment has been exercised, the trustee may rely on an instrument admitted to probate in any jurisdiction as the will of the holder of the power or may assume the power of appointment was not exercised in the absence of actual notice of the holder's will within three months after the holder's death.

8.5 **No Advancements.** No payment made to any beneficiary under this instrument shall be treated as an advancement.

8.6 **Allocation of Assets and Income.** For purposes of funding any pecuniary gifts (including any pecuniary formula gifts), the trustee may allocate or distribute assets in any manner, but the trustee shall value each asset at its fair market value on the date on which the asset is allocated or distributed. Any pecuniary gift (including any pecuniary formula gift) in trust or to my spouse shall include a pro rata share of the income of the trust estate from the date of my death to the date or dates of allocation or distribution.

8.7 **Rule Against Perpetuities.** Despite any other provision, 21 years after the death of the last to die of all the beneficiaries living at the time of my death, each trust then held under this instrument or then held pursuant to the exercise of a power of appointment granted under this instrument shall be distributed to the income beneficiaries in equal shares.

8.8 Facility of Payment. The trustee may make any payments (other than distributions on termination) to a beneficiary under legal disability or whom the trustee determines to be unable to properly manage his or her affairs in any of the following ways: (a) to the legally appointed guardian of the beneficiary, (b) to an adult relative or friend of the beneficiary in reimbursement for proper expenditures on behalf of the beneficiary, (c) to a custodian for the beneficiary under a Uniform Transfers or Gifts to Minors Act, (d) by making direct expenditures for the benefit of the beneficiary, or (e) to the beneficiary directly. The trustee may make distributions of tangible personal property to a beneficiary under legal disability or whom the trustee determines to be unable to properly manage his or her affairs in any of the ways listed in (a), (c), or (e) above.

8.9 Spendthrift. No interest under this instrument shall be assignable by any beneficiary, or be subject to the claims of his or her creditors, including claims for alimony or separate maintenance. The preceding sentence shall not be construed as restricting in any way the exercise of any right of withdrawal or power of appointment or the ability of any beneficiary to release his or her interest.

8.10 Consolidation and Division of Trusts. The trustee may at any time consolidate any trust held under this instrument with any other trust if the beneficiaries of the trusts are the same and the terms of the trusts are substantially similar. Further, the trustee, in the trustee's absolute discretion, may divide a trust (the "initial trust") into two or more separate trusts and may segregate an addition to a trust (the "initial trust") as a separate trust.

(a) Funding. In dividing the initial trust, if the division is to be effective as of my death or as of the death of any other person, the trustee shall fund each separate trust with property having an aggregate fair market value fairly representative of the appreciation or depreciation in value from the date of such death to the date of division of all property subject to the division.

(b) Terms. A trust created pursuant to this paragraph shall have the same terms and conditions as the initial trust, and any reference to the initial trust in this instrument shall refer to that trust. The rights of beneficiaries shall be determined as if that trust and the initial trust were aggregated, but (1) different tax elections may be made as to the trusts, (2) disproportionate discretionary distributions may be made from the trusts, (3) taxes may be paid disproportionately from the trusts, (4) upon termination the share of a remainder beneficiary (including any recipient trust) may be satisfied with disproportionate distributions from the trusts, and (5) a beneficiary of the trusts may disclaim an interest in one of the trusts without

having to disclaim an interest in another trust. In administering, investing, and distributing the assets of the trusts and in making tax elections, the trustee may consider differences in federal tax attributes and all other factors the trustee believes pertinent.

8.11 Accrued and Unpaid Income. Except as otherwise specifically provided, upon the death of any beneficiary, any accrued or unpaid income shall be paid as income to the next beneficiary succeeding in interest.

8.12 Controlling Law. The validity and effect of each trust and the construction of this instrument and of each trust shall be determined in accordance with the laws of Illinois. The original situs and original place of administration of each trust shall also be Illinois, but the situs and place of administration of any trust may be transferred at any time to any place the trustee determines to be for the best interests of the trust.

8.13 Life Insurance. I retain during my life all rights under insurance policies payable to the trustee, including the right to change the beneficiaries and to assign any policies to any lender, including any trustee, as security for any loan. During my life the trustee shall have no responsibility with respect to the policies for the payment of premiums or otherwise. After my death, the trustee shall take whatever action the trustee considers best to collect the proceeds of any policies then payable to the trustee, but the trustee need not incur expense or take legal proceedings unless indemnified. Payment to and the receipt of the trustee shall be a full discharge of the liability of any insurance company, which need not take notice of this instrument or see to the application of any payment.

8.14 Exclusion of Interested Trustee. Notwithstanding any other provision, an individual trustee other than me (a) shall have no incident of ownership or power or discretion with respect to any policy of insurance upon the trustee's life; (b) shall have no discretionary power to allocate or distribute assets to the extent that such would discharge the trustee's legal obligation to support any beneficiary; (c) shall, if the trustee has a beneficial interest in a trust, have no discretionary power to allocate or distribute assets of such trust, directly or indirectly, to or for any beneficiary (including the trustee), unless necessary for such beneficiary's support in reasonable comfort, health care, or education at any level (to the extent the trustee was otherwise granted such discretionary powers); and (d) shall have no other power or discretion that would be deemed a general power of appointment under Code Section 2041 unless the trustee has the power in other than a fiduciary capacity.

Article 9
Payment of Death Taxes, Expenses, and Debts

9.1 Payments. After my death, the trustee shall make the following payments:

(a) **Death Taxes.** All of my death taxes.

(b) **Expenses.** All of my last illness, funeral, burial, costs of safeguarding and delivering tangible personal property, and estate administration expenses.

(c) **Debts.** All of my debts, other than debts secured by life insurance, by an interest in a land trust or cooperative, or by real property.

9.2 Source of Payments Generally. The trustee shall make all payments required under this Article from the principal of the Lifetime Trust remaining after distribution of any gifts of tangible personal property or gifts of specific sums of money (including any pecuniary formula gifts), in trust or otherwise. If the cash and readily marketable assets in the Lifetime Trust are insufficient to make the foregoing payments in full, the trustee shall notify the executor of my estate of the amount of insufficiency and request payment. Notwithstanding the preceding two sentences:

(a) The trustee shall pay from the disclaimed assets the amount by which my death taxes are increased by reason of a disclaimer of any portion of the Marital Trust;

(b) The trustee shall pay from the nonqualified assets of the Marital Trust the amount by which my death taxes are increased by reason of an election to qualify less than all of the Marital Trust as qualified terminable interest property; and

(c) The trustee shall pay from the disclaimed assets all generation-skipping transfer taxes on direct skip transfers of which I am the transferor occurring at my death as a result of a disclaimer.

9.3 Apportionment and Reimbursement for Death Taxes and Expenses. I do not waive any rights the trustee has under Code Sections 2206, 2207, 2207A, and 2207B or any similar statutes of any state (or any comparable provisions in effect at my death), and I authorize the trustee to take such actions as are necessary to obtain reimbursement under such Code Sections and statutes, including withholding distributions. I waive all other rights to reimbursement and apportionment.

9.4 **Tax Elections.** The trustee may make elections under tax laws and employee benefit plans and may make allocations of any available generation-skipping transfer tax exemption as the trustee deems advisable. No adjustment shall be made between principal and income or in the relative interests of the beneficiaries to compensate for any such election or allocation.

Article 10

Definitions

10.1 **Balance of the Trust Estate.** The "balance of the trust estate" means the principal of the Lifetime Trust (including assets received from my probate estate or any other source) reduced by any payments of expenses, debts, and death taxes required to be paid from the Lifetime Trust and any gifts of specific assets and any pecuniary gifts (including any pecuniary formula gifts).

10.2 **Code.** References to Sections of the "Code" refer to the Internal Revenue Code of 1986, as amended from time to time, and include corresponding provisions of subsequent federal tax laws.

10.3 **Death Taxes.** "Death taxes" includes all estate, transfer, inheritance, and other succession taxes (including penalties and interest) imposed by reason of death, including any estate tax under Code Section (d). Death taxes shall not include generation-skipping transfer taxes imposed on any generation-skipping transfers other than direct skip transfers made at the decedent's death of which the decedent is the transferor.

10.4 **Education.** "Education" means a pre-school, grade school, middle school, high school, college, university, and professional or postgraduate education, any vocational studies or training, reasonable related living expenses, and reasonable travel expenses to and from the educational institution.

10.5 **Incapacity.** A person (other than me) shall be considered incapacitated if under a legal disability or unable to give prompt and intelligent consideration to financial affairs. The existence of the inability may be determined by a physician, and any person may rely on written notice of the determination. A person already acting as trustee shall cease to act on incapacity.

10.6 **Income Beneficiary.** An "income beneficiary" means a person to whom or for whose benefit income of any trust is or may be currently distributed.

10.7 *Per Stirpes*. Whenever assets are to be allocated for or distributed to the descendants of a person *per stirpes*, those assets shall be divided into equal shares, one such share for each then living child of that person and one such share for the then living descendants collectively of each deceased child of that person who has a descendant then living. Any such deceased child's share shall then be allocated for or distributed to that child's descendants *per stirpes* in accordance with the preceding sentence and this sentence.

10.8 **Qualified Corporation**. A "qualified corporation" means any bank, trust company, or other corporate entity that is authorized to act as trustee and that is not a related or subordinate party under Code Section 672(c) as to any beneficiary under this instrument.

10.9 **Spouse**. The "spouse" of any person, other than me, means the individual legally married to, and not legally separated from, that person on the date of the distribution then in question or on the date of the prior death of that person.

Article 11 Captions and Context of Terms

Captions shall have no impact or meaning as to the terms of this instrument. Singular and plural and masculine, feminine, and neuter shall be interchangeable as required or permitted in the context of this instrument.

Signed and agreed on August 25, 2011.



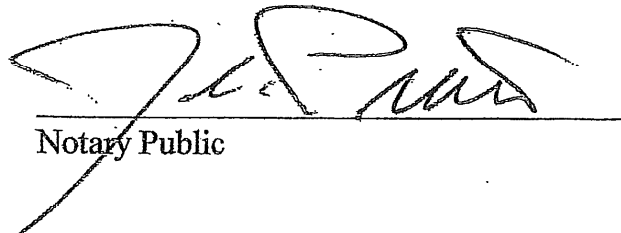
HARLAN D. BABBITT, individually and as trustee

STATE OF ILLINOIS)
) ss.
COUNTY OF McLEAN)

On August 25, 2011, HARLAN D. BABBITT personally appeared before me and

acknowledged that this instrument was executed as his free act and deed.




Notary Public

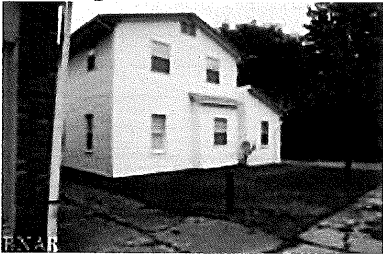
The undersigned witnesses certify that HARLAN D. BABBITT, known to us to be the same person whose name is subscribed to the foregoing HARLAN D. BABBITT TRUST appeared before us and the Notary Public and acknowledged signing and delivering the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Lester R. Feldman of Bloomington, Illinois

Karen E. McKinney of Hudson, Illinois

This document was prepared by:
John L. Pratt
Pratt and Pratt, P.C.
415 N. Center Street
Bloomington, IL 61701
(309) 828-2302

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Pending**829 W Jackson**

MLS # 2161887 **CC:** 3%
Grid # 055 **Zoning:** C2
Type: Duplex
Sale/Rent: For Sale
Loc: Bloomington-Normal
To Show: Call Owner for Appt., Other - Se...
Possession: Negotiable
Unit Style: Combination of 1 & 2
SSI: Must call owner, renters need at least 24 hr. Notice. Pam 309-261-5058 or no answer Pat 309-261-1476

Bloomington

Area: West Bloomington
Zip: 61701 **DOM:** 46
Parking: 4
Style: 2-Story
Key: No **LB:** Side
Terms: Conventional, FHA/VA
Tot Sqft: 2032
Fin Sqft: 1,930

\$70,000

Status: Pending
Total Units: 2
County: McLean
Codes: NONE

Agent Hit Count: 42**Client Hit Count:** 8**Directions:** From Veterans go North on Morris to East on Jackson

Owner: Hill/Babbitt Trustees of Harla...	Office: Berkshire Hathaway Snyder Real Estate	Agent: Peg Donaldson
Owner Phone: 309-261-5058	Office Ph: Primary: 309-663-7653	Agt Phone: Cell: 309-838-8851
Co-List Agt: Karen Stailey Lander	Co Agt Ph: Co-List Agt - Phone Number	Agent Cell:
Co-List Cell: Cell: 309-275-5420	Virtual Tour	Agt Email: Pegd@snyderre.com
Legal: Owners Sub S End L5 Waddles SUB L7 Subn S1/2 5		
Tax ID: 28-05-478-023	Grade School: Irving	Yr Built: 1925
RE Taxes: \$2,514.96	Jr High: Bloomington Jr. High	Lot Size: 50 x 125
Tax Yr: 2015	High School: Bloomington High	Lot SF: 6,250
		Acres:

Unit Breakdown:

Units	Rms	BR	BA	APP	FRN	GR	BS	Rent/Mo	Sq Ft	Lease Exp.
Back	5	3	1.0	Y	No	N	N	\$750	730	July 2016
Front	5	3	1.5	Y	No	N	N	\$675	1,200	Sept 2016

Annual Income		Annual Summary	
Rental Income:	\$16,300	Gross Annual Income:	\$16,300
Other Income:		Less Vac. & Collections:	
Gross Income:	\$16,300	Total Expenses:	\$8,489
Less Vac. & Collections:		Net Income:	\$7,811
		Actual/Projected:	Actual
		Year Covered:	
		Terms:	Conventional, FHA/VA

Annual Expenses

Advertising:		Maintenance/Repairs: \$2,177	Electric: \$0
Insurance: \$1,049		Garbage Removal: \$0	Other/Misc: \$630
Management:		Water: \$2,198	Total Expenses: \$8,489
RE Taxes: \$2,435		Gas: \$0	

Remarks: Coin operated washer and dryer in basement. Duplex with good cash flow, both places currently rented. Newer vinyl windows. Lots of storage. Recessed lighting in up unit. On the Bus line. Both units have newer furnaces and newer water heaters.

Agent Remarks: Must call owner and allow 24 notice to be given to renters. Approved for Section 8.

OTHER INFORMATION

Water: Public	Exterior: Gravel Parking Lot	Exterior Siding: Vinyl (All)
Sewer: Public	Basement: Full	Basement Fin: Unfinished
EL Supplier: Ameren	Personal Property: Refrigerator, Oven, Range, Ceiling Fan(s)	
Gas Supplier: N I Gas	Gas Paid By: Paid By Tenant	
Heat: Forced Air	Electric Paid By: Paid By Tenant	AC: Central
Fuel: Natural Gas	Fireplaces: None	Possession: Negotiable

Sale Information

Buyer:	Pend Date: 6/25/2016	Close Date:	Sale Price:	Seller Con:
How Sold:	Co-Op Ofc: Coldwell Banker Heart of America	Co-Op Agt: Mark Haeffele		

Legal Description

827 W. Jackson St. Bloomington, IL

Owner: Rebecca Schurr

Legal Description:

2E E59' 4 OWNERS SUBN S END L5 WADDLES SUBN L7 SUBN S1/2 5 23

829 W. Jackson St. Bloomington, IL

Harlan Babbitt Estate

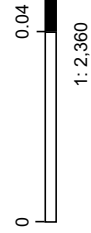
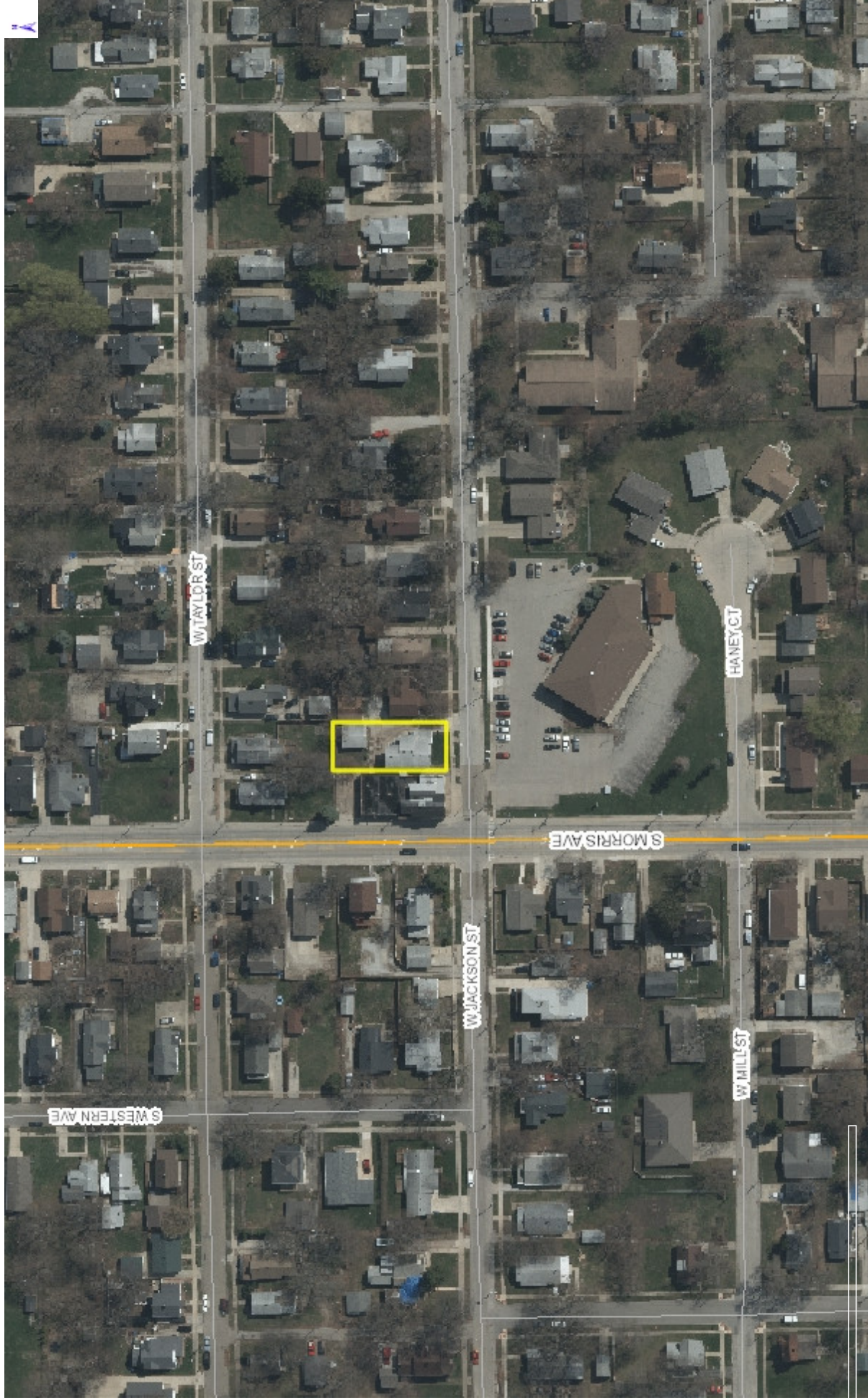
Trustees: Patrick Babbitt and Pam Hill

Legal Description:

OWNERS SUBN S END L5 WADDLES SUBN L7 SUBN S1/2 5 23 2E W50'
E109' 4



829 W Jackson Street-Aerial View



0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement:

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

Notes

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829 W Jackson Street-Zoning View



0 0.04 0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

1: 2,360

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Notes

Permitted Uses in the R-1C District	
Agency-Operated Family Homes	P
Agriculture	P
Cemeteries	S
Churches, Synagogues, Temples	S
Columbarium	S
Country Clubs, Golf Clubs	S
Day Care Centers	S
Dwellings, Single-Family	P
Dwellings, Two-Family	S
Electricity Regulating Substations	P
Flammable Liquid Pipelines	P
Forestry	P
Gas Regulatory Stations	P
Golf Courses - Not Miniature Golf	S
Group Homes for Parolees	S
Group Homes for Parolees	S
Irrigation Channels	P
Non-hazardous Storage, College/University	S
Non-residential College/Univer.Student Clubs & Assoc.	S
Nursery Schools	S
Offices, College/University	S
Parking Lot, College/University	S
Parking Lot, Noncommercial	S
Parks, Playgrounds, Aboretums	P
Police Stations, Fire Stations	P
Postal Services	P
Pre-Schools	S
Religious Education Facility	S
Sewage Lift Stations	P
Swimming Pools	S
Telecommunication Antenna Facilities	S
Telephone Exchange Substations	S
Utility Conduits, Lines, Pipelines	P
Water Pressure Control Stations	P
Water Purification Plants	P
Water Storage Reservoirs	P



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

August 11, 2016

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on Wednesday, August 24, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois for 1). a petition submitted by Rebecca Schurr for the rezoning of 827 W Jackson Street from C-2 Neighborhood Shopping District to R-1C, Single Family Residential District and 2). a petition submitted by Patrick Babbitt and Pam Hill Trustees of the Harlan Babbitt Estate, for the rezoning of 829 W. Jackson Street from C-2 Neighborhood Shopping District to R-1C, Single Family Residential District. The above referenced properties are legally described as follows:

827 W. Jackson Street

OWNERS SUB S END LOT 5 WADDLES SUB LOT 7 SUB S1/2 5-23-2E E59' LOT 4

829 W. Jackson Street

OWNERS SUB S END LOT 5 WADDLES SUB LOT 7 SUBN S1/2 5-23-2E W50' E109' LOT 4

You are receiving this 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 rezoning 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 contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

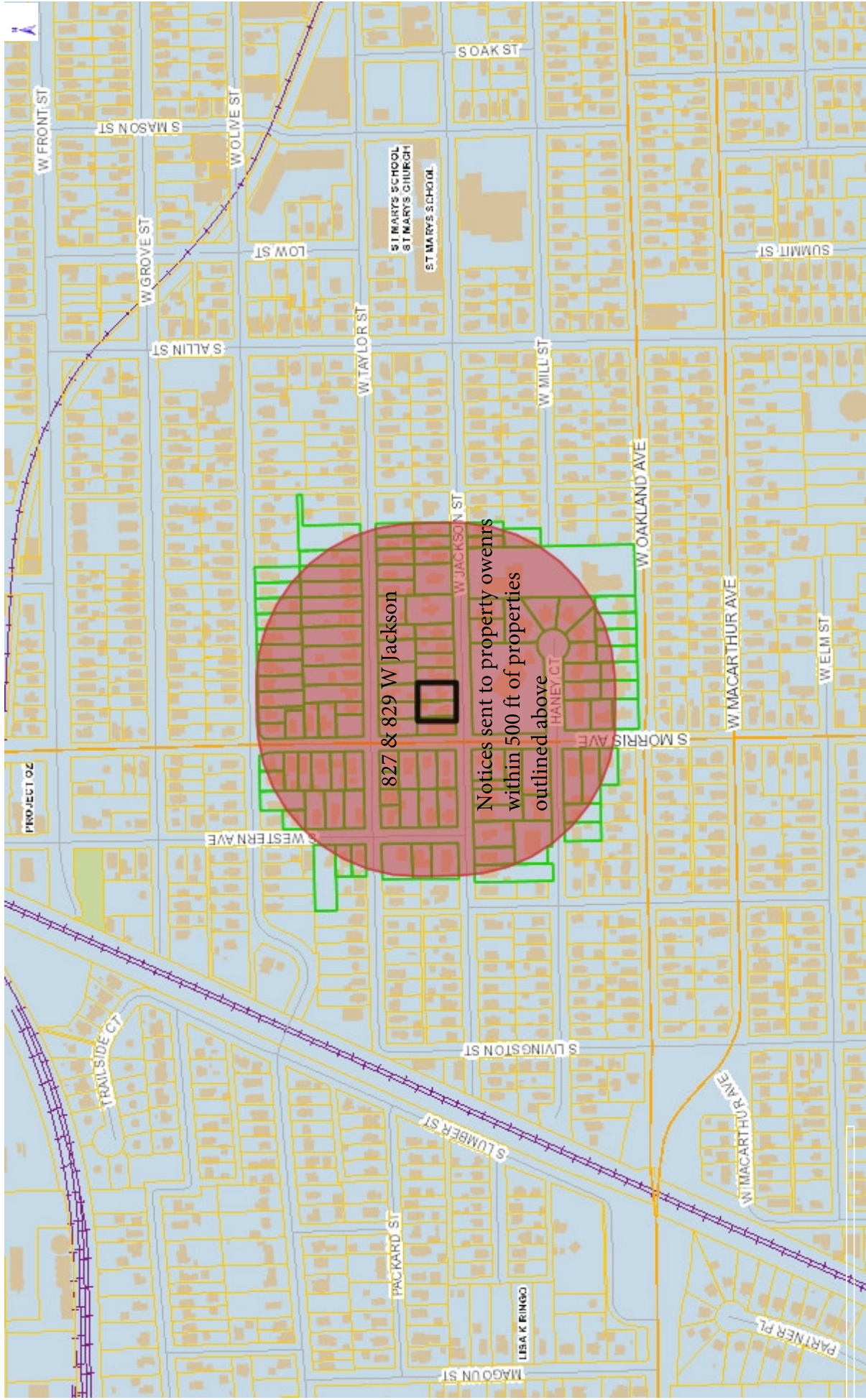
A handwritten signature in black ink, appearing to read "Katie Simpson", with a long horizontal flourish extending to the right.

Katie Simpson
City Planner

Attachments: Location map with 500 ft. notification buffer



Courtesy notification for a public hearing for 827 W. Jackson and 829 W. Jackson. Rezoning from C-2 to R-1C



LINE1	LINE2	LINE3
Deborah Skillrud, Supervisor	607 S Gridley St, Suite B	Bloomington, IL 61701
VINCENTE ADAME	1111 E GROVE ST	BLOOMINGTON IL 617014210
VICENTE & JENNIFER ADAME	1111 E Grove St	Bloomington IL 617014210
ERNEST E ADAMS	310 S WESTERN AVE	BLOOMINGTON IL 617014802
TONY S & DEBORAH ADEKOYA	3 HANEY CT	BLOOMINGTON IL 617014983
TONY & DEBORAH ADEKOYA	3 HANEY CT	BLOOMINGTON IL 617014983
ALL SEASONS PROPERTIES LLC	208 PRAIRIE RIDGE DR	LEXINGTON IL 617534509
DOROTHY G ALLEN	308 S MORRIS AVE	BLOOMINGTON IL 617014864
DOROTHY ALLEN	308 S MORRIS AVE	BLOOMINGTON IL 617014864
FRANCISCO & HILDA ALVARADO	1012 W TAYLOR ST	BLOOMINGTON IL 617014915
%WILLIAM N ANDERSON ANDERSON	304 S MORRIS AVE	BLOOMINGTON IL 617014864
PAULA ARREOLA	924 W OLIVE	BLOOMINGTON IL 61701
STONEY ATKINS	1000 W JACKSON	BLOOMINGTON IL 61701
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
JAMES E BANKS JR	812 WEST JACKSON ST	BLOOMINGTON IL 61701
IRENE BARNES	1017 W TAYLOR ST	BLOOMINGTON IL 617014914
NANCY BEASLEY	1008 W Mill St	Bloomington IL 617014831
JOHN C BLAKENEY	8585 E 1950 NORTH RD	BLOOMINGTON IL 617056811
JOHN BLAN M/M	1022 W TAYLOR ST	BLOOMINGTON IL 617014915
BLOOMNORM LLC	666 DUNDEE RD STE 1102	NORTHBROOK IL 600622735
DAVID E BOWALD	8789 CANOPY OAKS DR	JACKSONVILLE FL 322564508
ANGELA BROOKS	831 W Oakland Ave	Bloomington IL 617014925
GERALD L BURKEY	806 E OLIVE ST	BLOOMINGTON IL 617015430
DAVID L BUTLER JR	1009 W TAYLOR ST	BLOOMINGTON IL 617014914
BRAD & MARTHA BUTZIRUS	14225 N 900 EAST RD	BLOOMINGTON IL 617046973
VICTOR M CARMONA	305 S MORRIS AVE	BLOOMINGTON IL 617014863
CRAIG A CEBUHAR	912 W OLIVE	BLOOMINGTON IL 61701
LAURI CHAMBERLAIN	808 W Jackson St	Bloomington IL 617014908
JAMES CODDING	825 W JACKSON ST	BLOOMINGTON IL 617014907
JASON M COE	1019 W TAYLOR	BLOOMINGTON IL 61701
MANUEL & JUDY CORNEJO	918 W OLIVE ST	BLOOMINGTON IL 617014963
THOMAS W COWDERY JR	821 W JACKSON	BLOOMINGTON IL 61701
GENE & GEORGIANNA CUNNINGHAM	1409 BUTCHERS LN	BLOOMINGTON IL 617019512
CHARLES R DAVIS	829 W OAKLAND AVE	BLOOMINGTON IL 617014925
VICTOR DELGADO	4 HANEY COURT	BLOOMINGTON IL 61701
JOHN E DELGADO	13 LAKE BLUFF CT	BLOOMINGTON IL 61704

DONALD W DONALDSON JR	1006 W OLIVE ST	BLOOMINGTON IL 617014866
KEIMYA O DOVE	10 HANEY CT	BLOOMINGTON IL 617014983
MARCILE M DUEHR	811 W JACKSON ST	BLOOMINGTON IL 61701
DAWN M DUERFELDT	311 S MORRIS AVE	BLOOMINGTON IL 617014863
ARTHUR L & THERESA K ELLIS	308 S WESTERN AVE	BLOOMINGTON IL 617014802
JACOB P ELTERICH	2 HANEY CT	BLOOMINGTON IL 617014983
JOYCE A FOX-KRUTKE-WITHAM	2890 Glendale Ln	Normal IL 617615523
JASON FUSS	1010 W TAYLOR ST	BLOOMINGTON IL 617014915
SONNY GARCIA	703 W MONROE ST	BLOOMINGTON IL 617013851
LINDA & RITA LAYTEN GARLOCK	1 HANEY CT	BLOOMINGTON IL 617014983
ARTHUR JR & ARITHA GARRISON	835 W OAKLAND AVE	BLOOMINGTON IL 61701
NATHAN GATES	1206 E EMPIRE ST	BLOOMINGTON IL 617013349
VERNON GODBEY	1020 W TAYLOR	BLOOMINGTON IL 61701
NATHAN HANSEN	401 S Morris Ave	Bloomington IL 617014836
YUWADEE JOHNSON HAPPINESS SE	18570 E 2375 NORTH RD	TOWANDA IL 617767598
FERNANDO HARO	608 S MORRIS AVE	BLOOMINGTON IL 617014839
THOMAS H & EVA SMYRNA B HARRIS	306 S MORRIS AVE	BLOOMINGTON IL 617014864
LAUREEN HAYES	1024 W TAYLOR ST	BLOOMINGTON IL 617014915
MIKE HEARNE	833 W OAKLAND AVE	BLOOMINGTON IL 617014925
JOHN JR & BETTIE A NESBY HEBERT	928 W OLIVE	BLOOMINGTON IL 61701
MYONA HENRY	914 W Olive St	Bloomington IL 617014963
GERALD H HORNKE	303 S MORRIS AVE	BLOOMINGTON IL 617014863
Nathan Houlihan	407 S MORRIS AVE	BLOOMINGTON IL 617014836
HOUSING AUTHORITY OF THE CITY C	104 E WOOD	BLOOMINGTON IL 61701
LUKE A IJAMS	603 DELMAR LN	BLOOMINGTON IL 617012104
GARY V JACOBS	29395 E 800 NORTH RD	ELLSWORTH IL 617379457
LAREESE JEFFRIES	922 W OLIVE ST	BLOOMINGTON IL 617014963
LIONEL JOYCE	606 S MORRIS AVE	BLOOMINGTON IL 617014839
CIHAT KARASEN	814 E LOCUST	BLOOMINGTON IL 61701
ANNABELLE KERRIGAN	805 W JACKSON ST	BLOOMINGTON IL 617014907
SHAWN LATTA	304 S WESTERN AVE	BLOOMINGTON IL 617014802
CARRIE LEAKS	408 S Western Ave	Bloomington IL 617014850
NEAL LEMAN	1002 W Jackson St	Bloomington IL 617014811
DOUGLAS R LITWILLER	PO BOX 203	MINIER IL 617590203
DOUGLAS LYONS	1005 W TAYLOR ST	BLOOMINGTON IL 617014914
MARIA GUADALUPE MARTINEZ	1029 W TAYLOR ST	BLOOMINGTON IL 617014914
COLIN & LINDA MATTHEWS	1026 W TAYLOR	BLOOMINGTON IL 61701

FRANK L MCSWAIN SR	12 HANEY CT	BLOOMINGTON IL 61701
ANGELA %HABITAT FOR HUMANITY	103 W JEFFERSON ST	BLOOMINGTON IL 617013904
STEVEN W & RANDI L MEYER	814 W JACKSON ST	BLOOMINGTON IL 61701
ANGELA ROSE MILEWSKI	1030 W TAYLOR	BLOOMINGTON IL 61701
JEFFREY M MILLER	503 S MORRIS AVE	BLOOMINGTON IL 61701
MYRON MINTZ	823 W MILL ST	BLOOMINGTON IL 61701
BRITTANY MOTT	819 W JACKSON ST	BLOOMINGTON IL 617014907
DAVID K NELSON	405 S WESTERN AVE	BLOOMINGTON IL 617014849
RANDY NEWBILL	904 W JACKSON	BLOOMINGTON IL 61701
Kristi Norfleet	815 W Jackson St	Bloomington IL 617014907
CAROL OMALLEY	936 W OLIVE	BLOOMINGTON IL 61701
DEXTER ONEAL	1106 W TAYLOR	BLOOMINGTON IL 61701
GWENDOLYN PERRY	1001 W JACKSON	BLOOMINGTON IL 61701
BENJAMIN PETTIE	1501 E WASHINGTON ST	BLOOMINGTON IL 617014232
DOUG PRICE	1003 W TAYLOR ST	BLOOMINGTON IL 617014914
BETTY REINDL	1004 W OLIVE ST	BLOOMINGTON IL 617014866
ANTHONY P REPPLINGER	8 HANEY CT	BLOOMINGTON IL 617014983
GEORGE E REYNAR	1008 W TAYLOR	BLOOMINGTON IL 61701
GLADYS RICHARDSON	903 W MILL ST	BLOOMINGTON IL 617014829
RICK S & REBECCCA A ROOTS	621 W JEFFERSON ST	PITTSFIELD IL 623631333
OSCAR RUIZ	601 S Morris Ave	Bloomington IL 617014838
OSCAR & SILVIA RUIZ	601 S MORRIS AVE	BLOOMINGTON IL 617014838
FRANCISCO RUIZ	2004 E WASHINGTON ST	BLOOMINGTON IL 617014319
BECKY SCHURR	809 W JACKSON	BLOOMINGTON IL 61701
CASSIE SIMMONS	920 W OLIVE ST	BLOOMINGTON IL 617014963
JACQULYN SMITH	309 S MORRIS AVE	BLOOMINGTON IL 617014863
ROBERT & SHARON STANFORD	406 S WESTERN AVE	BLOOMINGTON IL 61701
DUSTIN STONE	603 S MORRIS	BLOOMINGTON IL 61701
ERIC THACKER	1007 W Taylor St	Bloomington IL 617014914
DEREK T & LAURA K THORP	18651 N 800 EAST RD	CARLOCK IL 617259555
TOMORROW ENTERPRISES	912 IRONWOOD CC DR	NORMAL IL 617615237
ALMA TORRES	403 S MORRIS AVE	BLOOMINGTON IL 617014836
WALLACE D & GLENNA TUDOR	309 S WESTERN	BLOOMINGTON IL 61701
TVCO CORPORATION	1901 MARTIN LUTHER KING DR	BLOOMINGTON IL 61701
US BANK TRUST LSF9 MASTER TRUS	LYLE REYES 16745 WEST BERNARD	C SAN DIEGO CA 92127
DAVID J VANGORDER	213 S COTTAGE AVE	NORMAL IL 617612736
MARIA VILLASENOR	403 S WESTERN AVE	BLOOMINGTON IL 617014849

ROBERT B & LINDA WESLEY	1002 W TAYLOR ST	BLOOMINGTON IL 617014915
GARY D WHITE	910 W OLIVE ST	BLOOMINGTON IL 617014963
CHARLES V & PHYLLIS M WILBURN	1004 W JACKSON ST	BLOOMINGTON IL 617014811
CALVIN E WILSON	1014 W TAYLOR ST	BLOOMINGTON IL 617014915
FRANCES M WRIGHT	1011 W MILL ST	BLOOMINGTON IL 617014830
MARY ZIVALICH	6 HANEY CT	BLOOMINGTON IL 617014983
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
REBECCA L SCHURR	809 W JACKSON ST	BLOOMINGTON IL 617014907
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
HARLAN D BABBITT	305 SOUTHGATE DR	BLOOMINGTON IL 617047636
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