

**AGENDA
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, MAY 17, 2017
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: Consideration, review and approval of Minutes from the April 19, 2017 meeting.

5. REGULAR AGENDA

- A. Z-16-17** Consideration, review and approval of the petition for a variance submitted by Catherine Reynolds for the property located at 2902 Bardwell Rd to allow a six (6) foot fence in the front yard of a residence, a two (2) foot increase (**Ward 2**)

6. OTHER BUSINESS

7. NEW BUSINESS

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 ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, APRIL 19, 2017
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Chairman Bullington, Mr. Briggs, Mr. Brown, Mr. Butts (arrived 4:04PM), and Mr. Kearney

Members absent: Ms. Meek, Mr. Simeone

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

At 4:02PM, Mr. Dabareiner called the roll. With four members in attendance, a quorum was present.

PUBLIC COMMENT: None.

Mr. Butts at arrived 4:04PM.

MINUTES: The Board reviewed the minutes from March 15, 2017. A motion to approve the minutes was made by Mr. Briggs; seconded by Mr. Butts. The minutes were **approved** by a 4-0 voice vote.

Chairman Bullington explained the meeting procedures.

Z-08-17 Consideration, review and approval of the petition for a variance submitted by Susan Atkins and Mark Rhodes for the property located at 206 Tanner Street to allow an accessory structure greater than 1000 sqft, a 408 sqft increase

Chairman Bullington stated that the second agenda item, Case Z-09-17, has been withdrawn by the petitioner. He introduced Case Z-08-17. Mr. Mark Rhodes and Ms. Susan Atkins, 206 Tanner, were sworn in. Mr. Rhodes stated that he wants a garage in their backyard for adequate lawn care equipment storage and to restore a car. He stated that the existing garage is not large enough to accommodate this can and equipment. Mr. Briggs asked how many cars are restored; Mr. Rhodes stated just the one. Chairman Bullington asked what physical characteristics of the petitioner's property makes it unique and unable to accommodate a regular sized accessory structure; Mr. Rhodes stated other structures exist in neighboring backyards but they just have a small storage shed.

Ms. Atkins asked if the garage was attached to their house whether the same rules apply; Chairman Bullington stated that the specifics would matter but probably not.

Ms. Atkins stated there is a lot of landscaping and people cannot see into their backyard. Mr. Rhodes noted he takes a lot of pride in the landscaping and added that nothing would be

stored outside. He stated that it would not turn into a business and, with the new structure, he would get rid of the old sheds. Chairman Bullington asked the petitioner how he would access the new shed; Mr. Rhodes responded he does not need a new driveway and that there is room.

Mr. Briggs expressed concern over the access and whether the car would come and go for car shows; Mr. Rhodes stated that the restored car could then be stored up front. Mr. Briggs asked about the potential use as a business after the current owner sells the property, explaining that the variance is perpetual.

Mr. Brown asked how an emergency vehicle would access the back yard; Mr. Rhodes stated there is a double gate on the west side of the house. Mr. Briggs confirmed there is no paved path.

Mr. Kearney asked the petitioner to explain the need for the new accessory structure and why the existing garage is inadequate. Mr. Rhodes stated the existing garage is too small to work on a full size vehicle. He has four vehicles including the one he seeks to restore, which is not licensed so needs to be moved inside, and two are parked in the existing garage. Mr. Kearney confirmed Mr. Rhodes would move the lawn equipment from the old existing sheds into the new shed. Mr. Rhodes believes it will look better to remove the old sheds.

Mr. Briggs asked if the existing garage could be extended to create added room and provide paved access.

Ms. Simpson provided the staff position, which is opposed to the variance. She provided photos of the lot in her PowerPoint. She described the surrounding properties. She explained the accessory code rules for residential properties in the City, adding that the rules are in place because accessory structures are intended to be subordinate in use and size to the principle residential structure. She mentions that visual impact, location, size and use are all considered by staff when reviewing these cases. She noted the neighboring properties tended to have a single small accessory structure, except for a nearby corner lot that was granted a variance for a larger accessory structure. She described the size of the proposed accessory structure, noted concerns with access to the structure on a lot too narrow to allow two driveways. She explained the existing garage could be expanded and mentioned a couple other alternatives.

Mr. Briggs asked if the existing ten foot slope forces construction of a larger accessory structure; Mr. Simpson stated in the negative, because the slope does not impact the proposed location. She stated the petitioner could add more than 400 square feet to the existing garage without need for a variance. Ms. Simpson also expressed concern the proposed structure could easily be changed into a business, which is not consistent with the residential use. In response to Mr. Briggs' question, Ms. Simpson explained the additional 424 square feet can be added on to the garage or stand as a separate structure without the need for a variance. Mr. Boyle stated a new application is needed for the garage expansion versus what is currently proposed, based on a question from Mr. Briggs.

Mr. Kearney asked about the differences between the 2004 corner-lot cases and this case. Ms. Simpson stated did not recall but could access the case later.

Mr. Briggs asks the petitioner about expanding the existing garage; Mr. Rhodes stated it would not look right and he preferred to go with a separate building.

Chairman Bullington stated the ZBA has five factors to consider as laid out in the code.

Mr. Butts motioned for **denial** of the variance; seconded by Chairman Bullington. The motion **failed** 2-3 with the following votes: Mr. Butts—yes; Chairman Bullington—yes; Ms. Kearney—no; Mr. Briggs—no; Mr. Brown—no. Mr. Kearney motioned for **approval** of the variance; seconded by Mr. Briggs. The motion **passed** 3-2 with the following votes: Mr. Kearney—yes; Mr. Briggs—yes; Mr. Butts—no; Mr. Brown—yes; Chairman Bullington—no. Motion fails for lack of the required 4 votes needed for an affirmative action. Chairman Bullington stated the petitioner may appeal to the Council.

Z-10-17 Consideration, review and approval of the petition for variances submitted by Paul Young for the property located at 2 Briarwood Ave to allow: 1). An accessory structure greater than 1000 sqft, a 282 sqft increase, 2). An accessory structure greater than the principal structure, a 170 sqft increase.

Chairman Bullington recused himself because he is an acquaintance of the petitioner, then left the room. After some discussion and a vote, Mr. Briggs was named Acting Chairman. John and Diane Hollister, 2 Briarwood Avenue, and Paul Young, project architect, were sworn in. Acting Chairman Briggs introduced the case.

Mr. Young stated he can understand the City's position from a historical perspective. He noted he has experience sitting on various boards and commission in Bloomington and Normal. He stated he disagrees with City staff's recommendation. He referred to the state's standards rather than the City's standards, then referred to sections of the staff report he disagreed with, such as description of the general location of the property. Mr. Young explained this is a Pillsbury house and believes that given the age of the structure, certain standards would not have applied. Acting Chairman Briggs confirmed Mr. Young was talking about the principle structure. Mr. Young explained the petitioner has already reduced the size of the proposed addition to the existing accessory structure. Mr. Dabareiner asked if this is new information; Mr. Young stated that the information in the packet is the current proposal. He disagreed with staff's statement that the existing structure is nonconforming, noting that they did not know it was larger than that allowed but have agreed to remove that portion before constructing the proposed addition. Acting Chairman Briggs confirmed that Mr. Young was now describing the accessory structure. Acting Chairman Briggs stated he confirmed with Mr. Boyle that the City is a home rule community and has five standards to be met, not the three state standards referenced; Mr. Young agreed, but stated that the City's code may not be up to date.

Mr. Young agreed with staff's report that there are no physical characteristics of the property requiring this expansion, but challenged the definition of the word "unreasonable" and "challenge." Mr. Young disagreed that other options, such as adding on to the house, are possible because it is not what his clients wish. Mr. Young noted that the staff is correct in that a variance is not required if the expansion was smaller. Mr. Young disagreed that reasonable use is granted the property without this proposed expansion because it is not what his client's desire. Mr. Young stated that the average home size has increased since the client's house was built; Mr. Kearney asked Mr. Young to stick to the case. Mr. Butts stated these might be good arguments in an appeal to the City Council but are not relevant for the

ZBA. Mr. Young continued that he disagrees with staff's assessment of the number of detached accessory structures in the neighborhood.

Ms. Hollister stated she worked with the City of Peoria, including their library, until retiring five years ago and moving to Bloomington. She stated she loves books and intends on storing books in the addition. She stated she likes to give back to the community and has installed a Little Free Library in her front yard. She stated she also planned on doing hobbies in the proposed space and holding tea parties with friends. Her intention is to maintain the integrity of the charming neighborhood, which she believes is beautiful. Ms. Hollister stated she contacted Brad Williams of the Historic House Society. She stated she hopes to fill the new space with antiques. She mention keeping the integrity of the Pillsbury house. She stated she is appointed to the Library Board and was on the Police and Fire Commission. She believes the expansion will enhance the look.

Mr. Hollister responded to the concern that someone may want to make this into a house but they had rejected the idea of adding a small bathroom due to the cost. Acting Chairman Briggs conformed they had electricity but no plumbing. Mr. Hollister stated they have a deep lot and this expansion will not be visible.

Mr. Young repeated the point that the expansion will not become living quarters.

Ms. Karen Mills, 6 Briarwood Avenue, was sworn in. She distributed exhibits which were labeled for the record and distributed. Ms. Mills stated she is concerned about an old tree sharing their property line which she fears may not survive the expansion because it would cut tree roots and interrupt the tree's drip line. She stated, the tree was part of the original Jesse Fell arboretum. She asked if less invasive options were considered and mentioned some which may help protect the tree.

Ms. Simpson provided staff's recommendation against allowing the expansion as proposed. She provided photos by PowerPoint showing the existing structure with the proposed addition. She described the lot, noting it was improved around 1919-1925, and is a potential site for future historic designation pending additional study. She noted the zoning of the property and surrounding properties. She noted the accessory structure is supposed to be subordinate to the principle structure in size and use. Most of the accessory structures, whether detached or attached, in the neighborhood are for one or two cars, not like the proposed size which could accommodate almost 4 cars. She pointed out the existing accessory structure is considered nonconforming because it exceeds 1,000 square feet. She affirmed that the petitioner would remove the structure to bring it slightly below the 1,000 square feet, before adding on and returning it to a size significantly larger than the 1,000 square feet allowed or the smaller size to assure it does not exceed the size of the house.

Ms. Simpson noted Mr. Young went through her report earlier regarding adherence to the standards. Ms. Simpson stated staff concludes there is no physical hardship. She stated that without the variance, the petitioner can still make reasonable use of the property as others do in the neighborhood. She stated the need for the variance is based on the petitioner's wants and not due to any hardship preventing them from obtaining an accessory use they do not have but would make their building similar to others. She repeated that staff recommends against allowing the variance.

Acting Chairman Briggs asked to see the picture of the property displaying the two lots contained within the property. He asked if the property owner could sell off one lot; Ms. Simpson noted the setbacks required and the likely need for a shared driveway. Acting Chairman Briggs noted that once a property is denoted as historic there are restrictions as to the improvements that can be made; he asked if this could ruin the potential for it earning an historic designation. Ms. Simpson referred to the downtown area which is a designated historic district, explaining that even contributing structures need consideration and in some residential areas the garages are considered contributing. She repeated her concerns are impact on neighbors and the potential for the structure changing its use. Mr. Kearney confirmed that the historic potential did not factor into staff's recommendation.

Mr. Hollister stated he too is concerned about the old tree and it remains to be seen how the addition can be constructed. Mr. Brown asked if they considered adding on to the house; Mr. Hollister stated that they never considered adding on to the house and instead went with the option of adding on another parking bay to the accessory structure. Ms. Hollister stated she would not want to harm the status of the house by adding on to it. Mr. Kearney confirmed the library in the new space would be private.

Mr. Hollister explained that the first two parking bays are intend for cars, the third bay is his workshop, and the addition would be the library for his wife. Acting Chairman Briggs asked if one of the existing bays could be used as an alternative to the addition; Ms. Hollister stated one bay is filled with stored furniture. Acting Chairman Briggs mentioned there is storage around town that the furniture could go in. Mr. Hollister stated conversion of the space would be expensive.

Mr. Butts motioned for denial of the variances; seconded by Mr. Brown. The motion **failed** 2-2 with the following votes: Mr. Butts—yes; Mr. Brown—yes; Mr. Kearney—no; Acting Chairman Briggs—no. Then, Mr. Brown motioned for approval of the variances; seconded by Mr. Kearney. The motion **failed** 2-2 with the following votes: Mr. Brown—no; Mr. Kearney—yes; Mr. Butts—no; Acting Chairman Briggs—yes.

Acting Chairman Briggs noted the right of the petitioner to appeal to City Council. Chairman Bullington returned to the dais. There was general discussion about what exhibits needed to be kept from the prior case.

Z-11-17 Consideration, review and approval of the petition for variances submitted by Jeff Dodson for the property located at 701 Marshall Ln to allow a six (6) foot fence in the required front yard, a two (2) foot increase.

Chairman Bullington introduced the case. Jeff Dodson, 701 Marshall Lane, was sworn in. He explained that the front, south side of his property abuts the Red Roof Inn and when he sought a fence he was told it could be only four feet tall because it is in the front yard, but he requests a six foot fence to block some of the view. Chairman Bullington asked if there was physical hardship with the property, for example is the petitioner's property higher than that for the Red Roof Inn; Mr. Dodson affirmed his property is higher by about 10 feet.

Mr. Briggs asked if shrubs had previously served to block the view; Mr. Dodson stated that Red Roof cut down the shrubs which were on his property and the police were called.

Chairman Bullington stated for the record there is no one else in the room.

Ms. Simpson presented staff's recommendation in favor of the variance. She presented photos of the property and the view of the Red Roof Inn. She noted the residential zoning of the Dodson property and also described the surrounding property as B-1 Highway Business. She reviewed the types of things considered by staff, stating that this neighborhood is tucked away but the Dodson fence line had the shrubs removed in error. She also noted that other six foot fences exist in the area. She reviewed the five standards for a variance, citing the proximity to the Red Roof Inn as a hardship. She added that when this area developed the City did not have buffering and screening requirements as it now does. She concluded that the six foot fence would cause no difficulty for the public and recommended in favor of the variance.

Mr. Briggs asked if the remodeling underway at the Red Roof Inn triggered the need for screening; Mr. Dabareiner stated that if it were being rezoned to business then the landscaping requirements would be triggered.

Mr. Butts motioned for approval of the variance; seconded by Mr. Brown. The variance requests **passed** 5-0 with the following votes: Mr. Butts—yes; Mr. Brown—yes; Mr. Briggs—yes; Chairman Bullington—yes.

OTHER BUSINESS:

Resolution of Appreciation to Robert A. Kearney for service to the City of Bloomington Zoning Board of Appeals. Chairman Bullington read the certificate of appreciation and presented it to Mr. Kearney. Mr. Kearney thanked the City for the opportunity to serve. He encouraged the board to continue to troubleshoot the cases.

Resolution of Appreciation to Richard “Dick” Briggs for service to the City of Bloomington Zoning Board of Appeals. Chairman Bullington read the certificate of appreciation and presented it to Mr. Briggs. Mr. Briggs talked about how he started on the petitioner's side and that gave him a certain perspective. He added the Board is here to also educate the public.

NEW BUSINESS:

None

ADJOURNMENT:

Mr. Butts motioned to adjourn; seconded by Mr. Briggs. It was approved by voice vote and the meeting was adjourned at 5:54PM.

Respectfully submitted

Tom Dabareiner, AICP
Secretary

CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
May 17, 2017

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-16-17	2902 Bardwell Rd	Variance	Katie Simpson, City Planner

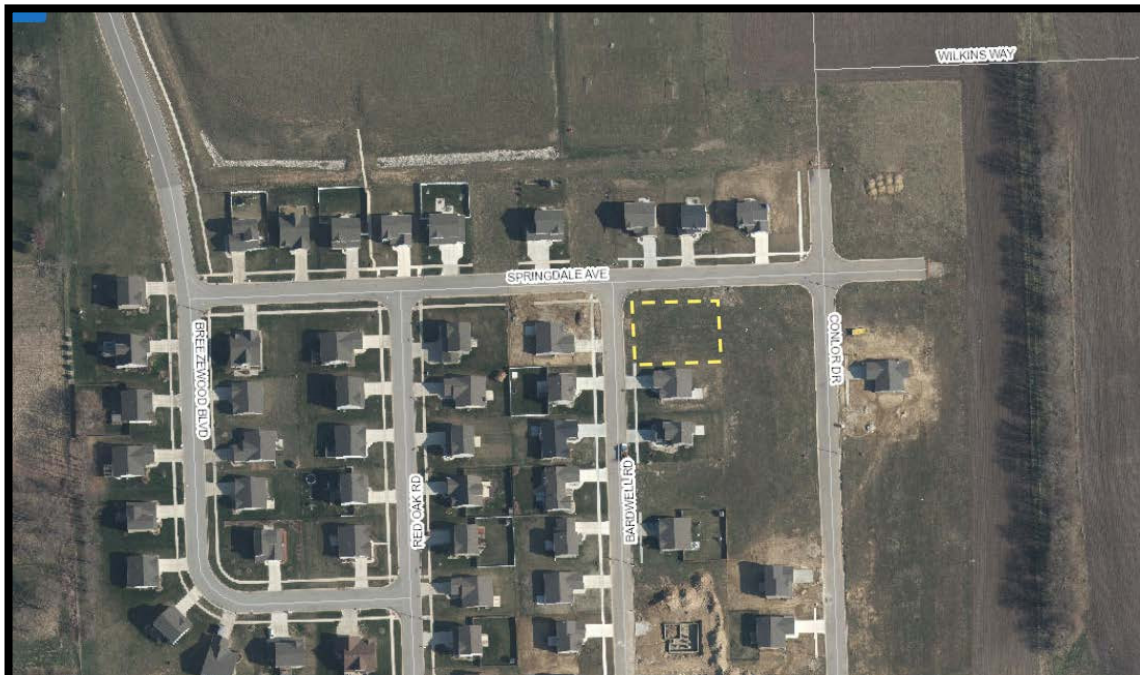
PETITIONER'S REQUEST:

Section of Code: 44.4-5G2 Permitted Obstructions in Required Yards

Type of Variance	Request	Required	Variation
Front Yard Fence	6'	4'	2' increase

**STAFF
RECOMMENDATION:**

Staff determines the **petition does not meet** the Zoning Ordinance's standards required to grant a variance (4.13-3).
*Staff recommends the Zoning Board of Appeals **deny** the variances for 2902 Bardwell Rd to allow a 6 ft fence in the front yard.*



N Δ

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on May 1, 2017.

GENERAL INFORMATION

Owner and Applicant: Catherine Reynolds

PROPERTY INFORMATION

Legal description CEDAR RIDGE SUB 1ST ADDN LOT 62

Existing Zoning: R-1C, High density single family residential
Existing Land Use: Single family home
Property Size: Approximately 9,430 (115' X 82')
PIN: 21-21-278-001

Surrounding Zoning and Land Uses

Zoning

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

Land Uses

North: Single family home(s)
South: Single family home(s)
East: Single family home(s), vacant lots
West: Single family home(s)

Analysis

Submittals

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

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

PROJECT DESCRIPTION

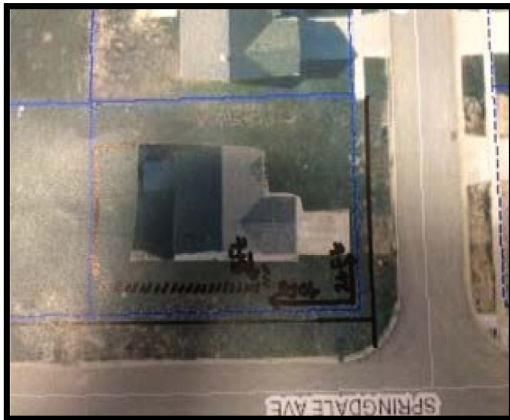


Background

The subject site is commonly known as 2902 Bardwell Road. It is located in the Cedar Ridge subdivision, south of Woodrig Road and east of US 51, and improved with a single family home. The site is situated on a corner lot with frontage along Springdale Ave (north) and Bardwell Rd (west); consequentially, the property has two (2) required front yard setbacks. The south and east borders

of the property abut other residential lots. A fifteen (15) foot utility easement exists in each front yard. City sanitary sewer occupies the 15 foot easement along Springdale Ave. A seven and a half (7.5) foot easement exists on the east and west sides of the property. The subject site is zoned R-1C and has a required front yard and rear yard setback of twenty five (25) feet. Per section 44.4-5G2 "Permitted Obstructions in Required Yards" a four (4) foot fence is allowed to encroach into the required front yard setback in residential districts.

Project Description:



The petition is requesting a variance to allow for a six (6) foot fence, two foot increase, in the required front yard. The petitioner would like to add an exterior door on the north side of the garage and add a six foot fence that would protrude 8 feet from the garage into the north front yard setback. The fence would extend the distance of the lot, approximately 75 feet, to the rear lot line. The petitioner is requesting the fence accommodate the family's large dog, a great dane/lab mix. A temporary fence permit was granted in April 2017 which allows a six (6) foot fence setback 25 feet from the north property line and located in the rear

yard setback (the temporary fence is pictured above). A six foot fence is permitted in this location and complies with the zoning ordinance, however, the petitioner is concerned about over use of the sliding glass door. Therefore, the petitioner is seeking the variance to enable the construction of an alternative entrance through the garage.

The following is a summary of the requested variations:

Applicable Code Sections:

Section of Code: 44.4-5G2 Permitted Obstructions in Required Yards

Type of Variance	Request	Required	Variation
Front Yard Fence	6'	4'	2' increase

Analysis

Variations from Zoning Ordinance

Locating the six (6) foot fence in the required front yard setback necessitates a variance.

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

FINDINGS OF FACT

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

That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and the property is relatively flat but has a slight and gradual elevation increase, approximately 4 feet, from east to west. The subject property is on a corner lot, approximately 85 feet wide. By the zoning code, it has two front yard requirements but to accommodate for this inconvenience, the lot is also 17 feet wider than the average lots in the subdivision. There are no identifiable physical characteristics that make strict adherence to the four (4) foot requirement of the code unreasonable or difficult. The standard is not met.

That the variances would be the minimum action necessary to afford relief to the applicant; and a six (6) foot fence is permitted in the side and rear yards of the property. The petitioner is allowed to install a six foot fence where the temporary fence exists, without a variance. Additionally a four foot fence is permitted in the front yard. The standard is not met.

That the special conditions and circumstances were not created by any action of the applicant; and the variance request is directly related to the size of the petitioner's dog and the desire to add an additional entrance on the north side of the garage to reduce the use of the sliding glass door. The special circumstances were created by the petitioner. The petitioner would be allowed to install a four foot fence without a variance in the front yard, however, due to the height and size of the dog, a four foot fence is inadequate. Nonetheless, a six foot fence is permitted in the rear yard, set back twenty five feet from the north property line. The standard is not met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and it is common for a community to limit the size of a fence in the front yard to four (4) foot tall. This is to ensure that children and pedestrians are easily seen and the visibility at intersections is not obscured. No other homes in this neighborhood have six foot fences in the front yard, even other corner lots. Due to the fifteen foot easement, the proposed fence would be set back far enough from the Bardwell Rd and Springdale Ave intersection to not block visibility. Nonetheless, allowing a six foot fence could establish a precedence for the neighborhood and other corner lots.

That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties. The lot east of the subject property, also a corner lot, is currently vacant and technically, has two potential addresses (221 Springdale Ave, and 2901 Conlor Dr.) The address is determined by the orientation of the house, it is possible that the house could face Springdale Ave. Additionally, the preliminary plan for this area does not show a "no access strip" nor prohibit a curb cut on Springdale Ave. This means that the adjacent lot, which has not been developed, could be developed with the front of the home on Springdale Ave and a six foot fence a 2902 Bardwell Ave could limit the improvement of this lot by potentially blocking visibility of the driveway, and blocking light and air flow. Zoning regulations are established to protect all properties. A six foot fence projecting into the front yard, impair the development of the adjoining property. The standard is not met.

STAFF RECOMMENDATION: *Staff recommends the Zoning Board of Appeals deny the variances for 2902 Bardwell Rd to allow a 6 ft fence in the front yard.*

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

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

306023

APPLICATION TO ZONING BOARD OF APPEALS

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

Site Address: 2902 Bardwell Rd

Site Address: Bloomington IL 61704

Petitioner: Catherine Reynolds Phone: 309-838-8756

Petitioner's Email Address: cdacatReynolds@yahoo.com

Petitioner's Mailing Address Street: 2902 Bardwell Rd

City, State, Zip Code: Bloomington IL 61704

Contractual interest in the property _____ yes _____ no

Signature of Applicant Catherine A. Reynolds

Brief Project Description: construct 6 ft fencing to contain 4 yr old great dane/lab mix family dog & 2 children.

Fencing needs to enclose exterior door on ~~north~~ side of the home to minimize heating/cooling cost & wear/tear from overuse of sliding glass door for dog & kids to access back yard.

Code Requirements Involved:

Variances(s) Requested: requesting 6 ft fence v 4 ft as great dane/lab mix stands 5 ft on hind legs & may not be contained by 4 ft. we are only needing 8 to 15 ft out from the home & will not impede sight lines.

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

the request will not impede sight lines



APR 25 2017

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

Chapter 44, Section 9.40(d)

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

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and
will not allow needed fencing at appropriate height to enclose exterior door from the garage on the side of the home that faces Springdale Ave
2. That the variance would be the minimum action necessary to afford relief to the applicant; and
allow the appropriate height of fencing needed to contain large dog & exterior ~~garage~~ door from the side of the home into the garage
3. That the special conditions and circumstances were not created by any action of the applicant; and
approval of this variance will allow use of exterior door on side of home into garage
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and
the fencing will not impact the sight triangle at any height because it is only extending a few feet north from the home.
5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.
Granting this variance is not detrimental because it does not impact the line of vision and IMPROVE essential character of the neighborhood by fencing with consistent height and properly containing a large dog.



2902 bardwell

Layers

All Available Layers

- ☐ Zip
- ☒ Plat_BW
- ☐ Plat_Color
- ☐ Soils
- ☐ Soils_Productivity_Index
- ☐ Topography_2006
- ☐ Hill_Shade
- ☐ Shaded_Relief
- ☒ Imagery_2014
- ☐ Imagery_2012
- ☐ Imagery_2011
- ☐ Imagery_2010
- ☐ Imagery_2009



Imagery_2007_2008

Layers 2902 BARDWELL RD BL

Plat_BW







SPRINGDALE AVE



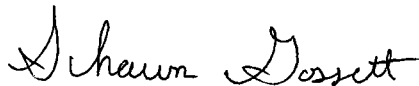
Shawn Gossett
2905 Bardwell Road
Bloomington, IL 61704

To the Zoning Board of Appeals,

I am writing this letter in response to the requested variance by Catherine Reynolds at 2902 Bardwell Road or Cedar Ridge Sub 1st ADD LT 62. The property owner is requesting a six foot fence in lieu of the four foot maximum allowed in the front yard of the residential property. This family has two, good tempered dogs that I have noticed since they recently moved to the neighborhood. These dogs are large breeds and will require a higher than four foot fence in order to contain the animals. I believe the property owner should be allowed to change their property as they wish as long as it does not diminish the property values of nearby properties or cause a noticeable nuisance which I do **not** believe this variance will.

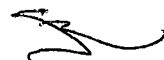
Based upon their need to install a higher fence than allowed by residential property guidelines and the desired variance not causing any detriment to the local property owners or their properties, I greatly implore the Zoning Board of Appeal to **approve** the requested variance by Catherine Reynolds.

Signed,



Shawn Gossett

MAY 04 2017





Aerial View of 2902 Bardwell Road (taken 2014)



Notes

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

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

0.1 Miles

0.07

0

1: 4,514

Printed: 5/11/2017 11:04:27 AM



Zoning Map of 2902 Bardwell Rd



0 0.07 0.1 Miles

1: 4,514

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Notes

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CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
MAY 17, 2017

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, May 17, 2017 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitioner requesting variance in the regulations of the following described property:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), REQUEST

Catherine Reynolds, 2902 Bardwell Rd (CEDAR RIDGE SUB 1ST ADD LT 62), requesting a six (6) ft fence in the front yard, a two (2) ft increase.

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

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

Published: Monday, May 1, 2017



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

April 28, 2017

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on Wednesday May 17, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony on for the following petitioner(s) requesting variance in the regulations of the described property:

Petitioner(s)	Property Address	Legal Description
Catherine Reynolds	2902 Bardwell Rd	CEDAR RIDGE SUB 1 ST ADD LT 62

Request: requesting a six (6) foot fence in lieu of the four (4) foot maximum allowed in the front yard of a residential property, a two (2) foot increase

All interested persons may present their views upon such matters pertaining thereto at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting.

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon matters pertaining to the requested special use during the public hearing. Communications in writing in relation thereto may be filed with the Department of Community Development, or at such hearing. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at ksimpson@cityblm.org or call me at (309) 434-2226.

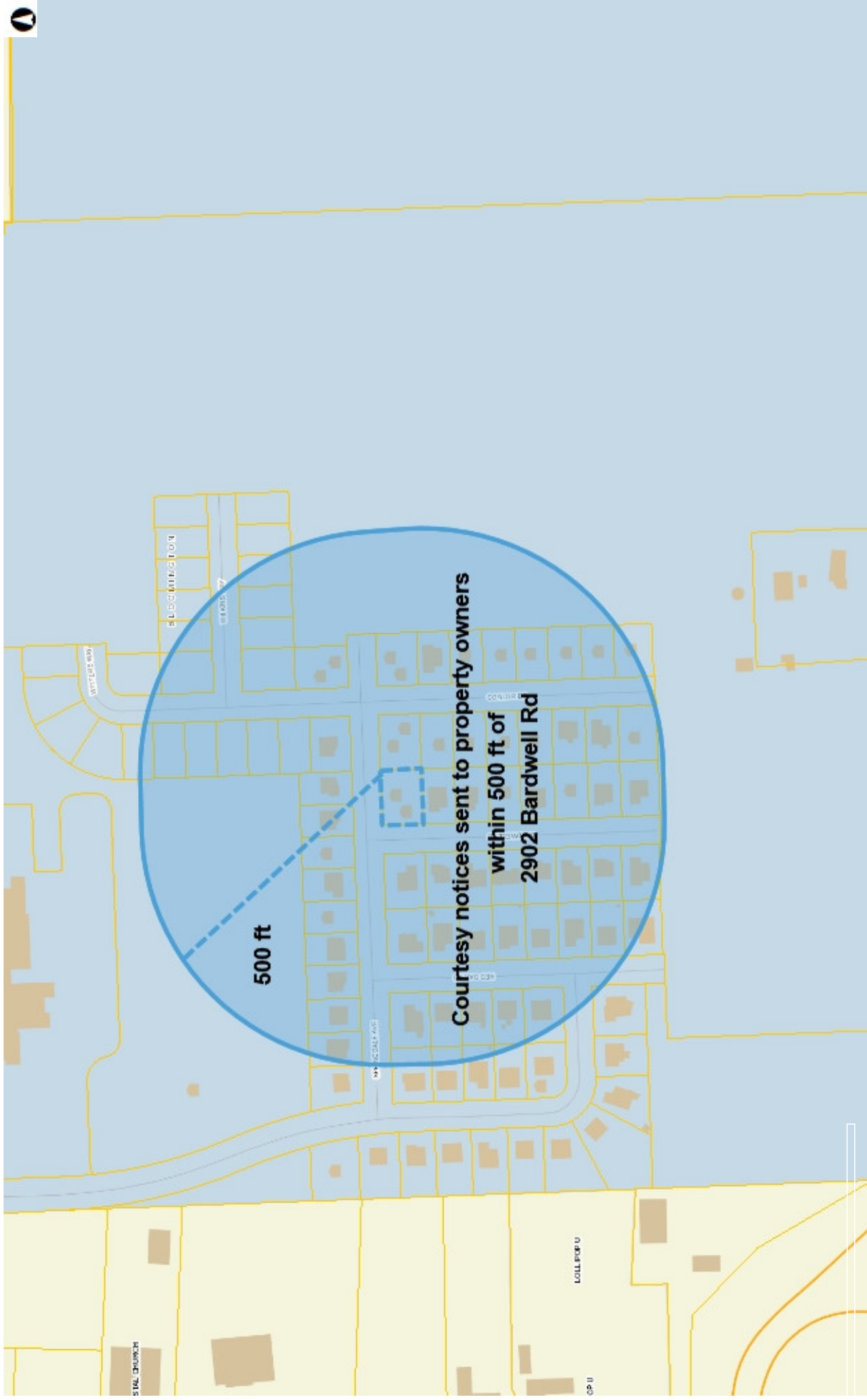
Sincerely,

Katie Simpson
City Planner

Attachments: Map of notified properties within 500 ft of subject property



Courtesy notices for public hearing for a six foot fence in the front yard at 2902 Bardwell Rd



TRICIA JOHNSON
2910 RED OAK RD
BLOOMINGTON IL61704

HEATHER WILSON
2904 RED OAK RD
BLOOMINGTON IL61704

KIM WINDEMUTH
2901 RED OAK RD
BLOOMINGTON IL61704

CEDAR RIDGE LLC
1 BRICKYARD DR
BLOOMINGTON IL61701

DANIEL & KACIE LIND
2913 BARDWELL RD
BLOOMINGTON IL61704

JEANCARLO & CHELSEA HALE
2914 BARDWELL RD
BLOOMINGTON IL61704

SARAH WELLS
2913 CONLOR DR
BLOOMINGTON IL61704

SHAWN & LAURA GOSSETT
2905 BARDWELL RD
BLOOMINGTON IL61704

SHERRIE GRAY
2908 RED OAK RD
BLOOMINGTON IL61704

KRISTOPHER & NICOLE KAHLER
2907 RED OAK RD
BLOOMINGTON IL61704

JOE CARACCI
2906 Breezewood Blvd
BLOOMINGTON IL61704

CODY WIMP
204 Springdale Ave
BLOOMINGTON IL61704

MATTHEW B & MEGAN E GORDON
206 SPRINGDALE AVE
BLOOMINGTON IL61704

JUSTIN MAJOR
208 SPRINGDALE AVE
BLOOMINGTON IL61704

KRISTEN GRIMES
210 SPRINGDALE AVE
BLOOMINGTON IL61704

BRYAN SCHUKNECHT
2909 BARDWELL RD
BLOOMINGTON IL61704

CHRISTINE RODGERS
2910 BARDWELL RD
BLOOMINGTON IL61704

RYAN & NICOLE NAGEL
2912 RED OAK RD
BLOOMINGTON IL61704

JUAN & EBONY LOPEZ CASTRO
2919 BREEZEWOOD BLVD
BLOOMINGTON IL61704

ROSS QUAKENBUSH
2906 RED OAK
BLOOMINGTON IL61704

CHIU YUEN TO
27400 FRANKLIN RD APT 821
SOUTHFIELD MI48034

STARKEY ANDREW HEDGER
2914 RED OAK RD
BLOOMINGTON IL61704

ALEX AUFFENORDE
2916 RED OAK RD
BLOOMINGTON IL61704

MICHAEL DUGGAN
2916 BARDWELL RD
BLOOMINGTON IL61704

REBECCA BORKGREN
2911 BARDWELL RD
BLOOMINGTON IL61704

TODD SELBY
2911 CONLOR DR
BLOOMINGTON IL61704

KAREEN BIGGINS
2908 BARDWELL RD
BLOOMINGTON IL61704

JUSTIN & TORI ALEXANDER
2903 BARDWELL RD
BLOOMINGTON IL61704

TONI WOERNER
212 SPRINGDALE AVE
BLOOMINGTON IL61704

THOMAS ARKELL
34 NANTUCKET LN
SAINT LOUIS MO63132

MATTHEW G & ERICA M NEIL
214 SPRINGDALE AVE
BLOOMINGTON IL61704

NICOLA BURRMANN
2906 BARDWELL RD
BLOOMINGTON IL61704

JULIE A & GERALD F. LETZKUS KUHN
218 SPRINGDALE AVE
BLOOMINGTON IL61704

MAX & BROOKE GIBSON
220 SPRINGDALE AVE
BLOOMINGTON IL61704

DONALD BURCHAM
2909 CONLOR DR
BLOOMINGTON IL61704

DAVID SCHURTZ
2901 BARDWELL RD
BLOOMINGTON IL61704

THOMAS WELLS
2915 BARDWELL RD
BLOOMINGTON IL61704

ALEXANDER JOHNSON
2912 BARDWELL RD
BLOOMINGTON IL61704

KATE VERNOR
2907 BARDWELL RD
BLOOMINGTON IL61704

THOMAS & REGINA ENSIGN
2904 BARDWELL RD
BLOOMINGTON IL61704

JAMES & BEVERLY BARHAM
2904 CONLOR DR
BLOOMINGTON IL61704

MEGAN LAURA CONSALVO
222 SPRINGDALE AVE
BLOOMINGTON IL61704

CHARLOTTE & KYLE KOENIG
2909 RED OAK ROAD
BLOOMINGTON IL61704

ASHLEY PETRINEC
2908 Breezewood Blvd
BLOOMINGTON IL61704

KEVIN MCCUEN
2905 RED OAK RD
BLOOMINGTON IL61704

LAURA GILLEN
2903 RED OAK RD
BLOOMINGTON IL61704

ERICKA & MICHAEL CARTER JONES
2902 Red Oak Rd
BLOOMINGTON IL61704

PETER MUELLER
201 SPRINGDALE
BLOOMINGTON IL61704