**ZONING BOARD OF APPEALS**
**REGULAR MEETING**
**WEDNESDAY, MAY 16, 2012, 3:00 P.M.**
**COUNCIL CHAMBERS, CITY HALL**
**109 E. OLIVE ST., BLOOMINGTON, IL**

| | |
|---|---|
| Members present: | Mr. Dick Briggs, Mr. Mike Ireland, Mr. Robert Kearney, Mr. Bill Zimmerman. |
| Members absent: | Mrs. Barbara Meek, Mr. Steve Parker. |
| Also Present: | Mr. Mark Woolard, Acting Secretary |

Mr. Woolard called the meeting to order at 3:43 p.m. and called the roll. A quorum was present.

The Board reviewed the April 18, 2012, minutes. The minutes were accepted as printed.

Chairman Ireland explained the procedures of the meeting and that the special use cases must be reviewed by the City council. Mr. Woolard stated that the cases had been published.

**SP-01-12** Public Hearing and Review on the petition submitted by Lue A. Walters, requesting approval of a special use permit for an additional dwelling unit in a multi-family building for the property located at 811 W. Washington Street. Zoned R-2, Mixed Residence District.

Chairman Ireland introduced the case and explained the City Council remanded this case back to the Board to be able to take additional public comment. Chairman Ireland opened the public hearing for the petition. He asked for anyone who would like to speak in favor of the petition to come forward. No one came forward. Mr. Kearney questioned if adequate notice had been given and Chairman Ireland stated that such had been given. The Board members could not remember when a case had been remanded back to them from the Council. There was discussion on concerns with opening up a previously reviewed case. Mr. Kearney stated that he is concerned that it seems to be the exact same case and this has not been done before and it is not respectful of their time. Mr. Briggs also stated that the City Council could take addition comments at their meeting. Mr. Kearney stated that if it was an extraordinary case and there was information or facts that were not in existence the first time then it might make sense to open a hearing back up. They were concerned about setting a dangerous precedent. Chairman Ireland stated the Council felt there were enough new facts that they wanted to remand it back but the petitioner did not come forward to speak and he had indicated to staff he intends to withdraw the petition. Since the withdraw is not in writing the Board felt it should be held over to the next meeting.

Mr. Kearney moved and Mr. Briggs supported the motion to delay the petition for one month. The vote on the motion was approved with four (4) voting in favor and none (0) against.

The case was delayed until the June meeting or until there is a withdraw.

**SP-03-12** Public Hearing and Review on the petition submitted by Unitarian Universalist Church of Bloomington-Normal, requesting approval of a special use permit for a church for the property located at 1613 E. Emerson Street. Zoned R-1B, Single-Family Residence District.

Chairman Ireland opened the public hearing for the petition. He asked for anyone who would like to speak in favor of the petition to come forward. Edward Hines, 10281 Old Sawmill Road, Bloomington and Kathy Packard, 107 Cornell Drive, Normal, were sworn in. Mr. Hines explained the church is one of the oldest in Bloomington and was in originally downtown. The current building was built in 1959 with an addition in 1968. He explained they now desire a roof over the courtyard area which will enclose an area of 1339 square feet. This will improve their energy efficiency and a larger more welcoming area. They have reached out to their neighbors and they have good relationships with them who gave them helpful ideas.

Mr. Briggs questioned if they want to expand in the future beyond this proposal. Mr. Hines stated they do not have specific plans for growing the church to a significantly larger size. The maximum expansion of this project will be just as shown on the plans presented.

There was no one else that spoke in favor of the special use. No one spoke in opposition to the petition.

Mr. Woolard stated that staff does not see any significant impact on the neighboring properties. The scale of the addition fits well the existing building and they will be in compliance with the required number of parking spaces. The building will be expanded by 1339 square feet.

The vote on the special use was approved with four (4) voting in favor and none (0) against.

**Z-9-12** Public Hearing and Review on the petition submitted by Mike Rinkenberger for Mary Leibach to allow construction of an addition and a variance to reduce the rear yard setback for the property located at 18 Rock Garden Ct. Zoned R-2, Mixed Residence District.

Chairman Ireland opened the public hearing for the petition. He asked for anyone who would like to speak in favor of the petition to come forward. Mary Leibach, 18 Rock Garden #2, was sworn in. She stated she wants to put up a sunroom on her existing deck. She said a lot her neighbors have a screened in room or a pergola that is closer to their lot lines than hers will be. She provided pictures of neighboring structures. Her structure will be on top of the existing deck.

There was no one else that spoke in favor of the variance. No one spoke in opposition to the petition.

Mr. Woolard stated that staff does not see why this structure could not be constructed with two feet less and the other nearby structures appear to comply with the setbacks and explained that decks can be closer to the rear lot line and explained it does not meet the findings of fact.

The Board discussed how the houses are at an angle from the back lot lines which creates a special circumstance with the existing deck and then the addition would be partially within code.  Mr. Ireland asked the applicant if the neighbor was aware of the plans and she said they were renters and that they and the owner are aware of the plans.

The vote on the variance was approved with four (4) voting in favor and none (0) against.

Other Business:
Mr. Ireland gave his condolences to Mr. Zimmerman for the death of his father and thanked him for his extraordinary efforts to get to the meeting under those conditions.

New Business:  None.

Public Comment:  None.

Adjournment was at 4:28.

Respectfully;

Mark Woolard
Acting Secretary