



AGENDA
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING
109 EAST OLIVE ST.
BLOOMINGTON, IL 61701
WEDNESDAY, FEBRUARY 17, 2021 at 4:00 P.M.
THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment or testify at the meeting must register at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment must email their comments to publiccomment@cityblm.org.

Members of the public may also attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely. The rules for participation and physical attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at www.cityblm.org/register.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak live must register at <https://www.cityblm.org/register> prior to the meeting.

- 4. MINUTES** Consideration, review and approval of minutes from the meeting on January 20, 2020.
- 5. REGULAR AGENDA**

Note, due to COVID-19 social distancing considerations, this meeting is held virtually. Those wishing to testify or comment remotely regarding a public hearing listed below must register at <https://www.cityblm.org/register> at least 15 minutes prior to the start of the meeting.

- A. Z-04-21** Public hearing, review, and action on a petition submitted by Paul Smith for a variance request at 38 Sunset Rd Bloomington, IL 61701 to allow a 53' reduction in the require front yard setback from 131' to 78' for construction of new home (Chapter 44.4-4A1). (Ward 5)

B. Z-29-20 Public hearing, review and action on a petition for variance submitted by Brooke Hermanowicz to install a 6ft fence in the front yard of a residential property, a 2ft increase at 220 Willard Ave, Bloomington, IL 61701. (Ward 4) **Tabled from 1.20.21**

6. OTHER BUSINESS

7. NEW BUSINESS

8. ADJOURNMENT



DRAFT

MINUTES

**PUBLISHED BY THE AUTHORITY OF
THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, JANUARY 20, 2021 4:00 P.M.
WWW.CITYBLM.ORG/LIVE**

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the City Planner, Katie Simpson, Kimberly Smith, the Assistant Director of Economic & Community Development, and Commissioner Michael McFarland in-person in City Hall's Council Chambers. The meeting was live streamed to the public at www.cityblm.org/live. The Meeting was called to order by Chairperson Victoria Harris at 4:24 PM.

ROLL CALL

Attendee Name	Title	Status
Ms. Victoria Harris	Chairperson	Present
Mr. Terry Ballantini	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Present
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Melissa Hon	Economic & Community Development Director	Absent
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

COVID-19

This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak live must register at <https://www.cityblm.org/register> prior to the meeting.

PUBLIC COMMENT

No public comment.

MINUTES

DRAFT

MEETING MINUTES

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, JANUARY 20, 2021**

Mr. Ballantini motioned to approve both sets of the previous meetings' minutes. Mr. McFarland seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0).

REGULAR AGENDA

- A. Z-29-20** Public hearing, review and action on a petition for variance submitted by Brooke Hermanowicz to install a 6ft fence in the front yard of a residential property, a 2ft increase at 220 Willard Ave, Bloomington, IL 61701. (Ward 4) **Tabled from 12.16.20**

Mr. Boyle summarized the case and materials submitted by the time of the meeting. He explained that a FOIA request had been submitted on behalf of the applicant and that more time is being sought in order to fulfill the FOIA request.

Ms. Carrie Haas, legal counsel for the applicant, brought forward a request to continue the case to the next meeting, February 17th.

Mr. McFarland motioned to continue the case to the next meeting. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0).

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

ADJOURNMENT

Chairperson Harris moved to adjourn at 4:33 PM. Mr. Noonan seconded. Mr. Ballantini seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0). The meeting adjourned at 6:03 PM.

DRAFT

MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS

WEDNESDAY, JANUARY 20, 2021

Page | 2

CITY OF BLOOMINGTON

ATTEST

Victoria Harris, Chairperson

Katie Simpson, City Planner

DRAFT

CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
February 17, 2021

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
Z-04-21	Front yard setback reduction	Variance	Caitlin Kelly, Assistant City Planner

PETITIONER'S REQUEST:			
Section of Code: 44. 4-4A(1) Front Yard Setbacks			
Type of Variance	Required	Requested	Variation
Front Yard Setback	131' setback (block average)	78' setback	53' reduction

Staff Recommendation	Staff finds that the application meets all the standards for a variance. Staff recommends that the Zoning Board of Appeals: 1). Establish a finding of fact; and, 2). Approve of the requested variance.
-----------------------------	--



Figure 1: An aerial view of the subject property, 38 Sunset Rd (outlined in black)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on Monday, February 1, 2021. Courtesy notices were mailed to 72 property owners within 500 feet of the subject property.

GENERAL INFORMATION

Owner and Applicant: Paul J. Smith

Legal Description: EWINGS & EVANS SUB SE & PT SW 34-24-24 COMM NE COR RE 12, S75' W422' FOR POB W126.5', S TO S LINE TO POB PT LOTS 11 & 12

PROPERTY INFORMATION

Existing Zoning: R-1A Single-Family Residence District
Existing Land Use: Vacant, formerly single-family housing
Property Size: 0.66 acres / 28,901 sq ft
PIN: 14-34-426-008

SURROUNDING ZONING AND LAND USES

Zoning	Land Uses
North: P-2 Public Lands & Institutions	North: Ewing Park
South: R-1A, R-1B Single-Family Residence Districts	South: Single-Family Residential
East: R-1A, P-2	East: Single-Family Residential, park
West: R-1A, R-1B	West: Single-Family Residential

ANALYSIS

Submittals

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

1. Applications for a variance
2. Site plan
3. Aerial photographs
4. Site visit

PROJECT DESCRIPTION

Background: The subject property is part of the Sunset Road neighborhood, which was annexed into the city between 1950 and 1960. It is located to the north of the city's municipal limits, near the intersection of Towanda Avenue and E. Emerson Street. Zoned R-1A, the neighborhood is characterized by single-family homes built on large estate lots, some of which measure nearly two acres in size. Many of the existing houses were built prior to the 1969 adoption of the Zoning Ordinance. As such, Ch. 44, 4-4A1 stipulates that the minimum front yard setback of neighborhoods predating the Zoning Ordinance is established by the average front yard setback for each parcel on the block (see Table 1).

The subject property is currently vacant, with construction of a new single-family home on the site pending. A swale crosses from the southwest corner of the property to its northeast corner, providing a natural means of stormwater management (see Figures 2 and attached topographic map). The parcel is substantially smaller than average for other parcels on the north side of the block; were the block's

average front yard setback of 131' to be implemented on the subject property, it would account for a little over half of the parcel's length.

Project Description: The petitioner plans to construct a new single-family residence on the site. They are requesting a variance reducing the parcel's required front yard setback from 131' to 78' as measured from the midpoint of Sunset Road, which would reach the front of the proposed garage.

Table 1: Average Front Yard Setback and Lot Size for 14-40 Sunset Road

House No.	Setback	Lot Size (in sq ft)
14	140'	37,078
16	135'	40,837
20	147'	41,907
22	144'	47,678
24	165'	48,875
28	165'	50,512
30	165'	49,969
32	157'	46,992
34	90'	42,643
36	91'	36,827
38	74' ¹	28,901
40	100'	30,240
Average:	131'	41,872



Figure 2 (provided by a representative of the petitioner)

FINDINGS OF FACT

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

¹ Based on the single-family home that was previously sited on the subject parcel.

1. **That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult;** The subject property is nearly 31% smaller than the block's average parcel size, creating a hardship in meeting the average front yard setback standards as established by other, larger properties on the block. Additionally, a drainage swale cuts across the property; a 131' setback would position the proposed single-family development at a lower elevation in the path of the swale potentially disrupting the natural flow of water and resulting in storm water management issues. **The standard is met.**
2. **That the variance would be the minimum action necessary to afford relief to the applicant;** Enforcing a setback of 131' would limit the applicant's ability to improve the property. It may also contribute to drainage issues, given the swale that crosses the property diagonally. **The standard is met.**
3. **That the special conditions and circumstances were not created by any action of the applicant;** The neighborhood was established prior to the adoption of the Zoning Ordinance, which requires a minimum front yard setback of 40' in contemporary developments zoned R-1A. The deep setbacks in the Sunset Road neighborhood are related to the large size of many of its parcels. Applying the design standards of substantially larger properties to the subject parcel would create an inconsistency. **The standard is met.**
4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code;** A similar variance was granted at 40 Sunset Road in 2018, allowing for a 63' reduction of the required front yard setback. Furthermore, a setback of 78' would better align the proposed residential structure with neighboring residences. **The standard is met.**
5. **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.** On average, front yard setbacks account for approximately 36% of the total lot size for parcels on this block. At 78', the adjusted setback would maintain a ratio of 46% of the subject property's total size. The variance would allow the subject property to remain roughly in proportion with other properties on the block. **The standard is met.**

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a variance. Staff recommends an approval of the variance.

Respectfully submitted,
Caitlin Kelly
Assistant City Planner

Attachments:

- Variance Application and supplemental documents from applicant
- Site Plan
- Zoning Map
- Aerial Map

- Topographic Map
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

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: 38 SUNSET ROAD

Site Address: BLOOMINGTON IL 61701

Petitioner: Paul J Smith Phone [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: [REDACTED]

City, State, Zip Code: [REDACTED]

Contractual interest in the property ✓ yes no

Signature of Applicant [REDACTED]

Brief Project Description:

NEW SINGLE FAMILY RESIDENCE TO BE CONSTRUCTED AT
38 SUNSET ROAD

Code Requirements Involved:

CHAPTER 44, DIVISION 4, SECTION 4A1
BLOCK AVERAGE

Variances(s) Requested:

REQUESTING FRONT YARD VARIANCE FROM 131' BLOCK AVERAGE
TO 78' TO FRONT OF GARAGE

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.

WITH THE CURVATURE OF SUNSET ROAD AT THE POINT OF
LOTS 11 & 12 (38 SUNSET) IN CONJUNCTION WITH THE BLOCK AVERAGE
SETBACK THIS WILL LOCATE THE HOME SUBSTANTIALLY FURTHER
BACK IN RELATION TO THE ADJACENT HOMES ON EITHER SIDE

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

Chapter 44, Section 9.40(d)

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

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and

The curvature of the road at the location of lots 11 & 12 known as 38 Sunset Road makes adhering to the block average setback difficult, as it would position the home substantially behind the adjacent homes and with the other homes on the north side of the street. Additionally, the property has a natural drainage swale located on the west side of the lot that receives water from the south side of the street and cuts across mid lot to the northeast corner. Ideally, we would like to keep the home to the south as much as possible to avoid this natural water way.

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

This would be the only variance requested as the home design falls well within the side and rear setbacks

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

No, the short front yard due to the curvature of the street and the drainage swales currently on the lot are not a condition of the applicant.

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

Front setback variances have previously been granted in the Ewing and Evans Subdivision. Applicant is requesting the similar concession be given to keep the home in harmony with the homes adjacent and along the north side of the street.

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.

Approval of this variance request will have no adverse effect to public welfare. Approval will actually keep the essential character of the neighborhood consistent, as it will keep the new home in line with adjacent homes; adversely, denial would set the home so far back on the lot, it would look out of place and break the character of the surroundings. No impairments to use of adjoining properties would be caused.

Proposed Front Setback Variance for 38 Sunset Road
Existing House Setback for Homes on North Side of Road
Setbacks are Measured from Center of Road to Closest Front Face of Home
Measurements taken from McLean County GIS Consortium Web Site
MCGIS.ORG

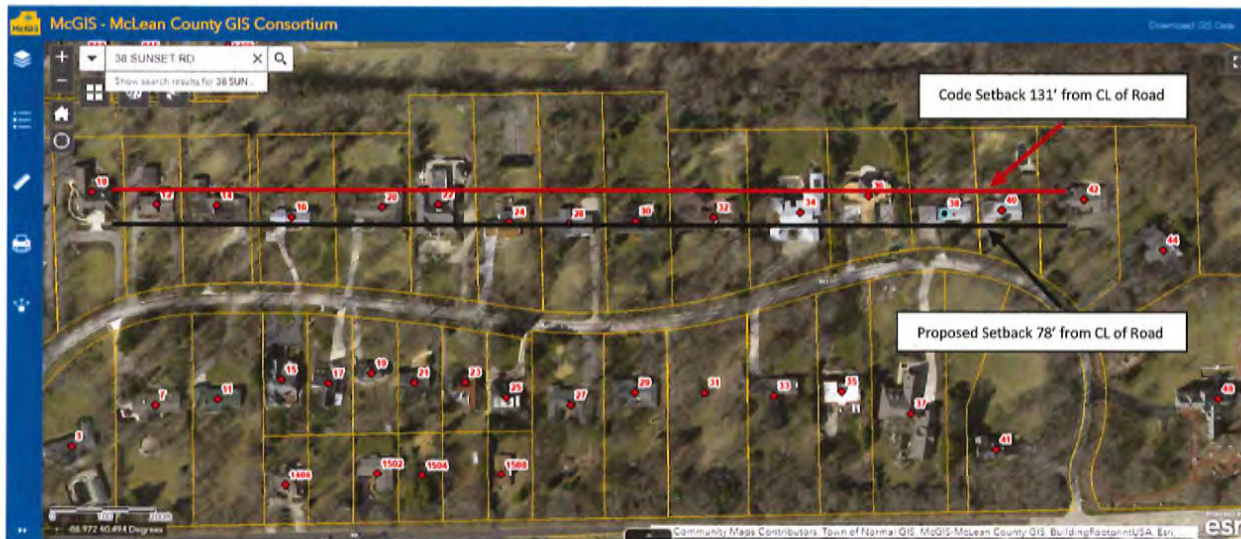
Existing Setbacks

40 Sunset
100' Setback
38 Sunset
74' Setback (Previous Home)
78' Proposed New Home Setback
36 Sunset
91' Setback
34 Sunset
90' Setback
32 Sunset
157' Setback
30 Sunset
165' Setback
28 Sunset
165' Setback
24 Sunset
165' Setback
22 Sunset
144' Setback
20 Sunset
147' Setback
16 Sunset
135' Setback
14 Sunset
140' Setback

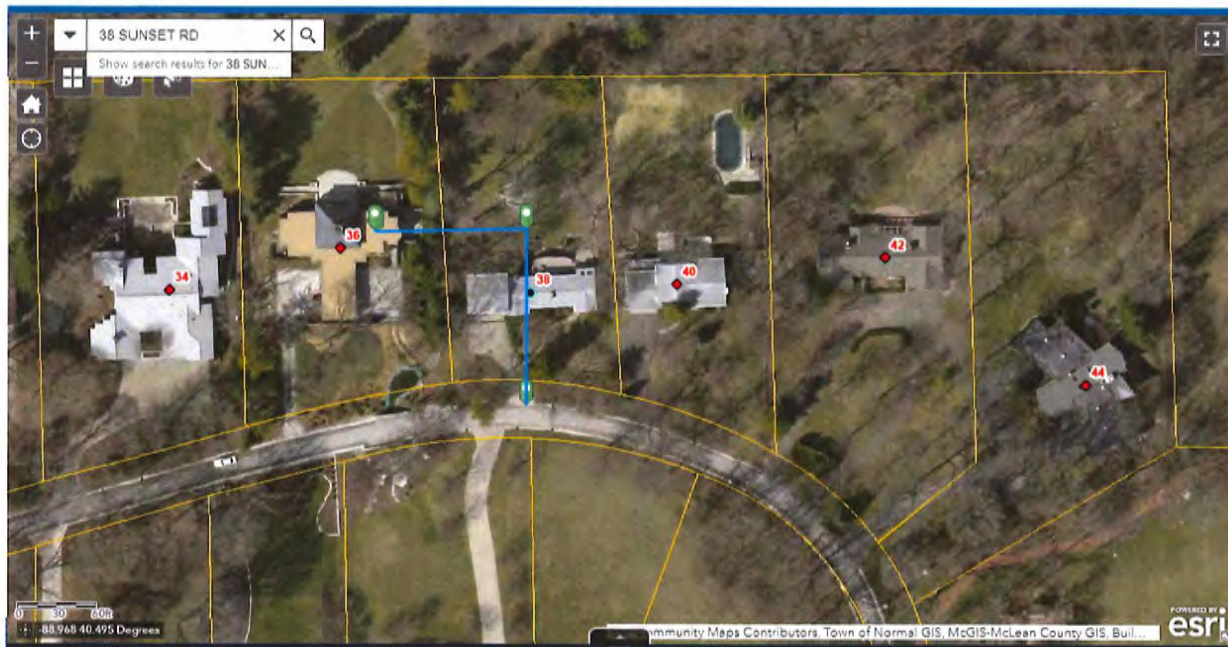
Calculation of Block Average

40 Sunset	100'
38 Sunset	78'
36 Sunset	91'
34 Sunset	90'
32 Sunset	157'
30 Sunset	165'
28 Sunset	165'
24 Sunset	165'
22 Sunset	144'
20 Sunset	147'
16 Sunset	135'
14 Sunset	140'
North Side Block Average 131'	

Proposed Setback vs. Code Setback based on Previous Home and Block Average
Shows Relation to Homes on North Side of Sunset Road



Block Average Location (131' from Center of Road) of Proposed New Home in Relation to Neighbors
Front of Garage would Start at Horizontal Blue Line to the North





585-0346
EDMARK
HOMES & REALTY
JULIET.COM





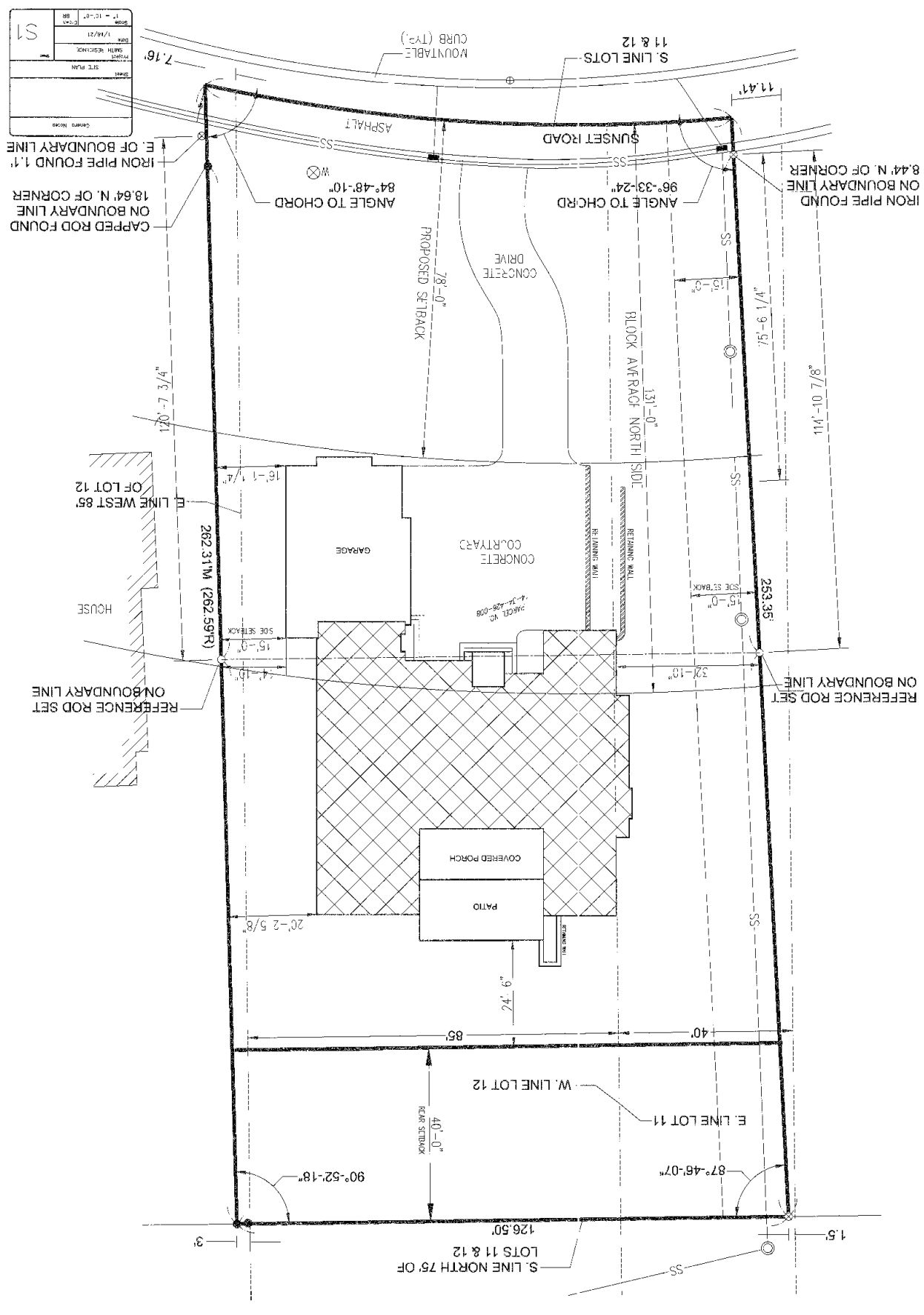


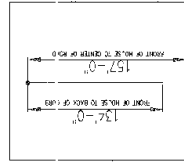
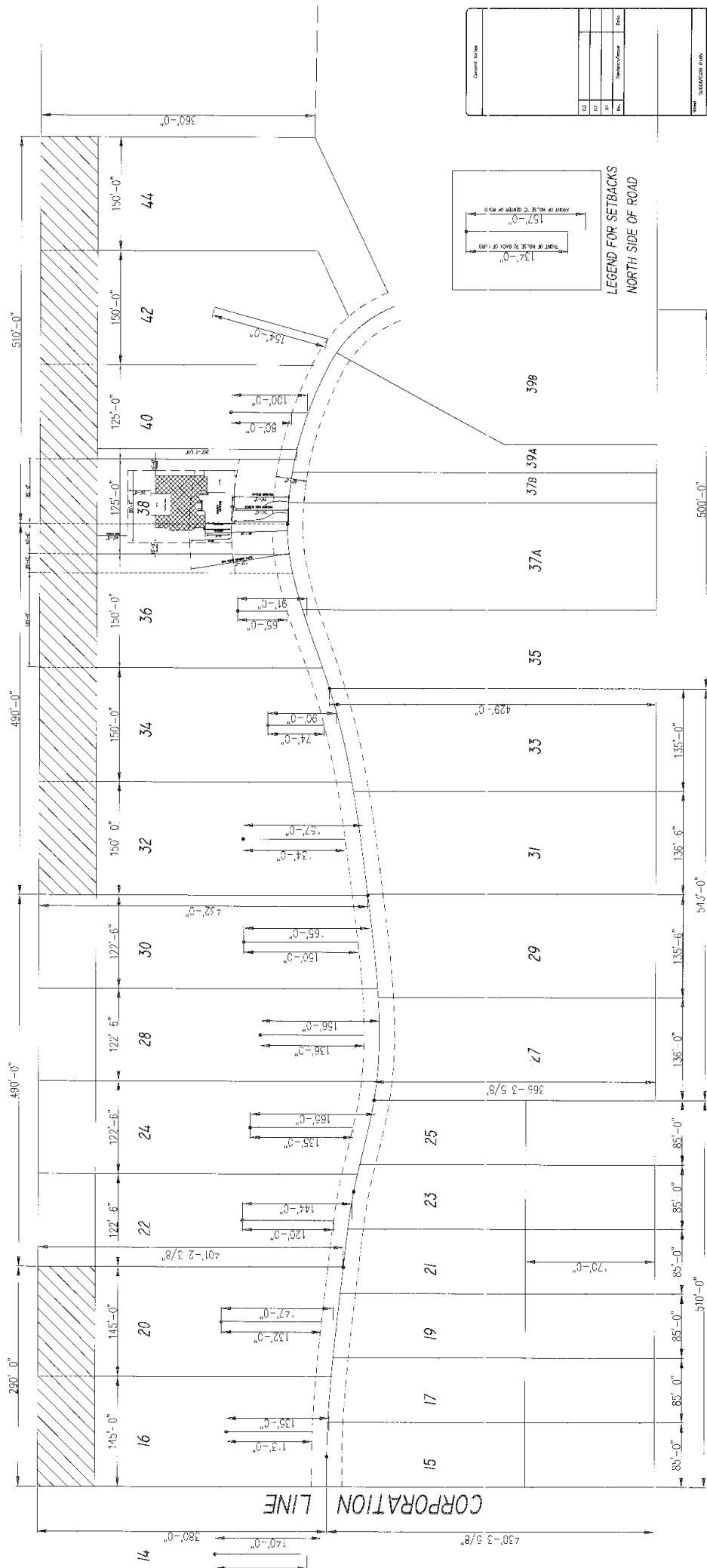
A photograph of a residential property during winter. The foreground is a concrete sidewalk. To the right is a large area of snow-covered grass. A red arrow is drawn on the image, pointing from the sidewalk towards a narrow, grassy drainage swale that runs between a line of trees and the snow-covered area. The background consists of bare deciduous trees and evergreens under a clear blue sky.

Water Drainage Swale

S/W to N/E

Across Property

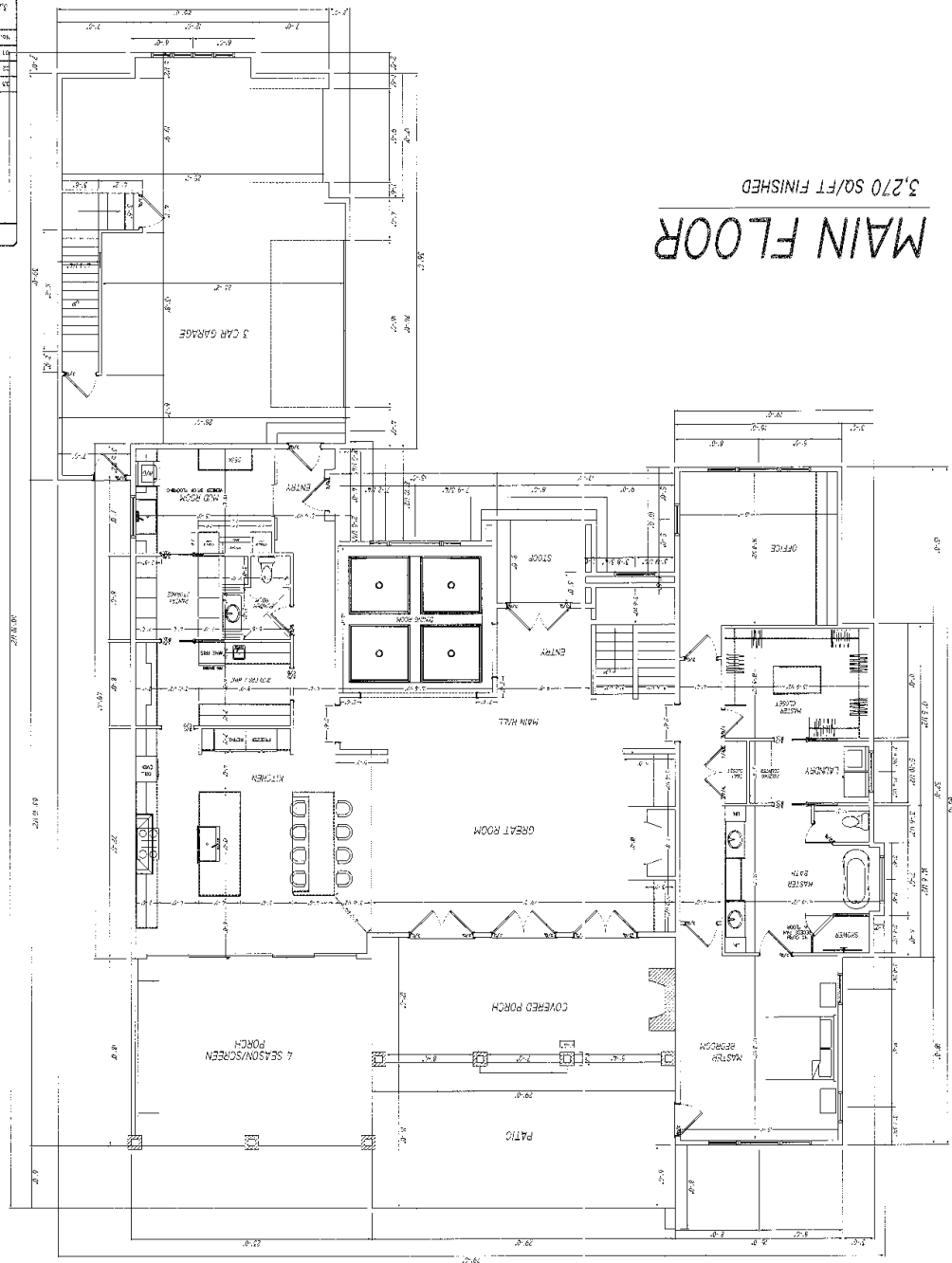




LEGEND FOR SETBACKS
NORTH SIDE OF ROAD

General Notes	
Q1	
Q2	
Q3	
Q4	
Q5	
Q6	
Q7	
Q8	
Q9	
Q10	
Q11	
Q12	
Q13	
Q14	
Q15	
Q16	
Q17	
Q18	
Q19	
Q20	
Q21	
Q22	
Q23	
Q24	
Q25	
Q26	
Q27	
Q28	
Q29	
Q30	
Q31	
Q32	
Q33	
Q34	
Q35	
Q36	
Q37	
Q38	
Q39	
Q40	
Q41	
Q42	
Q43	
Q44	
Q45	
Q46	
Q47	
Q48	
Q49	
Q50	
Q51	
Q52	
Q53	
Q54	
Q55	
Q56	
Q57	
Q58	
Q59	
Q60	
Q61	
Q62	
Q63	
Q64	
Q65	
Q66	
Q67	
Q68	
Q69	
Q70	
Q71	
Q72	
Q73	
Q74	
Q75	
Q76	
Q77	
Q78	
Q79	
Q80	
Q81	
Q82	
Q83	
Q84	
Q85	
Q86	
Q87	
Q88	
Q89	
Q90	
Q91	
Q92	
Q93	
Q94	
Q95	
Q96	
Q97	
Q98	
Q99	
Q100	

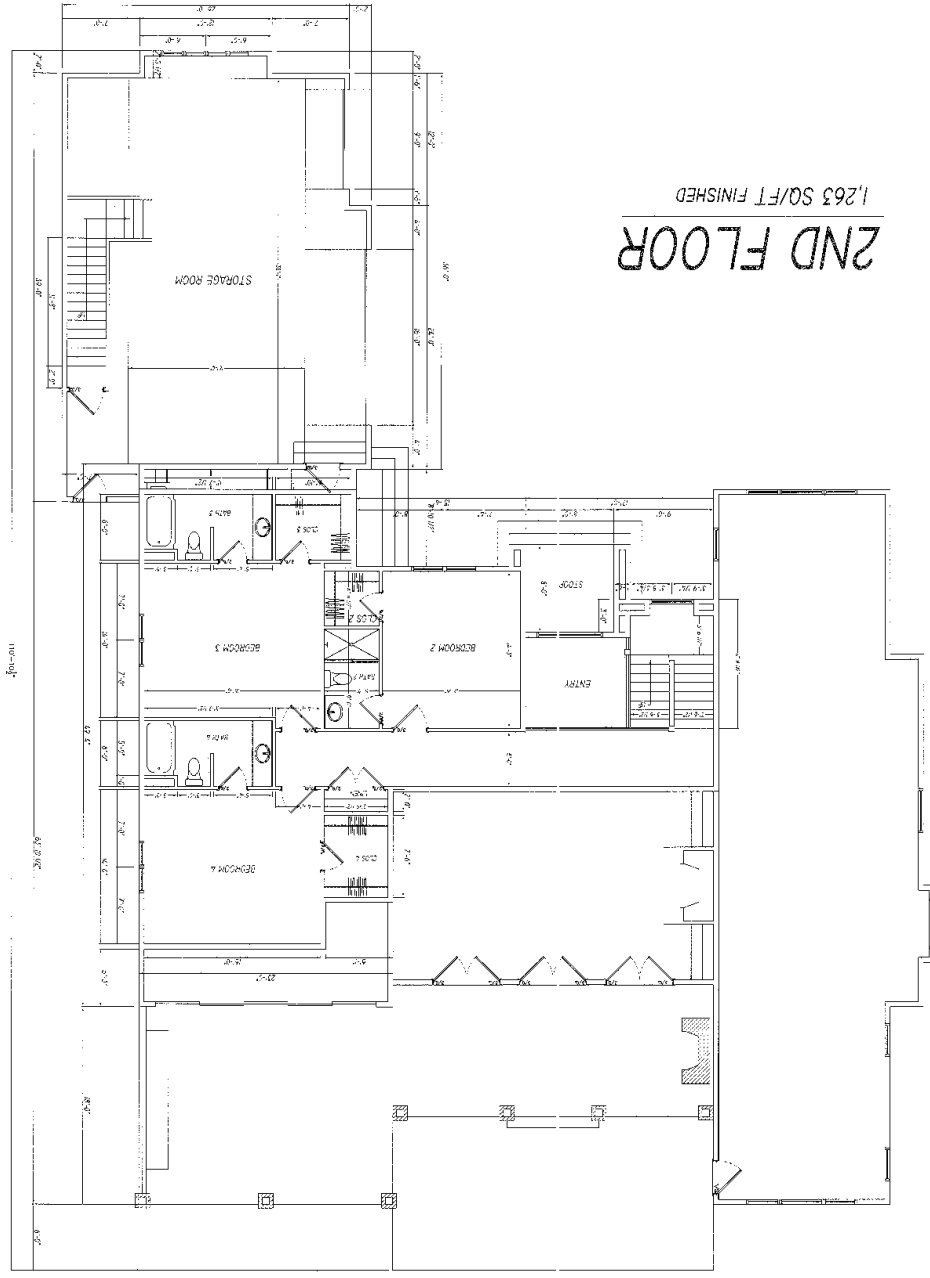
MAIN FLOOR 3,270 SQ/FT FINISHED



GENERAL NOTES	
1. 3,270 SQ/FT MAIN FLOOR	
2. 1,645 SQ/FT LOWER LEVEL	
3. 1,645 SQ/FT 2ND FLOOR	
4. 6,560 SQ/FT FINISHED	
5. 1/2" SQ/FT LOWER LEVEL UNFINISHED	
REVISIONS	
NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

Architectural floor plan of the Lower Level. The plan shows a large open area labeled "GAME ROOM / TV" (28'-0" x 28'-0") and a "MECHANICAL/STORAGE" area. To the right, there is a "BEDROOM" (11'-0" x 11'-0") with a closet, a "BATH" (5'-0" x 6'-0"), and an "EXERCISE ROOM" (12'-0" x 12'-0") with a "STORAGE" area. A "SEASON/SCREEN PORCH" is located at the bottom left. The plan includes a staircase and various doors and windows. The overall dimensions are 1,523 sq/ft finished and 1,747 sq/ft lower level unfinished.

2ND FLOOR 1,263 SQ/FT FINISHED



GENERAL NOTES	
1. ALL ROOMS FINISHED	
2. ALL ROOMS FINISHED	
3. ALL ROOMS FINISHED	
4. ALL ROOMS FINISHED	
5. ALL ROOMS FINISHED	
6. ALL ROOMS FINISHED	
7. ALL ROOMS FINISHED	
8. ALL ROOMS FINISHED	
9. ALL ROOMS FINISHED	
10. ALL ROOMS FINISHED	
11. ALL ROOMS FINISHED	
12. ALL ROOMS FINISHED	
13. ALL ROOMS FINISHED	
14. ALL ROOMS FINISHED	
15. ALL ROOMS FINISHED	
16. ALL ROOMS FINISHED	
17. ALL ROOMS FINISHED	
18. ALL ROOMS FINISHED	
19. ALL ROOMS FINISHED	
20. ALL ROOMS FINISHED	
21. ALL ROOMS FINISHED	
22. ALL ROOMS FINISHED	
23. ALL ROOMS FINISHED	
24. ALL ROOMS FINISHED	
25. ALL ROOMS FINISHED	
26. ALL ROOMS FINISHED	
27. ALL ROOMS FINISHED	
28. ALL ROOMS FINISHED	
29. ALL ROOMS FINISHED	
30. ALL ROOMS FINISHED	
31. ALL ROOMS FINISHED	
32. ALL ROOMS FINISHED	
33. ALL ROOMS FINISHED	
34. ALL ROOMS FINISHED	
35. ALL ROOMS FINISHED	
36. ALL ROOMS FINISHED	
37. ALL ROOMS FINISHED	
38. ALL ROOMS FINISHED	
39. ALL ROOMS FINISHED	
40. ALL ROOMS FINISHED	
41. ALL ROOMS FINISHED	
42. ALL ROOMS FINISHED	
43. ALL ROOMS FINISHED	
44. ALL ROOMS FINISHED	
45. ALL ROOMS FINISHED	
46. ALL ROOMS FINISHED	
47. ALL ROOMS FINISHED	
48. ALL ROOMS FINISHED	
49. ALL ROOMS FINISHED	
50. ALL ROOMS FINISHED	
51. ALL ROOMS FINISHED	
52. ALL ROOMS FINISHED	
53. ALL ROOMS FINISHED	
54. ALL ROOMS FINISHED	
55. ALL ROOMS FINISHED	
56. ALL ROOMS FINISHED	
57. ALL ROOMS FINISHED	
58. ALL ROOMS FINISHED	
59. ALL ROOMS FINISHED	
60. ALL ROOMS FINISHED	
61. ALL ROOMS FINISHED	
62. ALL ROOMS FINISHED	
63. ALL ROOMS FINISHED	
64. ALL ROOMS FINISHED	
65. ALL ROOMS FINISHED	
66. ALL ROOMS FINISHED	
67. ALL ROOMS FINISHED	
68. ALL ROOMS FINISHED	
69. ALL ROOMS FINISHED	
70. ALL ROOMS FINISHED	
71. ALL ROOMS FINISHED	
72. ALL ROOMS FINISHED	
73. ALL ROOMS FINISHED	
74. ALL ROOMS FINISHED	
75. ALL ROOMS FINISHED	
76. ALL ROOMS FINISHED	
77. ALL ROOMS FINISHED	
78. ALL ROOMS FINISHED	
79. ALL ROOMS FINISHED	
80. ALL ROOMS FINISHED	
81. ALL ROOMS FINISHED	
82. ALL ROOMS FINISHED	
83. ALL ROOMS FINISHED	
84. ALL ROOMS FINISHED	
85. ALL ROOMS FINISHED	
86. ALL ROOMS FINISHED	
87. ALL ROOMS FINISHED	
88. ALL ROOMS FINISHED	
89. ALL ROOMS FINISHED	
90. ALL ROOMS FINISHED	
91. ALL ROOMS FINISHED	
92. ALL ROOMS FINISHED	
93. ALL ROOMS FINISHED	
94. ALL ROOMS FINISHED	
95. ALL ROOMS FINISHED	
96. ALL ROOMS FINISHED	
97. ALL ROOMS FINISHED	
98. ALL ROOMS FINISHED	
99. ALL ROOMS FINISHED	
100. ALL ROOMS FINISHED	

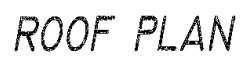


EAST ELEVATION



WEST ELEVATION

General Notes			
01			
02			
03			
40	Revisions/Notes	Date	
Sheet ELEVATIONS Project SWIFT ESTATE Date 1/18/21 Scale 3/16" = 1'-0" Sheet 38			
			6

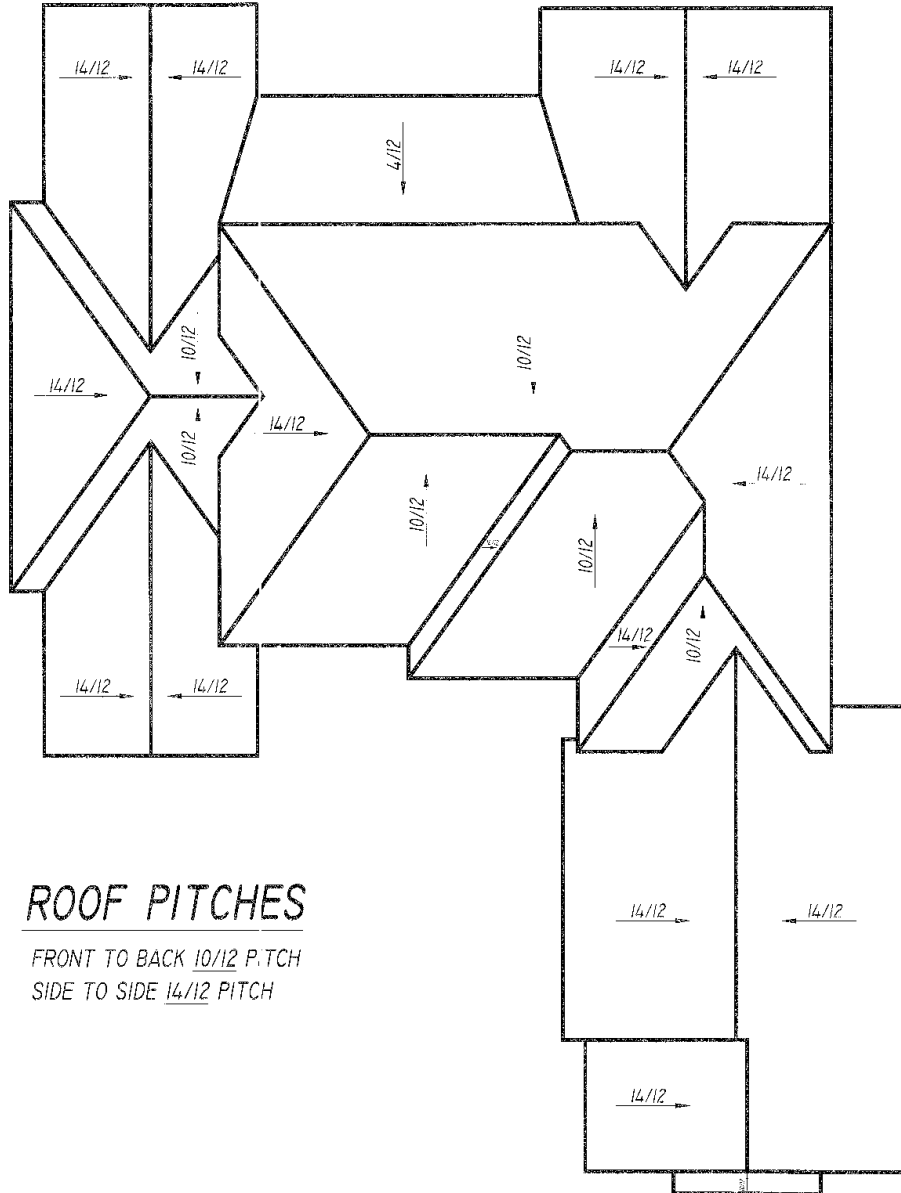


2ND FLOOR

STANDING SEAM

General Notes					
S/L					
O/S					
O'					
No.	Pavilion name	Date			
S-NAME	BCCP FLAN				
D-W PLANT					
	SM TH RESIDENCE				
SYS	/18/21				
SIDE	3'18" = 1'-0"	Cross SS			

7



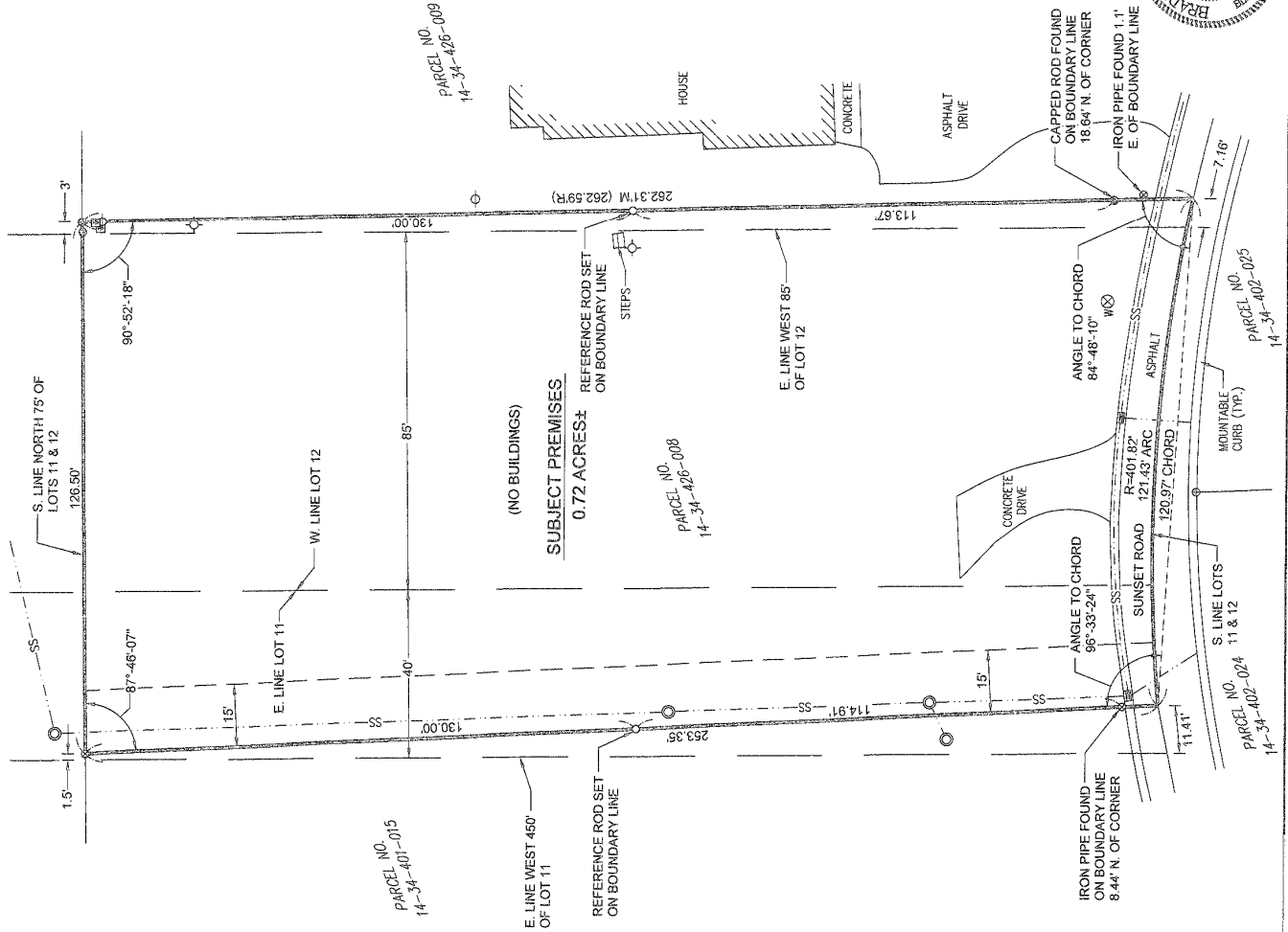
ROOF PITCHES

FRONT TO BACK 10/12 P.TCH
SIDE TO SIDE 14/12 PITCH

General Notes		
CS		
CS		
SI		
No.	Revised/Issue	Date
Sheet		
ROOF PITCHES		
Project	SWITH HOUSE NO. 1	Draw
Date	1/18/21	
Scale	3/16" = 1'-0"	Drawn
	88	

PLAT OF SURVEY

PART OF LOTS 11 & 12 IN EWING & EVANS SUBDIVISION OF PART OF THE SE1/4 & SW1/4
OF SECTION 34, T.24N., R.2E., 3P.M., CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS



LEGEND
PARCEL BOUNDARY LINE
EASEMENT LIMITS LINE
EXISTING STORM SEWER
IRON ROD FOUND
CROSS IN CONCRETE FOUND
IRON ROD SET
DISTANCE MEASURED
POWER POLE
LIGHT POLE
CABLE TV PEDESTAL
STORM SEWER MANHOLE
WATER VALVE / SHUTOFF
CURB INLET

Legal Description

A part of Lots 11 and 12 in Ewing and Evans Subdivision of part of the SE1/4 and part of the SW1/4 of Section 34, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

LOT 11, EXCEPT the West 450 feet and EXCEPT the North 75 feet thereof; ALSO EXCEPTING Beginning at the northeast corner of the West 450 feet of said Lot 11; thence South 331.11 feet parallel with the west line of said Lot 11 to the South line thereof; thence East 11.41 feet along the south line of said Lot 11; thence North to a point which is 1.5 feet East of the East line of said West 450 feet; said point also being 75 feet South of the north line of said Lot 11; thence North 75 feet to the North line of said Lot 11; thence West to the Point of Beginning.

Together with the following described tract of land to wit:

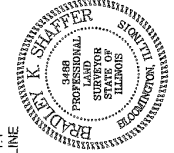
The West 85 feet of Lot 12, EXCEPT the North 75 feet thereof; ALSO a part of the East 125 feet of the West 210 feet of Lot 12, EXCEPT the North 75 feet thereof; more particularly described as follows: Beginning at a point on the west line of the East 125 feet of the West 210 feet of said Lot 12 lying 75 feet South of the North line of said Lot 12; from said Point of Beginning thence South 260.87 feet along said west line to the south line of said Lot 12; thence Southeast 7.16 feet along the south line of said Lot 12 being the arc of a curve concave to the southwest with a radius of 401.8 feet and a chord of 7.16 feet; thence North 262.59 feet to a point on the south line of the North 75 feet of said Lot 12 lying 3 feet East of the Point of Beginning; thence West 3 feet along said south line to the Point of Beginning, in McLean County, Illinois.

Surveyor's Notes

- The storm sewer, manholes and 15' easement depicted along the west side of the subject premises are as described and shown in the Easement granted to the City of Bloomington per Document No. 2004-26377 in the McLean County Recorder of Deeds Office.
- The parties requesting the hereon depicted survey did not furnish any evidence of title. There may be additional easements or other matters of record affecting the subject premises of which I am unaware and these matters, if any, are therefore not shown.

Surveyor's Certificate

I, Bradley K. Shaffer, Illinois Professional Land Surveyor No. 3488, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of a survey made under my direction for Paul Smith. This professional service conforms to the current Illinois minimum standards for a boundary survey.



12/14/2020
Date

Bradley K. Shaffer
Illinois Professional Land Surveyor No. 3488
License Expiration Date 11/30/2022

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #184.000006
605 N. Main Street, Bloomington, IL 61701
Ph. (309) 829-5532

SMITH SURVEY
38 SUNSET ROAD
BLOOMINGTON, ILLINOIS

LYB
www.lybinc.com

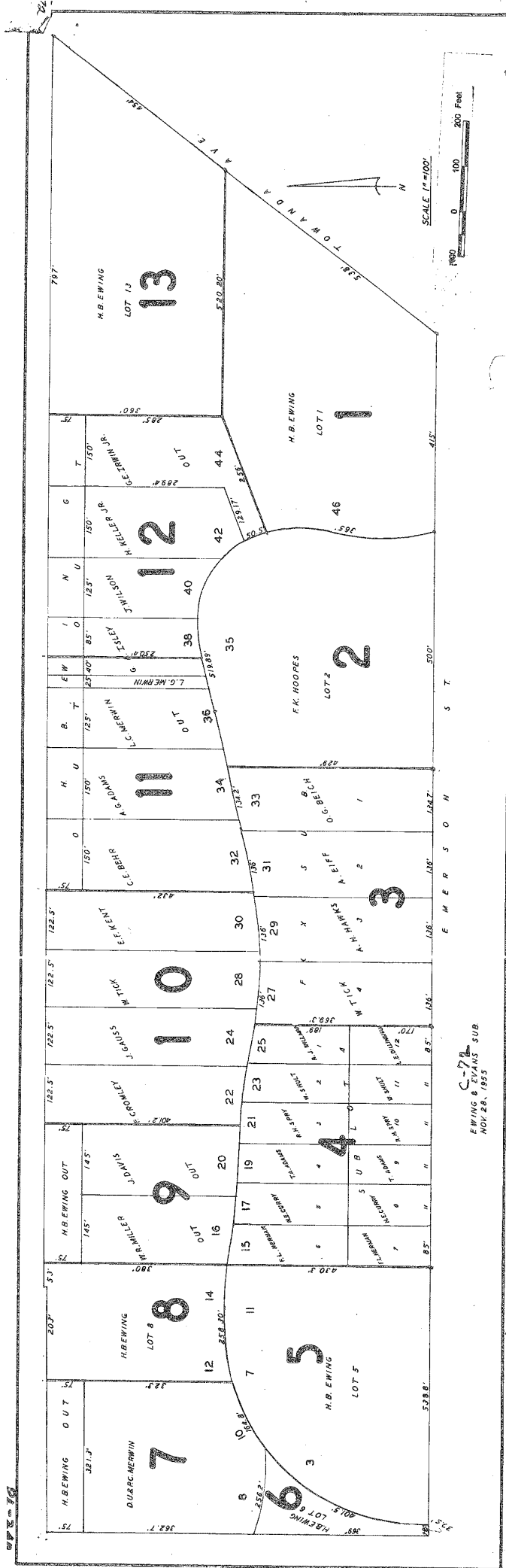
Rev.				
001	BK	477		
002	BKS	BKS		
003	Vault	Id.		

Sheet

of: 1

2369.01
Job #

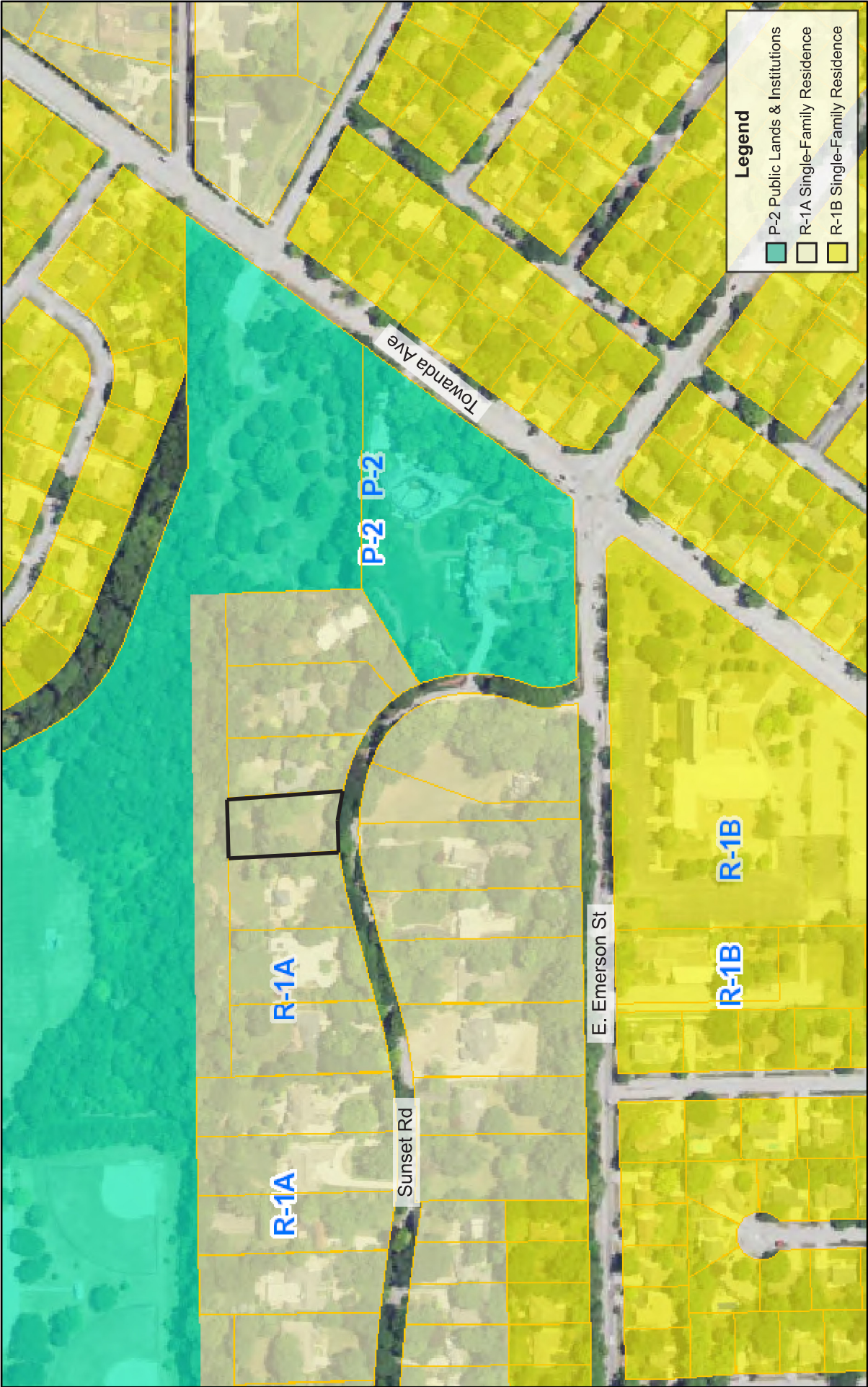
W 2-30



C-78
EWING & EVANS SUB
NOV. 28, 1955

Pl. 240

Z-04-21 Zoning Map



2/3/2021, 8:52:22 AM

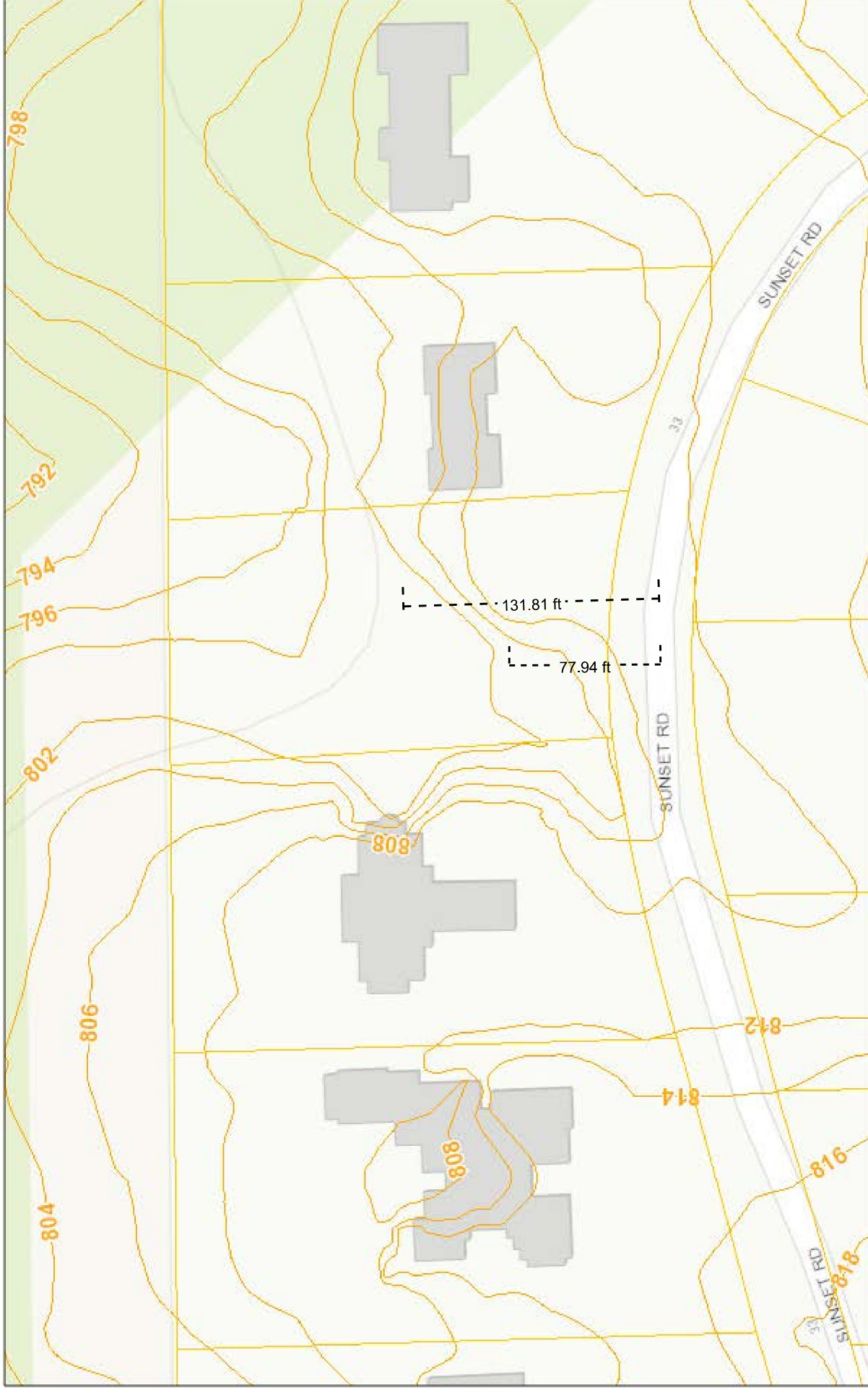
1:4,514
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.18 km

Z-04-21 Aerial Map



2/3/2021, 8:39:58 AM

ArcGIS Web Map



1/29/2021, 12:27:56 PM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.01 0.02 0.04 km

City of Bloomington, Town of Normal GIS, McGIS-McLean County GIS, East

Town of Normal GIS, McGIS-McLean County GIS, East, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | <http://www.McGIS.org/License> | McGIS | FEMA, McGIS | City of Bloomington | Web AppBuilder for ArcGIS



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

January 28, 2021

Dear Property Owner or Occupant:

The Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a virtual public hearing on Wednesday, February 17, 2021 at 4:00 PM at www.cityblm.org/live on an application submitted by Paul Smith.

You are receiving this notice because you own or occupy property within a 500-foot radius of the subject property (refer to attached map). All interested persons may present evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing.

The applicant is requesting approval of a variance to allow a 53' reduction in the required front yard setback from 131' to 78' for construction of new home (Chapter 44.4-4A1) at 38 Sunset Rd Bloomington, IL 61701. The Subject Property is legally described as: EWINGS & EVANS SUB SE & PT SW 34-24-24 COMM NE COR RE 12, S75' W422' FOR POB W126.5', S TO S LINE TO POB PT LOTS 11 & 12 PIN:14-34-426-008

The application is online at www.cityblm.org/zoning. The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org/zoning. To provide testimony on this item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/government/boards-commissions/register-for-public-comment>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to publiccomment@cityblm.org.

City Hall is closed to the public. Attendance will be limited to virtual participation.

The rules for physical attendance may be subject to change due to changes in law or to executive orders related to the COVID-19 pandemic occurring after delivery of this notice. Changes will be posted at www.cityblm.org/register.

This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs or accessible questions please contact the City Clerk at 109 E. Olive St., Bloomington, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115, preferably no later than five days before the hearing.

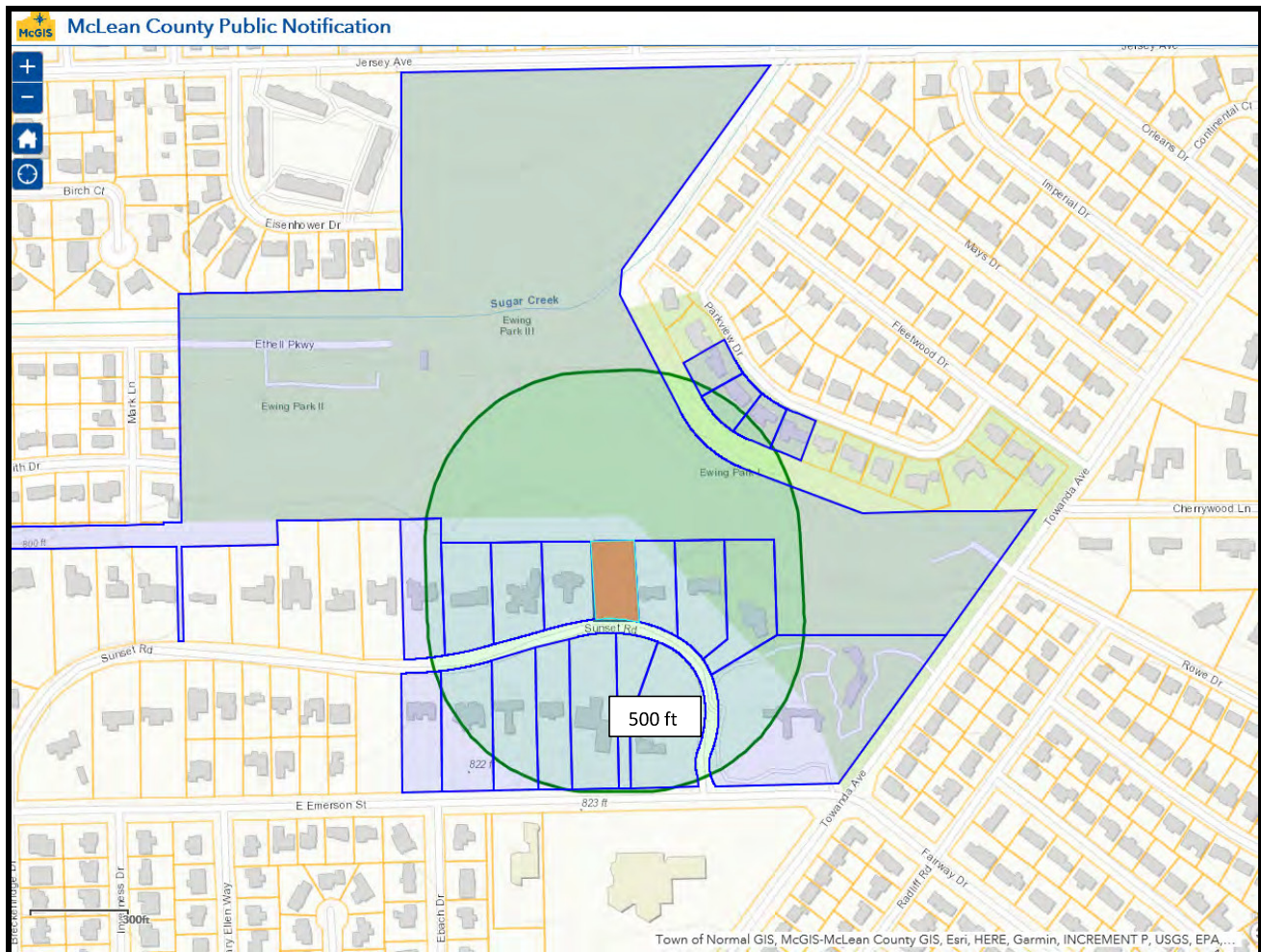
If you desire more information regarding the proposed petition or have any questions, you may email planning@cityblm.org or call (309)434-2226.

Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at www.cityblm.org.

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property



MARK & HOLLY HOUSKA
37 SUNSET RD
BLOOMINGTON, IL 61701

MILES & JANET BARDELL
211 PARKVIEW DR
BLOOMINGTON, IL 61701

SUNSET ROAD LLC
1000 N 32ND ST
MATTOON, IL 61938

BENJAMIN HART
34 SUNSET RD
BLOOMINGTON, IL 61701

DARRYL & STEPHANIE FERNANDES
41 Sunset Rd
Bloomington, IL 61701

MARY LEE WILLIAMS
44 SUNSET RD
BLOOMINGTON, IL 61701

CARMEN THOMPSON
42 SUNSET RD
BLOOMINGTON, IL 61701

ILLINOIS STATE UNIVERSITY
OFFICE OF THE COMPTROLLER
CAMPUS BOX 1100
NORMAL, IL 61790

JASON & AUDREY DAVIS
35 SUNSET RD
BLOOMINGTON, IL 61701

LYNDEL ARMSTRONG
2409 E WASHINGTON ST STE C
BLOOMINGTON, IL 61704

BRIAN & LISA EMM
30 SUNSET RD
BLOOMINGTON, IL 61701

JOHN & CHARLOTTE FOEHR
4 ROSEWOOD CT
BLOOMINGTON, IL 61704

LUCILE BEICH
33 SUNSET RD
BLOOMINGTON, IL 61701

DANIEL FERGUSON
207 PARKVIEW DR
BLOOMINGTON, IL 61701

WENDY SMITH & DANIEL THURSTON
205 PARKVIEW DRIVE
BLOOMINGTON, IL 61704

JOSEPH DALTON
203 PARKVIEW DR
BLOOMINGTON, IL 61701

BENJAMIN MOORE TRUST
273 HAWTHORNE AVE
HADDONFIELD, NJ 08033

ROBERT REARDON
32 SUNSET RD
BLOOMINGTON, IL 61701

ROBERT BENJAMIN & LEISA JOHNSTON
518 VINE ST
MORRIS, IL 60450

Automotive



KIA 2014 Soul Red Zone Edition, 17,000 miles, 1 owner, non-smoking, white, red and black, Excellent condition, 18" Alloy wheels, Infinity surround system, Panoramic roof, very sharp, \$10,500 firm, 309-585-4044

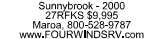


SUBARU-2012 Tribeca Limited 3.6R, 2nd like new 1 owner, leather, 3rd row, 147,000 miles, \$9,900 CustomAutoSales.com Bloomington-Ph, 309-838-3809

Campers-Motorhomes



2006 KEYSTONE Outback 27RDS Travel Trailer RV, Slide Out, 1 A/C, 1 A/C, Unit, \$2000, hemi@gmv.com, (630) 524-8044



Sunnyside 2000 27RFS \$9,995 Maroa, 800-528-9787 www.FOURWINDSRV.com

Find a great new job! Log on to pantagraph.com/jobs. Search jobs. Post a resume. Learn how to interview. Over 250 jobs. Pantagraph.com



SERVICE DIRECTORY
Reach over 82% of local buyers
call 309-820-3357

PETERSON'S



HOME IMPROVEMENT
Complete Remodeling Through Small Repairs
FREE ESTIMATES
Pete Peterson
Bloomington/Normal
(309) 827-2470

Roofing-Guttering

TERRY'S ROOFING, best prices, fully insured, 45 years' experience, 309-463-2169

Tree Services

AFFORDABLE TREE service will take care of your tree problem. We will help. Just call. Put your advertising message on pantagraph.com. Call 309-826-4981

Campers-Motorhomes



Keystone - 2007 Montana 3655SA \$19,995 Maroa, 800-528-9787 www.FOURWINDSRV.com



Forest River - 2009 Sierra 300RL \$19,900 Maroa, 800-528-9787 www.FOURWINDSRV.com



Forest River - 2017 Hemisphere 26RL \$19,995 East Peoria, 800-528-9787 www.FOURWINDSRV.com



Forest River - 2020 Jayco SLX 264BH \$19,995 Maroa, 800-528-9787 www.FOURWINDSRV.com



Jayco - 2020 Jay Flight 32RLOK \$35,995 Maroa, 800-528-9787 www.FOURWINDSRV.com



POLO'S LAWN SERVICE
Mowing, Aeration, Edging, Bushes, Snow Removal, Yard & Garden Cleaning, Mulch, Cutters, Walking Beams, & More!
309-530-4369 309-533-2898

Tree Services

Call Today!
TREE AND limb cleanup service trimming damaged trees and disposal of debris call text 309-885-2592

If we had a dollar for every time a pantagraph.com web page is viewed in a month, we'd be multi-millionaires.
Pre-Bid Time: 9:00 AM Central
Pre-Bid Location: Ridgeway

Campers-Motorhomes



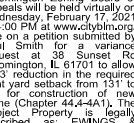
Jayco - 2020 Jay Flight 34MBDS \$36,995 East Peoria, 800-528-9787 www.FOURWINDSRV.com



Keystone - 2020 Montana 3781RL \$69,995 East Peoria, 800-528-9787 www.FOURWINDSRV.com



Jayco - 2021 Jay Flight SLX 7 174BH \$15,995 Maroa, 800-528-9787 www.FOURWINDSRV.com



Jayco - 2021 Jay Flight SLX 8 264BH \$19,995 East Peoria, 800-528-9787 www.FOURWINDSRV.com



Legal Notice
99906
NOTICE
A Public Hearing before the Bloomington Zoning Board of Appeals will be held virtually on Wednesday, February 17, 2021 at 4:00 PM at www.cityblm.org. Five on a petition submitted by Paul Smith for a variance request at 38 Sunset Rd. Bloomington, IL 61701 to allow a 53' reduction in the required front yard setback from 131' to 78' for construction of new home (Chapter 44-4A.1). The Subject Property is legally described as: SWING & EVANS SUB SE & PT SW 34-24-24 COM NE COR RE 12 S75° W42° FOR POB W126.5° S TO S LINE TO POB 71° L 10.5' & 12' P14-34-426-006

The petition is available for review online https://www.cityblm.org/zoning. In-person attendance is prohibited. Participants must register online www.cityblm.org/register at least 15 minutes prior to the meeting to participate virtually. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to publiccomment@cityblm.org. The rules for participation by physical attendance may be subject to change due to changes in law or to executive orders relation to the COVID-19 pandemic occurring after the publication of this notice. Changes will be posted at www.cityblm.org/register. The hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs please contact the City Clerk at 109 E. Olive St., Bloomington, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

99705
SECTION 00 113
ADVERTISEMENT TO BID
Ridgeway CUSD No. 19 is inviting sealed Bid Proposals from interested and qualified parties for roof restoration work, located at 300 South Harrison Street, Colfax, Illinois 61728. This project consists of a partial roof restoration, roof recovery, and roof replacement at the district school.
Bids will be received by Ridgeway CUSD No. 19 until the date and time listed below, at which time the bids will be publicly opened and read aloud.
Pre-Bid Date: February 04, 2021
Pre-Bid Time: 9:00 AM Central
Pre-Bid Location: Ridgeway

Legal Notice

District School, 300 South Harrison Street, Colfax, Illinois 61728.
Bid Date: February 12, 2021
Bid Time: 3:00 PM Central
Bid Location: Ridgeway District School, 300 South Harrison Street, Colfax, Illinois 61728
Bid security shall be submitted with each bid in the amount of five (5) percent of the bid amount. No bids may be withdrawn for a period of 30 days after opening of bids. Owner reserves the right to reject any and all bids and to waive informalities and irregularities.
Online procurement and contracting documents, documents will be available on the project bid list link at the bottom of the page or by contacting Farnsworth Group, Inc. Online access will be provided to all registered bidders during the bidding process. A separate fee site will be made available to the successful bidder for the duration of construction.
Bidders must be properly licensed under the laws governing their respective trades and be able to obtain insurance and bonds required for the Work. A Performance Bond, separate Labor and Material Payment Bond and insurance in a form acceptable to Owner will be required of the successful Bidder.
The Owner requires all contractors and vendors doing business with the Owner not to discriminate against anyone on the basis of race, age, color, religion, gender, sexual orientation, ancestry, non-job-related handicaps or national origin.
Ridgeway CUSD No. 19 reserves the right to accept or reject any and all bids, and to waive any and all informalities in the bidding. After receipt of bids and completion of the review process, Ridgeway CUSD No. 19 may award a contract to the bidder that, in its opinion, will provide a combination of the best services and reasonable cost.
Successful bidders shall be required to observe the fair employment practices commission rules pertaining to equal employment opportunity, and comply with the Illinois Wages and Hours Act, 820 ILCS 130.0 et seq., and use wage determination as determined by the Illinois Department of Labor. Conciliation and Mediation Division dated current to the date, these wages will remain in effect until superseded by a new determination.
Bids will be held good for a period of thirty (30) days subsequent to the opening of bids.

Those who supported the changes, which affect a third name of the district's schools, said names should reflect the values of a community. But opponents questioned why some names were included, while others said the focus should be on more substantive issues.

“What I love it is an opportunity for our schools to embody the characteristics of and feel a sense of pride in the chosen name,” said board president Gabriela López, who voted in favor of the name changes.

“This in no way erases our history. It cannot, and we will not forget the past. But we can honor the work that has been done to dismantle racism and white supremacy culture.”

Despite his August reputation as the president who led the Union in the Civil War and ended slavery, Lincoln is “not seen as much of a hero” by many Native Americans, according to a member of the renaming committee appointed by the school board.

Feinstein, who has an elementary school named after her, made the list because of controversies decades ago, around the time she was mayor, involving the development of a building that had housed Chinese and Filipino tenants, as well as an incident involving a Confederate flag at City Hall.

Through a spokesman, Feinstein, who has represented California in the U.S. Senate since 1992, declined to comment.

Each school has until April 19 to submit suggestions for new names to the renaming committee, which will then offer final options to the board.

Commissioner Kevin Bogges, the lone dissenter, said at Tuesday's meeting that he opposed naming schools after people, especially elected officials. He proposed a reexamination of naming policies across the district.

“I feel like it's not helpful for us to make heroes out

San Francisco will rename 42 schools

FAITH E. PINHO
Los Angeles Times

George Washington and Abraham Lincoln are no longer suitable names for public schools in San Francisco.

Explorers like Vasco Núñez de Balboa are out too, as Sen. Dianne Feinstein said. The San Francisco Unified School District Board of Education recently voted to change the names of 42 schools because of alleged associations with slaveholding, colonization or oppression.

Those who supported the changes, which affect a third name of the district's schools, said names should reflect the values of a community. But opponents questioned why some names were included, while others said the focus should be on more substantive issues.

“What I love it is an opportunity for our schools to embody the characteristics of and feel a sense of pride in the chosen name,” said board president Gabriela López, who voted in favor of the name changes.

“This in no way erases our history. It cannot, and we will not forget the past. But we can honor the work that has been done to dismantle racism and white supremacy culture.”

Despite his August reputation as the president who led the Union in the Civil War and ended slavery, Lincoln is “not seen as much of a hero” by many Native Americans, according to a member of the renaming committee appointed by the school board.

Feinstein, who has an elementary school named after her, made the list because of controversies decades ago, around the time she was mayor, involving the development of a building that had housed Chinese and Filipino tenants, as well as an incident involving a Confederate flag at City Hall.

Through a spokesman, Feinstein, who has represented California in the U.S. Senate since 1992, declined to comment.

Each school has until April 19 to submit suggestions for new names to the renaming committee, which will then offer final options to the board.

Commissioner Kevin Bogges, the lone dissenter, said at Tuesday's meeting that he opposed naming schools after people, especially elected officials. He proposed a reexamination of naming policies across the district.

“I feel like it's not helpful for us to make heroes out

of mortal fossils, and that it sets a bad precedent for us as we try to lift up values,” Bogges said. “Instead, we lift up people in ways that make it harder to hold them accountable.”

Before its decision, the board heard an hour of public comment.

“We're excited to have the opportunity to give our school a name that reflects our Latinx and Indigenous school,” said a parent of a third-grader at Marshall Elementary School. “It's a gift.”

Among the San Francisco schools that will get a new name is the storied magnet school Lowell High, its namesake, James Russell Lowell, was an abolitionist but depicted Black people unfavorably in his writings.

Last week, somebody posted “racist, anti-Semitic and pornographic imagery and speech” on Lowell High School's virtual bulletin board. The incident changed the mind of at least one Lowell student, who had initially questioned the renaming proposal.

“Now is really the time,” he told the board. “This work needs to be done.”

Other speakers reminded board members of the merits of some historic figures, such as former presidents.

Some questioned the renaming committee's re-search process, with one person pointing out that Wikipedia was cited as a source.

Others questioned the focus on names, particularly during a pandemic that has left students at home struggling with online learning. “Do you really think changing the name on an empty building is going to change anything that had been going on inside?” said Marcia Parrott, former principal at Miraloma Elementary School. “What is your goal? Racial justice? Inequality? How is that going to occur when there's nobody in those buildings and won't be for some time?”

Jeremiah Jeffries, a teacher and leader of the renaming committee, said each school name was evaluated against criteria developed during early meetings at the beginning of last year.

“We are unapologetically going after white supremacy, white supremacist symbols, and making these changes that people have been demanding for years,” Jeffries said.

The committee presented its findings to the full board in November, to a wave of blowback from San Francisco and beyond.

Find your next job at pantagraph.com/jobs



Find your next job at pantagraph.com/jobs



Find your next job at pantagraph.com/jobs

ALMANAC

Statistics through 4 p.m. Sunday
Temperature
High/Low 34°/30°
Normal high/low 33°/16°
Record low 66° (1989)
Record low -15° (2019)

Precipitation
24 hrs through 4 p.m. Sun. 0.61"
Month to date (normal) 1.93" (1.96")
Year to date (normal) 1.93" (1.96")
Last year to date 3.65"

Snowfall
24 hrs through 4 p.m. Sun. 0.5"
Month to date (normal) 5.7" (5.7")
Season to date (normal) 6.0" (13.3")
Last season to date 9.5"

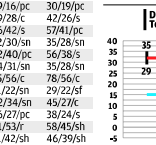
Heating Degree Days
Degree days are an indicator of energy needs. The more the total degree days, the more energy is necessary to heat.

Sunday
Month to date (normal) 1158 (1257)
Since July 1 (normal) 607 (606)

RealFeel Temperature® Today
An exclusive blend of effective temperature, wind, humidity, sunshine intensity, cloudiness, precipitation, pressure and elevation on the human body.

9° 15° 16° 11°
8 a.m. noon 4 p.m. 8 p.m.

TEMPERATURE TRENDS
Daily Temperature Forecast Temperature Average High Average Low



UV Index Today

Shown is the highest value of the day.
0 1 2 3 4 5 6 7 8 9 10 11+
The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

Today's Air Quality airnow.gov
Forecast index based on presence of man-made particulates affecting aspects of human health.

Skywatch
Sun 7:09 a.m. 5:14 p.m.
Moon 9:48 p.m. 9:36 a.m.

Last Quarter Feb 4
New Moon Feb 11
First Quarter Feb 19
Full Moon Feb 27

©2021, forecasts and graphics provided by

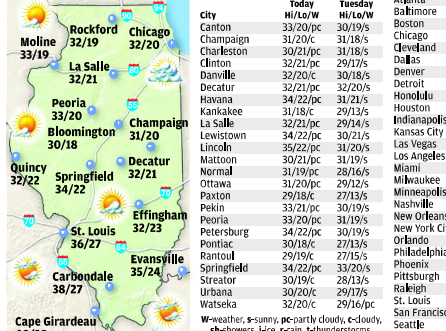
AccuWeather
Plan your week! Get the NEW app

BLOOMINGTON'S FIVE-DAY FORECAST

TODAY	TONIGHT	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Chilly with some sun	Clear and seasonably cold	Mostly sunny	Partly sunny	Breezy with periods of rain	Chilly with clouds and sun
WIND NNW 10-20 mph	WIND NNW 7-14 mph	WIND NNW 6-12 mph	WIND NW 5-14 mph	WIND S 12-25 mph	WIND W 10-20 mph
30° 16°	18°	30° 16°	32° 28°	38° 18°	27° 12°

REGIONAL OUTLOOK: Partly sunny, brisk and chilly today. Expect 3-6 hours of sunshine with average relative humidity 85% and poor drying conditions. Clear and seasonably cold tonight; frostbite to exposed skin within 15 minutes. Average relative humidity 95%. Mostly sunny tomorrow.

Shown is today's weather. Temperatures are today's highs and tonight's lows.



NATIONAL OUTLOOK

City	Today H/L	Today W	Tuesday H/L	Tuesday W
Albuquerque	51/34	60/37		
Anchorage	7/1/5	9/7		
Atlanta	40/30	46/28		
Baltimore	35/31	37/29		
Boston	35/23	32/28		
Chicago	32/20	32/16		
Cleveland	34/24	30/23		
Dallas	58/37	61/42		
Denver	29/23	60/36		
Detroit	29/20	31/15		
Honolulu	80/68	80/70		
Houston	63/39	65/45		
Indianapolis	56/42	57/44		
Kansas City	39/24	47/31		
Las Vegas	59/43	64/46		
Los Angeles	70/49	69/50		
Miami	75/49	64/55		
Milwaukee	33/22	33/17		
Minneapolis	29/16	30/19		
Nashville	39/26	42/26		
New Orleans	56/42	57/44		
New York City	32/30	35/28		
Orlando	62/40	56/38		
Philadelphia	34/31	35/28		
Phoenix	75/54	78/56		
Pittsburgh	31/22	29/22		
Raleigh	42/34	45/27		
St. Louis	36/27	38/24		
San Francisco	61/53	58/45		
Seattle	51/42	46/39		
Washington, DC	36/32	37/30		

REGIONAL FORECAST

City	Today H/L	Today W	Tuesday H/L	Tuesday W
Campton	32/20	30/19		
Champaign	31/20	31/18		
Charleston	30/21	31/18		
Clinton	32/21	29/17		
Danville	32/20	30/18		
Decatur	32/21	30/18		
Havana	34/22	31/21		
Kankakee	31/18	29/13		
LaSalle	32/21	29/14		
Levinston	34/22	30/21		
Lincoln	35/22	31/20		
Matteson	30/21	31/19		
Normal	31/19	28/16		
Ottawa	32/21	29/12		
Paxton	29/18	27/13		
Pekin	33/21	30/19		
Peoria	32/20	31/19		
Petersburg	34/22	30/19		
Pontiac	30/18	27/13		
Rantoul	29/19	27/15		
Springfield	34/22	32/20		
Streator	30/19	28/13		
Urbana	30/20	29/17		
Watseka	32/20	29/16		

W-weather, S-sunny, P-partly cloudy, C-cloudy, sh-showers, H-haze, F-fog, E-thunderstorms, A-snow flurries, S-snow

CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
January 20, 2021

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
Z-29-20	Fence variance	Variance	Caitlin Kelly, Assistant City Planner

PETITIONER'S REQUEST:			
Section of Code: 44. 9-10 Fence Regulations			
Type of Variance	Required	Requested	Variation
Fence standards	4' maximum height	6' in height	2' over maximum height

Staff Recommendation	Staff finds that the application does not meet all the standards for a variance. Staff recommends that the Zoning Board of Appeals deny the requested variance.
---------------------------------	---

SUMMARY OF FINDINGS OF FACT AND STAFF RECOMMENDATION

Since the December 16, 2020 meeting, the applicant and her legal counsel submitted supplemental petition materials consisting of a revised variance petition and findings of fact, several incident reports from the Bloomington Police Department regarding a robbery that occurred at the property in 2015 and vehicular burglaries in the surrounding area in subsequent years, a copy of a petition in support of the variance signed by thirteen neighbors, and a list of 25 corner lots within 1.1 miles of the subject property with front yard fences exceeding 4' in height. These materials are included in the packet and attached to this memo. Upon reviewing the supplemental materials, staff's findings of fact remain the same, with the exception of item 4:

4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; Of the 25 corner lots cited by the petitioner in the supplemental application materials, six received fence height variances granted by the Zoning Board of Appeals between 2005 and 2018. Another four received approved permits despite their nonconforming heights, two in 2002, one in 2011, and one in 2012. Though granting the 2ft variation request may not give the applicant a special privilege denied to others in the surrounding neighborhood, it would still constitute a special privilege denied to City of Bloomington residents more broadly since the 4ft front yard fence height regulation applies to all residential properties in the corporate limits. **The standard is not met.**

The Zoning Ordinance requires all five standards for a variance to be found prior to granting approval. Staff finds that the application does not meet all standards for a variance and recommends a denial of the variance.

For additional information, please refer to the original staff report, variance petition, and supplemental materials submitted for the December 16th ZBA meeting, which are included in this packet. Also included in this packet is the opposition email staff received on December 13, 2020. This email was shared with the applicant and the Board prior to the December 16th public hearing. It is being added to this packet for reference.

Respectfully submitted,

Caitlin Kelly
Assistant City Planner

Attachments:

- Revised Variance Application, supplemental documents from applicant, opposition email
- Original staff report and recommendation
- Original Variance Application and supplemental documents from applicant
- Site Plan
- Zoning Map
- Aerial Map
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

SUPPLEMENTAL APPLICATION TO ZONING BOARD OF APPEALS

Please consider this as Brooke Hermanowicz's ("Petitioner") supplemental petition for variance from the requirement(s) of the Zoning Code as it relates to a fence height variance for a single family home located at 220 Willard Avenue. Petitioner initially submitted her original petition for variance and said petition proceeded to hearing with the Zoning Board of Appeals on December 16, 2020. After hearing testimony from Petitioner and witness David Wiltz, and considering the evidence submitted, the Board voted to continue the hearing on the petition to allow Petitioner to submit additional information and documentation to the Board for consideration. In submitting this supplemental petition, Petitioner hereby adopts and incorporates her original application to the Zoning Board of Appeals, documents previously submitted and testimony provided.

Site Address: 220 Willard Avenue

Petitioner: Brooke Hermanowicz

Petitioner's email address: [REDACTED] can be contacted via counsel

Petitioner's mailing address: [REDACTED]

Contractual interest in the property: Yes, Petitioner owns the residence.

Signature of Applicant: [REDACTED]

Brief Description of Project: Petitioner is seeking a variance to allow a six-foot privacy fence around the south side and partial southeast side of the property. There was an existing fence that was replaced by the Petitioner's construction of the six-foot fence at issue in or around March 2019. In repairing the existing fence, Petitioner was unaware of any need to either obtain a permit to provide for a fence repair and/or of a requirement that the normal fence height of six-foot for a side yard in a residential district was reduced to four-foot for a home located on a corner lot. See Section 44-910 of the City Code, Fence Regulations. In reviewing Section 44-910 there is no express mention of a reduced side yard fence height for residences located on a corner lot, and no reference to any other code provision mandating a reduced side yard fence height. Moreover, there are over 25 properties within the vicinity of Petitioner's property with 6-foot fencing in side yards on corner lots. 24 of those properties are located less than a mile away from Petitioner's home, and 3 are located on Willard Avenue. Petitioner is seeking a relaxation of the asserted four-foot maximum fence height along a side yard of a residential property located on a corner lot. The site plan and photographs previously submitted outlines the location of the fence as constructed.

Code Requirements Involved: City of Bloomington Code Chapter 44, Article IX, 9-10
(Fence Regulations)

Variance(s) Requested: Relaxation of Chapter 44, Article IX, 9-10 (Fence Regulations)
regarding Residential Districts side yard maximum fence height for property located on a corner
lot as asserted by the City to be limited to four feet.

Reasons to Justify Approval by the Zoning Board of Appeals: There was already a fence in the side yard which was repaired by the homeowner in or around March 2019. The property is located a corner lot at the intersection of Willard Avenue and Taylor Street resulting in increased daily vehicular traffic and foot traffic on the sidewalk adjacent to the subject property. There is also commercial property located less than .4 mile from the subject property which results in increased street parking adjacent to the subject property. The six-foot fence will offer more security and privacy to the family in light of a residential burglary to the home in 2015 and an increase in vehicular break ins in the surrounding areas. See copies of redacted police reports attached herein as Exhibit A. While Petitioner is aware of a statement in opposition to the variance requested, said objection is not well taken with no supporting factual basis. The objection should not be given any weight considering the Fries reside outside the applicable 500-foot radius. Further, the one objection is contradicted by the 13 neighbors who have expressed support of the petition for variance. See Petition in Support attached as Exhibit B.

Statement of Findings of Fact

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and

Property location and adjacent property uses warrant the use of a six-foot fence to address security and privacy concerns.

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

Petitioner is seeking the minimum variance needed to provide sufficient security and privacy for her home and family. The six-foot fence will also improve public safety in the surrounding area by lessening contact between the property owner's dog and pedestrians traveling along the adjacent sidewalk.

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

While the City asserts the fence was constructed in violation of Section 44-910 of the City Code, there is no express mention of a reduced side yard fence height for residences located on a corner lot and no reference to any other code provision mandating a reduced side yard fence

height. At a minimum, the Code as written is ambiguous and lacks any clear direction to homeowners as to a reduced fence height mandate for side yards of properties on corner lots. Additionally, the homeowner was unaware of a need to obtain a permit for a fence repair as the International Residential Code for One and Two-Family Dwellings exempts such work from a permit. See IRC R105.2. Finally, the homeowner worked with a city employee in advance of repairing the fence and understood the city employee to approve of the plans.

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 granting of the variance requested will not give the applicant any special privilege denied to others by the Code as there are 24 six (6) foot tall corner side yard fences in properties located within a mile radius of the subject property, with three (3) of the fences located on the same street. A listing of corner lot properties with 6 feet fence on front/side yards attached hereto as Exhibit C.

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

The fence will not be detrimental to public welfare, alter the essential character of the neighborhood or unreasonably impair the use or development of adjoining properties. The variance, which would allow the six-foot fence in the corner side yard, will not alter the essential character of the neighborhood as there are 24 six (6) foot tall corner side yard fences in properties located within a mile radius of the subject property, with three (3) of the fences located on the same street. The exterior architectural appeal and functional plan of the fence will not be so at variance with the exterior architectural appeal and functional plan of the structures already constructed as to cause a substantial depreciation in the property values within the neighborhood. Likewise, there is no appreciable public safety concerns due to the fence as it relates to the abandoned and unused alleyway located to the south of the property. Said alleyway has not, and cannot be used, for vehicular traffic and has been abandoned by the City. Finally, there have been no well-founded complaints or concerns expressed over any visibility issues due to the fence height.

Wherefore, Petitioner, Brooke Hermanowicz, respectfully requests that her petition for a variance be granted and for any other relief as the Board of Zoning Appeals deems just and proper. In the alternative only, Petitioner would be open to consideration of a modification only to the corner of the fence to provide for a step down near the abandoned alleyway.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 1 of 19

Report # 201515926

Bloomington PD

Report Date: 11/05/2015

16:58

Start Date: 11/05/2015

07:30

End Date: 11/05/2015

16:45

201515926

201515926

Status: 03 - Cleared by adult arrest

Summary: RESIDENTIAL BURGLARY REPORT.

Report Type:

Incident Location

Address ■ WILLARD AVE

Intersection:

BLOOMINGTON, IL 61701

Beat: 5 -

Distance:

Incident Offenses

1 - 0625 RESIDENTIAL BURGLARY - - Original Report

Incident People

HERMANOWICZ, BROOKE - 03/08/1979 - Victim - Original Report

100130195

100130195

■ - Victim - Original Report

100951763

NO SUSPECT, - - Suspect - Original Report

100944788

100944788

■ - Other - Original Report

100210200

■ - Other - Original Report

100026818

■ - Other - Original Report

100299100

■ - Other - Original Report

100253569

FORMAN, JAMES - 05/19/1987 - Suspect - Supp. #5 - DCN: L76970900 - Arrest Date: 12/03/2015

100460501

100460501

■ - Suspect - Supp. #6

100436249



McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 2 of 19

FORMAN, JAMES - 05/19/1987 - Arrestee - Supp. #8 - DCN: L76970900 - Arrest Date: 12/03/2015

* 100460501 *

100460501

Incident Vehicles

Incident Property

Original Report - CASH;CASH AND COIN; Make:US CURRENCY; Lic#:VARIOUS
DENOMINATIONS; Val:\$500.00;

* 110505711 *

110505711

Supp. #2 - AUDIO TAPE/CD;PICTURES OF [REDACTED] WILLARD;

* 110505706 *

110505706

Supp. #3 - ELECTRONIC EQUIP;PinkMake:APPLE; Model:IPOD TOUCH; Val:\$300.00;

* 110505823 *

110505823

Supp. #5 - WINDOW;PLEXIGLAS WINDOW PANE; Lic#:EXHIBIT # 1;

* 110508590 *

110508590

Supp. #5 - DISK;LATENT PROCESSING PHOTOGRAPHS; Make:MEMOREX; Model:CD-R;
Lic#:EXHIBIT # P-2;

* 110508591 *

110508591

Supp. #5 - FINGERPRINTS;JAMES FORMAN'S FINGERPRINT CARD; Lic#:EXHIBIT # JF-1;

* 110508592 *

110508592

Supp. #5 - DISK;LATENT IMAGE FILES; Make:MEMOREX; Model:CD-R; Lic#:EXHIBIT # P-3;

* 110508593 *

110508593

Supp. #6 - FINGERPRINTS [REDACTED] FINGERPRINT CARD; Lic#:EXHIBIT # RF-1;

* 110508653 *

110508653

Supp. #6 - DISK;LATENT IMAGE FILES; Make:MEMOREX; Model:CD-R; Lic#:EXHIBIT # P-4;

* 110508654 *

110508654

Supp. #7 - FINGERPRINTS;JAMES FORMAN'S ROLLED INK FINGER & PALM PRINT CARDS; Lic#:EXHIBIT # JF-2;

* 110508759 *

110508759

Supp. #8 - VIDEO TAPE;DVR INTERVIEW/ JAMES FORMAN/ 12-3-15;

* 110508768 *

110508768

Supp. #8 - PHOTOGRAPH;IMAGES EMAILED TO [REDACTED]

* 110508769 *

110508769

Incident Officers

Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD - 8055 - Original Report

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Original Report

Supplemental Reporting OFFICER A VASQUEZ - BPD - 10708 - Supp. #2

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #2

Supplemental Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD - 8055 - Supp. #3

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 3 of 19

Approving ASSISTANT CHIEF TIMOTHY MCCOY - BPD - 5428 - Supp. #3

Supplemental Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD - 8055 - Supp. #4

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #4

Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD - 7920 - Supp. #5

Approving ASSISTANT CHIEF GREGORY SCOTT - BPD - 6037 - Supp. #5

~~Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD - 7920 - Supp. #6~~

Approving LIEUTENANT CLAYTON ARNOLD - BPD - 7616 - Supp. #6

Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD - 7920 - Supp. #7

Approving LIEUTENANT CLAYTON ARNOLD - BPD - 7616 - Supp. #7

Supplemental Reporting RETIRED DETECTIVE MATTHEW DICK - BPD - 6687 - Supp. #8

Arresting RETIRED DETECTIVE MATTHEW DICK - BPD - 6687 - Supp. #8

Approving LIEUTENANT CLAYTON ARNOLD - BPD - 7616 - Supp. #8

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD - 7462 - Supp. #9

Approving LIEUTENANT CLAYTON ARNOLD - BPD - 7616 - Supp. #9

Supplemental Reporting FOIA CUSTODIAN KATHY BICKNELL - BPD - 11186 - Supp. #10

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #10

Supplemental Reporting RECORDS SUPPORT JOSHUA JOHNSON - BPD - 11242 - Supp. #11

Approving RETIRED SERGEANT TODD KEIL - BPD - 4842 - Supp. #11

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD - 7462 - Supp. #12

Approving RETIRED SERGEANT BRADLEY FICEK - BPD - 5559 - Supp. #12

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD - 7462 - Supp. #13

Approving RETIRED SERGEANT BRADLEY FICEK - BPD - 5559 - Supp. #13

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 4 of 19

Incident Narrative 1 11/05/2015 19:47

Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD, ID # 8055

On Thursday, November 5, 2015, at approximately 1702 hours, I was dispatched to [REDACTED] Willard Avenue to investigate a residential burglary complaint. Dispatch advised the home owner returned to find her house had been broken into. Dispatch advised the home owner left and would be waiting at a friend's house nearby.

Upon my arrival, I noted the home was a two story, single family dwelling, located on the northeast corner of Willard Avenue and E. Taylor Street. The front of the home was constructed with an attached, closed-in, front porch. The porch can be accessed via a single-storm door.

I walked around the exterior of the home, but located no broken windows. Next, I entered the front porch. From the front porch, the home can be accessed via a single, wooden entry door. The upper half of the entry door was comprised of three, rectangular windows, staggered in a stair-step design. I noted several small, wooden trim pieces on the floor of the porch. The window pane, closest to the door handle side of the door jam, was missing. It appeared the trim pieces came from the opening of the missing window pane. I observed no broken glass on the floor of the porch.

The inside of the house was completely dark. Using my flashlight, I looked into the home through the missing window. I could see a flat screen TV in the living room and a laptop on a counter near the entrance to the kitchen. The inside of the home appeared neat and orderly. I checked the entry door and noted the door knob was unlocked, as I was able to turn it completely, but the deadbolt had been engaged. I was unable to open the door. At my request, Dispatch contacted the home owner, asking her to return home.

A short time later, the home owner, Brooke Hermanowicz, and her boyfriend, [REDACTED], arrived on scene. It should be noted [REDACTED] does not reside with Brooke. However, Brooke has a 9 year old daughter, named [REDACTED] who lives in the home. [REDACTED] was not with Brooke.

Brooke explained that she and [REDACTED] left the house at approximately 0730 hours this morning (11/05/2015). Brooke returned home at approximately 1645 hours. Brooke stated she initially did not notice the missing window pane. Brooke said she tried to unlock her front door, but was unable to do so. Brooke explained her door knob and deadbolt are keyed differently. Brooke does not have a key for the deadbolt, only the door knob. So, when she leaves the home, she only locks the door knob. Brooke locks the deadbolt when she is home. When Brooke was trying to unlock her front door, it apparently did not register with her that it was already unlocked, but the deadbolt was locked.

Brooke explained she, then, noticed her house was completely dark on the inside. Brooke stated that was unusual because she always keeps a light on when she leaves home. Brooke stated she, then, noticed the window pane was missing. Brooke stated she immediately suspected her house had been burglarized. Brooke left her home and went to a nearby friend's house to call the police.

Officer Maas arrived on scene to assist me with searching the home for anyone who may have still been inside. In order to enter the home, I had to unlock the deadbolt. I was able to do that with ease by reaching my arm through the missing window pane and turning the deadbolt latch. Officer Maas and I searched the home, finding no one inside. Officer Maas had no further involvement in this investigation. I should note the missing window pane was never found. There was no broken glass on the floor inside the door. It appeared the whole window pane was removed, still intact, and kept by the suspect(s). Furthermore, the backdoor was still locked by a deadbolt and chain lock.

Next, I accompanied Brooke and [REDACTED] as they conducted a walk-through of the home. Brooke took note that her TV and laptop were still present. Brooke walked up the stairs and made mention of money kept in [REDACTED] bedroom. Upon entering [REDACTED] bedroom, I took note of numerous coins scattered about the floor and a desk. Brooke mentioned there were many more coins on [REDACTED] desk than what was showing at the time. Brooke also mentioned there were no coins scattered on the floor when they left in the morning.

Brooke approached a chest of drawers in [REDACTED] room. Touching only outer edge of the top drawer, Brooke opened the drawer. Brooke reported [REDACTED] cash and coins were gone. Brooke explained [REDACTED] had been saving all of the money she had received from birthdays and the like. Brooke stated, that with the exception of the coins still on [REDACTED] desk, all of her cash and other coins had been divided by denomination and bagged in multiple sandwich bags. Brooke estimated [REDACTED] had saved nearly \$500.00 in cash in coin, which was now gone.

[REDACTED] asked about the silver and gold coins he had previously and periodically gifted to [REDACTED] Brooke looked in the same top drawer and noted the coins, which were hidden under some clothing, were still present. Brooke checked her bedroom. Brooke noted that nothing appeared to have been disturbed or missing.

At my request, Officer Vasquez and Det. Krylowicz responded to the scene for crime scene processing. She their supplemental reports for further details.

Brooke was emotional and disturbed that someone had entered her home. She questioned why someone would steal from a child. She

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 5 of 19

questioned why the suspect or suspects would not have stolen her TV and / or laptop. Brooke, then, made mention of two men her neighbor had recently hired to do handyman work.

Brooke explained her neighbor at [REDACTED] Willard, named Brenda, recently hired two white males, in their 20's, to do some gutter and landscaping work. Brooke stated she noticed them this past weekend working at [REDACTED] home. Brooke explained she had an uneasy feeling about the two males, as they were seemingly staring at her while she was outside. Brooke offered no other potential suspect information. Brooke provided me with [REDACTED] phone number [REDACTED].

While Officer Vasquez and Det. Krylowicz worked on their crime scene processing, I conducted a neighborhood canvas. I first spoke with the residents of [REDACTED] Willard Avenue, [REDACTED]. [REDACTED] reported she was home most of the day, but did not see anything. [REDACTED] reported, that this past Sunday (11/01/2015), he noted two white males sitting on the front steps of [REDACTED] Willard ([REDACTED] home). [REDACTED] stated he had an uneasy feeling about the two males. [REDACTED] explained they appeared to be looking around at the neighborhood homes a lot.

Next, I made contact with a female resident at [REDACTED] Willard Avenue. She reported she was not home during the day and, unfortunately, had nothing to offer.

I, then, made contact with [REDACTED], resident of [REDACTED] Willard Avenue. [REDACTED] reported, that approximately 4 to 6 weeks ago, she noted three suspicious males walking northbound through the neighborhood. [REDACTED] described them as one white male and two black males, all in their late teens to early 20's. [REDACTED] stated they were suspicious because they were walking down the middle of the street and not on the sidewalk. [REDACTED] stated they were additionally suspicious because all three of them appeared to be looking around at all the houses. [REDACTED] described it as if they were "casing" homes.

Lastly, I attempted to make contact with [REDACTED] at [REDACTED] Willard Avenue. I received no answer at the door.

I met up with Brooke one last time. I provided Brooke with my business card and invited her to contact me with any questions or new information. Brooke thanked me for my time.

Later the same evening, at approximately 2021 hours, I tried again to make contact with Brenda at [REDACTED] Willard Avenue. She still was not home.

I labeled this report as PENDING to be reviewed for possible case assignment.

End of report.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 6 of 19

Incident Narrative 2 11/05/2015 19:51

Supplemental Reporting OFFICER A VASQUEZ - BPD, ID # 10708

On Thursday November 5, 2015 at approximately 1658 hours, I was driving a fully marked Bloomington Police Department squad car (#14), and I was wearing a full Bloomington Police Department issued uniform.

I responded to [REDACTED] Willard Avenue in Bloomington to help process a burglary scene. Officer Buchanan stated he needed a shift level crime scene technician to evaluate the residence.

Detective Krylowicz and I both arrived on scene. Refer to Detective Krylowicz supplemental report for further details.

I took photographs of the scene. The pictures were then copied onto a DVD-R. The pictures were packaged and submitted into Standard Evidence Locker #8.

This ends my involvement in this case.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 7 of 19

Incident Narrative 3 11/06/2015 17:33

Supplemental Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD, ID # 8055

On Friday, November 6, 2015, upon my return to duty, I received an email from the victim, Brooke Hermanowicz. Brooke indicated, that while cleaning her daughter's bedroom, she located the missing window pane of her front door. Brooke said she found the window pane in the bedroom closet. Brooke also reported she was unable to locate her daughter's iPod Touch and believed it had been stolen as well.

Via email, I notified Ofc. Vasquez and Det. Krylowicz of the discovery of the window pane. Det. Krylowicz is to be making arrangements with Brooke to obtain the window pane for possible evidence processing.

I responded to Brooke's email, asking her for specific information regarding the iPod. Brooke replied, describing the iPod as Metallic Pink in color with a 32GB memory capacity. Brooke stated she did not have the serial number for the iPod, indicating its original box was stolen along with the iPod.

I responded, yet again, to Brooke's email, asking her if the iPod's "Find My iPhone" feature had been enabled. At which time I receive a reply from Brooke, I will supplement this report.

End of supplemental report.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 8 of 19

Incident Narrative 4 11/10/2015 20:27

Supplemental Reporting PATROL OFFICER WILLIAM BUCHANAN - BPD, ID # 8055

In Supplemental Report #3, I noted I had inquired with Brooke, via email, if her daughter's iPod had the "Find My iPhone" feature enabled. On Tuesday, November 10, 2015, I received a response from Brooke. Brooke indicated the "Find My iPhone" feature had not been enabled. Therefore, tracking its location would not be possible.

End of supplemental report.

Incident Narrative 5 12/01/2015 17:10**Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD, ID # 7920****BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT****INITIAL RESPONSE**

On Thursday, 11/05/15, at approximately 17:00 hours, I responded to [REDACTED] Willard Drive to help assist Shift Level Crime Scene Tech. Officer Vasquez, process the scene of a residential burglary. Upon our arrival, Officer Buchanan briefed us on the circumstances known to this point. Unknown suspect(s) forced entry into the residence through the front door and rummaged through the two upstairs bedrooms. U.S. currency from a child's bedroom was known to be missing at this time.

EVIDENCE PROCESSING

The address of [REDACTED] Willard Avenue is the site of a two story, single- family residence with a basement. It sits on the northeast corner of Willard Avenue and Taylor Street.

The weather conditions at the time of this report incident were cloudy, night skies, with an approximate air temperature of 63 degrees. There was a slight precipitation (drizzle rain), and the ground surrounding the residence was moist.

There are two entry doors to the residence; a front door with access from an enclosed front porch, and a back door with access from the backyard. There did not appear to be any forced entry or signs of tampering to the back door or any of the windows. The front door was most likely the point of entry and exit point. A small plexiglas window pane (6 inches by 12 inches) near the locking mechanisms was pried and removed. The suspect(s) gained entry by reaching through the hole to the window and unlocking the door. It should be noted that during a walk-thru of the residence, the plexiglas window was not located and it was assumed the suspect(s) took the window with them.

Officer Vasquez took digital photographs of the scene with a digital camera. See his supplement narrative for further information.

I processed the point of entry and other items in the residence that the suspect may have handled. I used standard black fingerprint powder to aid in the search for potential fingerprint evidence. After processing these areas, I did not observe any ridge friction detail that was suitable for comparison.

COLLECTION OF WINDOW PANE AND EVIDENCE PROCESSING

On 11/10/15, at approximately 16:45 hours, I responded back to [REDACTED] Willard Avenue to collect the found missing window pane. Officer Buchanan previously informed me that the victim, Brooke Hermanowicz, located the window pane while straightening up her residence.

Upon my arrival, I met with Brooke Hermanowicz and she advised me the window pane was located in her daughter's bedroom behind some displaced clothing items. She lifted the window pane with an article of clothing and stored it inside her bedroom until the police picked it up.

After collection, I returned to the Bloomington Police Department Crime Lab. I processed the window can using the cyanoacrylate fuming technique (super glue). Afterwards, I visually examined the window pane and observed areas of ridge friction detail which could be suitable for comparison.

Due to other work related duties, I postponed photographs of the developed prints for a later date. The window pane was secured in the Crime Lab's evidence locker Lab A.

PRINT PHOTOGRAPHY AND ENTRY INTO THE AFIX TRACKER

On 12/01/15, at approximately 14:15 hours, I removed the window pane from evidence locker Lab A. Using oblique lighting, I located and bracketed seven (7) areas of ridge friction detail that could be suitable for comparison. I placed measuring tape stickers next to the areas

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 10 of 19

which were labeled # 1 through # 7. I then photographed the areas with the use of a Nikon D-90 digital camera in both RAW and JPEG formats.

After photography, the digital images were downloaded to a disk labeled as [Exhibit # P-2], and to the B.P.D. crime lab photo file under this case number.

I entered the suitable image files of print # 1 through # 7 into the AFIX Tracker System. I conducted a search against known persons. I was able to identify print # 1 to James A. Forman's (05/19/87) right ring finger, and print # 4 had similarities to James Forman's left thumb. The image file of print # 1 (DSC_1003) and print # 4 (DSC_1007) were downloaded to a disk labeled as [Exhibit # P-3].

I printed an archived copy of James Forman's finger print card and placed it in a manila envelope, which I labeled as [Exhibit # JF-1]. The disk of Exhibit # P-3 and James Forman's finger print card will be submitted for examination by a Certified Latent Print Examiner at the Illinois State Police Forensic Laboratory in Morton, Illinois, at a later time.

EVIDENCE DISPOSITION

On 12/01/15, at approximately 20:45 hours, the window pane [Exhibit # 1], and the disk of [Exhibit # P-2], was packaged and secured in Standard Evidence Locker # 8 for long term storage.

Exhibits # P-3 and JF-1 remain secured in the Crime Lab's evidence locker Lab A in anticipation to be transferred to the I.S.P. Forensic Laboratory.

There is nothing further at this time.

Date: 12/22/2020 16:03

Page: 11 of 19

Incident Narrative 6 12/02/2015 15:49

Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD, ID # 7920

BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT

EVIDENCE MANAGEMENT

On 12/02/15, I was advised by lead Detective, Matt Dick, to add [REDACTED] as a suspect in this case and submit his fingerprint card to the Illinois State Police Forensic Laboratory along with all the other print photographs for comparison.

Using the AFIX Tracker system, I printed an archived copy of [REDACTED] fingerprint card. The card was placed in a manila envelope and labeled as [Exhibit # RF-1].

I downloaded all suitable print image files onto a disk labeled as [Exhibit # P-4]. This disk will replace the disk of [Exhibit # P-3] in being transferred to the Illinois State Police Forensic Laboratory for comparison. The disk of [Exhibit # P-3] was removed from the Crime Lab's evidence locker Lab A and transferred to Standard Evidence Locker # 8 for long term storage.

As of 12/02/15, Exhibits # P-4, RF-1, and JF-1 remains in the Crime Lab's evidence locker Lab A in anticipation to be transferred to the I.S.P. Forensic Laboratory.

There is nothing further at this time.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 12 of 19

Incident Narrative 7 12/03/2015 14:01

Supplemental Reporting DETECTIVE MARTIN KRYLOWICZ - BPD, ID # 7920

BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT

EVIDENCE RECEIVING AND DISPOSITION

On 12/03/15, at approximately 14:00 hours, Detective Mathewson provided me with a manila envelope containing the rolled inked finger and palm prints for suspect, James A. Forman.

I entered this piece into the property section of this report and created an evidence tag. The envelope was labeled as [Exhibit JF-2], packaged, and secured in the Crime Lab's evidence locker Lab A. This exhibit will be transferred to the Illinois State Police Forensic Laboratory on a later date for comparison.

There is nothing further at this time.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 13 of 19

Incident Narrative 8 12/03/2015 14:51

Supplemental Reporting RETIRED DETECTIVE MATTHEW DICK - BPD, ID # 6687

On 11-5-15, Brooke Hermanowicz reported a burglary to her residence at [REDACTED] Willard Avenue, Bloomington IL. Entry had been gained by removing a pane of glass from the front door. The suspect(s) then reached through the empty frame and unlocked the door. Taken in the burglary was approximately \$500.00 in cash and coins that Hermanowicz' daughter had saved and was stored in a drawer in the daughter's room. Also taken was Hermanowicz' daughter's Ipod Touch. When asked about possible suspects Hermanowicz mentioned two subjects that her neighbor had hired to clean gutters and do some landscaping. Hermanowicz felt uneasy about these subjects because of the way they stared at her when she was outside her residence. Officer Buchanan conducted a neighborhood canvas and other neighbors mentioned these subjects as well. These neighbors related that the two subjects were looking at the houses in the neighborhood and appeared to be "casing" them. The neighbor that hired the subjects was named [REDACTED] and lived at [REDACTED] Willard.

On 11-11-15, I (Detective Dick) spoke with [REDACTED] of [REDACTED] Willard. I asked [REDACTED] about the subjects that she hired. [REDACTED] advised that one of the subjects' name was James Forman. She didn't know the other subject's name however he was James' brother. [REDACTED] claimed that she met them when they stopped at a yard sale she was having. They do yard work for an elderly male subject that lives down the street and offered to do yard work for her. She agreed to have them clean out her gutters and advised them to come back in the winter to shovel snow for her.

After speaking with [REDACTED] I searched the EJS database and found a James Forman DOB 5-19-87. Forman's residence was listed as [REDACTED] Magnolia which is a relative short distance from [REDACTED] Willard. Forman had active arrest warrants for Criminal Damage to Property and Driving Under the Influence of Alcohol. The Criminal Damage to Property charge was related to Normal Police Incident 2015-09739 in which Forman was forcing entry to a Walgreens drug store. I also searched the EJS database for other subjects that lived at [REDACTED] Magnolia that could be James Forman's brother. I found a [REDACTED] who is on probation for burglary. I advised Detective Krylowicz of the two possible suspects and inquired about any latent fingerprint evidence from the scene. Detective Krylowicz advised that there were no latent fingerprints found at the scene however the missing pane of glass from the front door was found by the victim, Brooke Hermanowicz when she was cleaning her daughter's room. Detective Krylowicz advised that he was on his way to collect the pane of glass and he would let me know if any latent fingerprint evidence was found on it.

On 12-1-15, Detective Krylowicz called me and related that he had processed the pane of glass and located several areas of friction ridge detail that could be compared to known fingerprints. He further related that he used the AFIX tracker machine and matched two of these areas to the known fingerprints of James Forman. I was off duty at the time however the next day I spoke with Detective Krylowicz again who advised that Sergeant Clayton Arnold examined his work and also concluded that the latent prints were a match to Forman. Detective Krylowicz also noted that the two latent prints that matched Forman were on opposite sides of the pane of glass which would be consistent with handling it while it was removed and not just casual contact from knocking on the door.

On 12-2-15, I contacted Brooke Hermanowicz and asked her if she knew James Forman and if there were any legitimate reason for his fingerprints to be on the pane of glass from her front door. She stated that she did not know him and there was no legitimate reason for his prints to be on the glass. I also asked her if the subjects that [REDACTED] hired had come to her house for any reason that she was aware of. She stated that they didn't as far as she knew.

I also contacted [REDACTED] again and asked her if she would recognize James Forman's brother. She stated that she would but she could not remember which of the subjects was James Forman. She further advised that she was out of town and would not be returning to Bloomington until sometime in January. I advised [REDACTED] that I was going to email two photos to her and asked her to advise if they were the subjects she hired. I then sent an email to [REDACTED] with photos of James and [REDACTED] as attachments. On 12-3-15, [REDACTED] replied to the email and confirmed that they were the same subjects that she hired.

On 12-3-15, I also received a notification that James Forman had been arrested. I searched the EJS database and saw that James Forman had been arrested by the Normal Police Department in reference to his two outstanding warrants. He was still in custody at the McLean County Jail so I made arrangements to interview him at the Bloomington Police Department. When I arrived at the McLean County Jail I noted that Forman's right arm was wrapped in an ace bandage. I inquired what was wrong and he related that he fractured his elbow. Rather than secure him in handcuffs behind his back, the jail staff offered the use of a belly belt and ring to secure his hands in front of him. When we arrived at the Bloomington Police Department I offered to remove the restraints however Forman advised that he was fine and it was not necessary to remove the restraints.

I read Forman a statement of his rights which he stated he understood. Forman agreed to speak with me without an attorney present. I then advised Forman that I was investigating a residential burglary that occurred at an address on Willard across the street from the house where he and [REDACTED], had been hired to clean gutters. James advised that he remembered himself and [REDACTED] working for [REDACTED] I informed Forman that my investigation of the burglary had led me to him and his brother and that I was aware of their history. I told Forman that I would like to know why he and [REDACTED] had done this. Forman responded that he hasn't burglarized anywhere. He stated he did

do some work for a woman named [REDACTED] but he didn't know anything about a woman's house getting broken into. He advised that his [REDACTED] [REDACTED] has issues with the law but what he did previously was because he was in a drunken stupor. I asked Forman if they had gone to any other houses in the neighborhood around Willard. Forman said no but advised that they had been doing some landscaping work for a guy in the neighborhood for the past year. I asked Forman if he knocked on any doors in the neighborhood to solicit business. He stated no but then advised that he had tried to get lawns mowed adding that he never knocked on doors that had a no soliciting sign.

I then informed Forman that my case involved more than a coincidence of him working across the street from where the burglary occurred. ~~I advised Forman that entry had been made by removing a window then reaching in to unlock the door. I showed Forman a photo of the pane~~ of glass that had been collected and processed by Detective Krylowicz. I pointed out the fingerprint processing and informed Forman that prints from both sides of the glass were a match to him and that there was no question that he was involved in the burglary. Forman asked which window it was and tried to explain that as he and [REDACTED] were doing yard work they were cleaning up leaves that were up against the house. I informed Forman that the window was from the front door which was located inside an enclosed front porch. I tried to rationalize with Forman by telling him that people make mistakes for reasons that are sometimes out of their control such as drug addiction. Forman related that he takes psych meds and didn't have a recollection of the incident. I asked Forman if his psych meds make him lose his memory. He claimed that they did one time but he has since switched medications. Once again I told Forman that I was giving him an opportunity to explain himself. Forman replied that he didn't have an explanation, he didn't recall doing what I said happened, and didn't know how his fingerprints got there. Eventually Forman stated, "I guess I got to talk to a lawyer." I ended the interview at this point and completed a supplemental field arrest for a new charge of Residential Burglary. I collected inked major case prints from Forman and returned him to the McLean County Jail.

A copy of my recorded interview with Forman was burned to a disc and placed into evidence locker 45 as well as copies of the photos that were emailed to [REDACTED]. Forman's major case fingerprints were directly submitted to Detective Mathewson.

This case is CLOSED BY THE ARREST OF JAMES FORMAN however further investigation regarding [REDACTED] may be conducted.

Date: 12/22/2020 16:03

Page: 15 of 19

Incident Narrative 9 12/08/2015 14:02

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD, ID # 7462

BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT

EVIDENCE DISPOSITION

On 12/08/15, I transferred sealed Exhibits # P-4, JF-1, JF-2, and RF-1 from the Bloomington Police Department crime lab evidence storage, to the Illinois State Police Forensic Science Laboratory in Morton. I scanned the evidence transfer receipt into the "Association / Attachments" portion of this report.

There is nothing further to report at this time.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 16 of 19

Incident Narrative 10 01/22/2016 10:50

Supplemental Reporting FOIA CUSTODIAN KATHY BICKNELL - BPD, ID # 11186

The records department received a letter from American Family Insurance dated 01/18/16. The letter is an advisement that they have paid their policy holder, Brooke Hermanowicz, for the items reported stolen on 11/05/15 at [REDACTED] Willard Ave.

If any of the items are recovered, American Family Insurance is the rightful owner and contact information is listed below:

Mark S Hamilton

Customer Care Center Property Senior Representative

(800) 692-6326 Ext. 74324

Fax: (866) 383-6390

Please reference claim number: 00-855-077963-2724

A copy of the letter had been scanned into the EJS report.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 17 of 19

Incident Narrative 11 01/29/2016 16:07

Supplemental Reporting RECORDS SUPPORT JOSHUA JOHNSON - BPD, ID # 11242

On 01/29/2016, I unsealed and copied the following evidence items for the State's Attorney's Office. I then resealed the items and returned them to evidence storage.

110508769 - Images Emailed to [REDACTED]
110508591 - Latent Processing Photographs
110508593 - Latent Image Files
110505706 - Pictures of [REDACTED] Willard

Date: 12/22/2020 16:03

Page: 18 of 19

Incident Narrative 12 04/25/2016 14:53

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD, ID # 7462

BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT

I.S.P. LABORATORY REPORT FINDINGS

On 04/25/16, I received a copy of the Illinois State Police Forensic Laboratory Report regarding this investigation. I scanned the I.S.P. lab report into the "Association / Attachments" portion of this EJS report. Please refer directly to the report for details.

There is nothing further to report at this time.

McLean County Incident Summary Report - 201515926

Date: 12/22/2020 16:03

Page: 19 of 19

Incident Narrative 13 05/03/2016 13:03

Supplemental Reporting DETECTIVE SCOTT MATHEWSON - BPD, ID # 7462

BLOOMINGTON POLICE DEPARTMENT CRIME SCENE UNIT REPORT

EVIDENCE DISPOSITION

On 05/03/16, I transferred sealed Exhibits # JF-1, JF-2, RF-1, and P-4 from the Illinois State Police Forensic Science Laboratory in Morton, and secured the property into standard evidence locker # 14 at the Bloomington P.D. I scanned the evidence transfer receipt into the "Association / Attachments" portion of this report.

There is nothing further to report at this time.

McLean County Incident Summary Report - 201710710

Date: 12/23/2020 09:52

Page: 1 of 2

Report # 201710710

Bloomington PD

Report Date: 08/12/2017

12:03

Start Date: 08/11/2017

22:30

End Date: 08/12/2017

08:27

201710710

201710710

Status: 09 - Administratively closed

Summary: BURGLARY TO MOTOR VEHICLE REPORT

Report Type:

Incident Location

Address ■ WILLARD AVE

Intersection:

BLOOMINGTON, IL 61701

Beat: 5 -

Distance:

Incident Offenses

1 - 0760 BURGLARY FROM MOTOR VEHICLE - - Original Report

Incident People

■ - Victim - Original Report

100210200

Incident Vehicles

2005 BLU CHEV BLZ, Lic #: ■ - Original Report

150860542

150860542

Incident Property

Original Report - OTHER PROP-MISC;MISC. CURRENCY; Val:\$100.00;

110566618

110566618

Incident Officers

Approving SERGEANT ROBERT RAYCRAFT - BPD - 6965 - Original Report

Reporting OFFICER ANDREW CHAMBERS - BPD - 8101 - Original Report

McLean County Incident Summary Report - 201710710

Date: 12/23/2020 09:52

Page: 2 of 2

Incident Narrative 1 08/12/2017 12:04

Reporting OFFICER ANDREW CHAMBERS - BPD, ID # 8101

On Saturday, August 12, 2017, at approximately 0827 hours, I was dispatched to [REDACTED] East Taylor in reference to a burglary to motor vehicle report.

Upon my arrival, I made contact with the caller/victim: [REDACTED]. I spoke with [REDACTED] and learned the following in summary: He parked his vehicle on the street in front of the residence on Friday, August 11, 2017, at approximately 1030 hours. On Saturday, August 12, 2017, at approximately 0827 hours, [REDACTED] walked out to his unlocked vehicle and noticed the center console was opened and appeared the vehicle had been gone through.

[REDACTED] looked through his vehicle and believed the only thing missing was approximately \$100.00 in miscellaneous change and U.S. currency.

At the time of this report, [REDACTED] was unable to provide any suspect information. Furthermore, there were no exterior cameras in the general area.

Due to a lack of suspect information any workable leads, I recommend this incident be administratively closed (09).

McLean County Incident Summary Report - 201814459

Date: 12/23/2020 09:51

Page: 1 of 2

Report # 201814459

Bloomington PD

Report Date: 10/30/2018

10:34

Start Date: 10/29/2018

23:00

End Date: 10/30/2018

07:14

201814459

201814459

Status: 09 - Administratively closed

Summary: BURGLARY FROM MOTOR VEHICLE

Report Type:

Incident Location

Address [REDACTED] WILLARD AVE

Intersection:

Distance:

BLOOMINGTON, IL 61701

Beat: 5 -

2018-00060768

Incident Offenses

1 - 0760 BURGLARY FROM MOTOR VEHICLE - - Original Report

Incident People

UNKNOWN, UNKNOWN - - Suspect - Original Report

101038137

101038137

[REDACTED] - Victim - Original Report

100528036

Incident Vehicles

2011 BLU CHEV EQX, IL Lic #: [REDACTED] - Original Report

150885287

150885287

Incident Property

Original Report - OTHER PROP-MISC;FILARSKI BWC;

110611575

110611575

Original Report - TOBACCO;CARTON OF NEWPORT 100 CIGARETTES; Val:\$75.00;

110611576

110611576

Incident Officers

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Original Report

Reporting PATROL OFFICER MITCHELL FILARSKI - BPD - 11876 - Original Report

McLean County Incident Summary Report - 201814459

Date: 12/23/2020 09:51

Page: 2 of 2

Incident Narrative 1 10/30/2018 10:34

Reporting PATROL OFFICER MITCHELL FILARSKI - BPD, ID # 11876

On Tuesday, 10/30/2018, I, Officer Mitchell Filarski (11876), was assigned to the Bloomington Police Department's day shift patrol (7am to 3pm). I was wearing my issued Bloomington Police Department uniform. I was operating Unit 17, which is a fully marked Bloomington Police Department squad car. Officer Chambers was with me at this time as my Field Training Officer.

I was wearing a department issued Body Worn Camera (BWC). The footage was later "flagged" and associated with Case Folder 201814459 in Evidence.com. I did not review my BWC footage prior to preparing this report.

The following is a summary of this incident.

This summary is paraphrased and may or may not represent the actual words used. The order of the items discussed may vary from that of the actual conversations occurring during this incident.

At approximately 0730 hours, officers were dispatched to [REDACTED] Willard Avenue for a burglary to a motor vehicle report. Upon our arrival, I made contact with the caller/victim [REDACTED]. I spoke with [REDACTED] and learned the following summary: At approximately 2300 hours, on 10/29/2018, [REDACTED] parked her vehicle in the driveway at [REDACTED] Willard Avenue. [REDACTED] returned to her vehicle at approximately 0714 hours on 10/30/2018 and noticed her vehicle had been entered. [REDACTED] stated the vehicle was locked when she left it. She stated the locking mechanism on the driver's side door did not work properly. She believes this is how the suspect was able to enter the vehicle. The item [REDACTED] reported missing was the following:

- One Carton of Newport 100 Cigarettes (Valued at \$75)

At the time of this report [REDACTED] was unable to provide any suspect information.

I recommend this report be administratively closed (09) due to lack of suspect information.

McLean County Incident Summary Report - 201606182

Date: 12/23/2020 09:55

Page: 1 of 4

Report # 201606182

Bloomington PD

Report Date: 05/05/2016

05:44

Start Date: 05/04/2016

20:30

End Date: 05/05/2016

05:30

201606182

201606182

Status: 09 - Administratively closed

Summary: THEFT OF MOTOR VEHICLE REPORT

Report Type:

Incident Location

Address [REDACTED] WILLARD AVE

Intersection:

BLOOMINGTON, IL 61701

Distance:

LEADS #V16D0620

Incident Offenses

1 - 0910 MOTOR VEHICLE THEFT - - Original Report

Incident People

[REDACTED] - Victim - Original Report

100135556

Incident Vehicles

2013 WHI HOND ACC, IL Lic #: [REDACTED] - Original Report

150833601

150833601

Incident Property

Original Report - OTHER MOTOR VEHICLE;UCR;

110523314

110523314

Incident Officers

Reporting OFFICER BRICE STANFIELD - BPD - 7205 - Original Report

Approving SERGEANT KIEL NOWERS - BPD - 7512 - Original Report

Supplemental Reporting OFFICER WILLIAM WRIGHT - BPD - 7800 - Supp. #2

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #2

Supplemental Reporting OFFICER TODD WALCOTT - BPD - 6876 - Supp. #3

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #3

McLean County Incident Summary Report - 201606182

Date: 12/23/2020 09:55

Page: 2 of 4

Incident Narrative 1 05/05/2016 05:45

Reporting OFFICER BRICE STANFIELD - BPD, ID # 7205

On Thursday, 05/05/16, at approximately 0530 hours, I was working third shift patrol and was dispatched to [REDACTED] Willard Street, reference a motor vehicle theft. Upon arrival, I met with [REDACTED].

[REDACTED] said he had parked his 2013 Honda Accord in his driveway at approximately 2030 hours on 05/04/16. [REDACTED] said he came outside this morning at approximately 0500 hours and the Honda was missing. [REDACTED] said it was likely he left the doors unlocked. [REDACTED] said there was a valet key in the vehicle that would have made the car operational.

[REDACTED] said the 2013 white Honda Accord had Blackhawks specialty plates [REDACTED] [REDACTED] said the rear upper left window has a decal stating, "Stay Calm and Chive On." A second car in his driveway had also been left unlocked and been gone through.

The Honda Accord was entered into LEADS as stolen by Tiffany in BPD dispatch (LEADS# [REDACTED]) This report should be considered pending (02).

McLean County Incident Summary Report - 201606182

Date: 12/23/2020 09:55

Page: 3 of 4

Incident Narrative 2 05/06/2016 08:30

Supplemental Reporting OFFICER WILLIAM WRIGHT - BPD, ID # 7800

On Friday (05-06-16) I, Officer Wright was assigned to day shift patrol operating squad car #10. I was dressed in full Bloomington Police Department issued uniform. At approximately 0721 hours Officer Walcott was dispatched to the intersection of Market and Mitsubishi Motorway in reference to a suspicious vehicle. It was reported there was a white vehicle parked on the side of the road that appeared out of place.

The license plate provided by the caller was [REDACTED] which closely matched the license plate from a recently stolen vehicle which was [REDACTED] as was a Chicago Blackhawks license plate. I responded to the area with Officer Walcott and eventually located the White Honda Accord at the dead end of Mitsubishi Motorway off of Six Points Road.

Dispatch was able to make contact with the registered owner [REDACTED] and advised him the vehicle had been located. Due to other circumstances Officer Walcott went to [REDACTED] Willard and transported [REDACTED] to my location. [REDACTED] looked over the vehicle and could see no new body damage.

[REDACTED] advised there was a gray purse inside the vehicle when it was taken. [REDACTED] was unsure of the style or brand of the purse. However [REDACTED] was sure all the credit cards located inside the purse had already been deactivated and there was never any activity on those cards. I advised [REDACTED] I would add the purse to this report.

This case should be administratively closed, Code 09.

McLean County Incident Summary Report - 201606182

Date: 12/23/2020 09:55

Page: 4 of 4

Incident Narrative 3 05/06/2016 10:32

Supplemental Reporting OFFICER TODD WALCOTT - BPD, ID # 6876

On 05/06/16 at approximately 0721 hours I was in full Bloomington Police uniform driving squad #24. On this date I was sent to the area of Mitsubishi parkway and Market for a white car sitting in the intersection. Upon arriving in this area I located no car sitting in the intersection.

Ofc. Wright responded to the area of Six Points and Mitsubishi to check for the car. Ofc. Wright advised me that he located a white Honda Accord at the end of this road. Ofc. Wright advised me it was the stolen car from this report.

I responded to this location. The vehicle was a 2013 Honda Accord bearing Illinois registration [REDACTED]. The vehicle was unlocked and undamaged from what it appeared to us.

I responded to [REDACTED] Willard and met with [REDACTED]. I transported [REDACTED] to the location of where his vehicle was located. [REDACTED] inspected his vehicle and did not see anything wrong with it. [REDACTED] did say his wife's purse was still missing. Ofc Wright obtained all of [REDACTED] wife's purse information to add this report. See his supplemental for further details.

I returned to the station and had Bloomington Police Dispatcher Fillipini remove the vehicle from LEADS.

This case should be administratively closed, Code 09.

McLean County Incident Summary Report - 201708154

Date: 12/23/2020 09:54

Page: 1 of 5

Report # 201708154

Bloomington PD

Report Date: 06/21/2017

14:16

Start Date: 06/21/2017

01:00

End Date: 06/21/2017

05:00

201708154

201708154

Status: 09 - Administratively closed

Summary: THEFT FROM VEHICLE

Report Type:

Incident Location

Address [REDACTED] WILLARD AVE

Intersection:

BLOOMINGTON, IL 61701

Distance:

Incident Offenses

1 - 0710 THEFT FROM MOTOR VEHICLE - - Original Report

Incident People

[REDACTED] - Victim - Original Report

100131285

SUSPECT, UNKNOWN - - Suspect - Original Report

100971015

100971015

[REDACTED] - Other - Supp. #3

100375371

[REDACTED] - Other - Supp. #3

100952491

Incident Vehicles

Incident Property

Original Report - PURSE/WALLET;LEATHER WALLET; Brown

110562070

110562070

Original Report - CREDIT CARDS;CHASE DEBIT CARD; Lic#:UNKNOWN;

110562078

110562078

Original Report - DRIVER'S LICENSE;IL DL; Lic#[REDACTED];

110562079

110562079

Original Report - OTHER ID CARD;ILLINOIS FOID CARD; Lic#[REDACTED]

110562080

110562080

McLean County Incident Summary Report - 201708154

Date: 12/23/2020 09:54

Page: 2 of 5

Original Report - CREDIT CARDS;MULTIPLE UNKNOWN CARDS;

110562082

110562082

Incident Officers

Reporting CSO VICKI MILLER - BPD - 10901 - Original Report

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Original Report

Supplemental Reporting CSO VICKI MILLER - BPD - 10901 - Supp. #2

Approving SERGEANT EDWARD SHUMAKER - BPD - 6875 - Supp. #2

Supplemental Reporting OFFICER BENJAMIN SMITH - BPD - 11219 - Supp. #3

Approving SERGEANT KIEL NOWERS - BPD - 7512 - Supp. #3

McLean County Incident Summary Report - 201708154

Date: 12/23/2020 09:54

Page: 3 of 5

Incident Narrative 1 06/21/2017 14:16

Reporting CSO VICKI MILLER - BPD, ID # 10901

On Wednesday, 06/21/2017, [REDACTED] came to the front desk of the Bloomington Police Department to report Theft from his Vehicle.

The following is a summary of the statement [REDACTED] provided:

He is the owner of a 2007 BMW 750. He keeps his wallet in the locking center console compartment.

On Wednesday, 06/21/2017, at approximately 0100 hours, he parked his car in his driveway. He neglected to lock the vehicle upon exiting.

At approximately 0500 hours, he returned to his vehicle to find his wallet missing. He did not notice any damage to the locking mechanism of the console at that time.

The wallet was brown leather and contained the following items:

Chase Debit card (unknown number)

IL DL [REDACTED]

IL FOID [REDACTED]

10-15 assorted credit cards (unknown companies and numbers)

[REDACTED] contacted Chase to advise them of the theft. The card was canceled at that time and NO unauthorized charges were found on the account at this time.

[REDACTED] is unable to recall what other credit cards he had in his wallet at the time of the theft, therefore he has not contacted any of the other companies. It is unknown if any of the other cards had unauthorized charges at this time.

[REDACTED] requested this report for documentation of the theft.

Administratively Closed (Code 09).

McLean County Incident Summary Report - 201708154

Date: 12/23/2020 09:54

Page: 4 of 5

Incident Narrative 2 06/23/2017 12:36

Supplemental Reporting CSO VICKI MILLER - BPD, ID # 10901

On Friday, 06/23/2017, an unknown male came to the front desk of the Bloomington Police Department to report he has found a credit card belonging to [REDACTED] in his yard. The man stated he called BPD a couple days ago and turned over a "few other" cards to an unknown BPD Officer.

I contacted [REDACTED] and was advised his girlfriend was at home at the time the cards were returned by the BPD Officer. He also stated multiple cards have turned up in his mail box and been returned to him by neighbors.

The card returned to me today was a Merrick Bank Visa Credit card, which was listed as one of the "Unknown credit cards" reported with this report.

At this time, [REDACTED] has NOT found his IL DL or IL FOID cards. He believes most of the credit cards have been returned.

[REDACTED] did NOT report any unauthorized charges on any of the cards at this time.

[REDACTED] was told his Merrick Bank Credit card would be waiting for him at the front desk of BPD.

Administratively Closed (Code 09).

McLean County Incident Summary Report - 201708154

Date: 12/23/2020 09:54

Page: 5 of 5

Incident Narrative 3 06/24/2017 15:30

Supplemental Reporting OFFICER BENJAMIN SMITH - BPD, ID # 11219

On Wednesday, 06-21-2017, at approximately 2000 hours I was dispatched to [REDACTED] East Mill Street to recover some found credit cards.

Upon arrival I met with [REDACTED] who provided me with two credit cards and a Sam's Club membership card. [REDACTED] stated he was mowing his lawn and found the cards lying on McLean Street near his house. [REDACTED] had no other information to provide about the cards.

The cards belonged to [REDACTED]. I checked EJS and found an individual named [REDACTED] who lives at [REDACTED] Willard in Bloomington. I went to his address and made contact with his girlfriend, [REDACTED]. She advised [REDACTED] had already reported the incident to the police and cancelled all his cards. [REDACTED] stated there had been no charges to any of [REDACTED] accounts. I provided [REDACTED] with the cards and left the scene.

This case is still administratively closed due to lack of suspect information.

Petition in Support of 6 ft. fence at 220 Willard; Bloomington

This aligns with the statement of findings, Chapter 44, Section 9.40(d) in question #5, "That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties"

This serves a purpose to have a variance granted by the Zone of Appeals.

As a neighbor, I approve the 6 ft. fencing in the side yard at 220 Willard, residence of Brooke Hermanowicz, Dave Wiltz, and Mia.

014

Name	Address	Date
Karon Walker	1405 E Taylor	1-6-2021
Julie Hatten	219 Willard	1-6-2021
Harvey	218 Willard	1-6-2021
Janet Hoff	216 Willard	1-6-2021
Paul Schaub	207 Willard	1/6/2021
Jamie Ochiltree	209 Willard	1/6/2021
Joel Hufnagle	209 Willard	1/6/2021
Kelsey Wenzel	212 Willard	1/6/21
Barb Brown	306 Willard	1/6/21
Kim Bean	308 Willard	1/6/2021
Dan	308 WILLARD AVE	1/6/2021
Kimberlin	217 Willard Ave	1/6/2021
John B...	219 Kretzer Ave	1/6/2021

001

EXHIBIT

B

CORNER PROPERTIES WITH > 4 FT AND/OR = 6 FT FENCES IN FRONT YARDS

***3 Properties on Willard with 6 ft fence on front/corner lots**

24 Properties- Less than a mile away

Address Distance Notes

(4 Properties within 500 ft. with 6 ft. fencing on front/corner lots)

308 Willard 282.2 ft. Rebuilt/replaced summer 2020

1501 E. Taylor 393.7 ft

225 Leland 403.5 ft.

224 Leland 406.8 ft. true front

(3 Properties within 526 ft. with 6 ft. fencing on front/corner lots)

416 Willard .1 mile

401 Kreitzer .1 mile

402 Leland .1 mile partial

402 S. State .1 mile

(16-17: Less than a mile- 1 mile distance)

419 Willard .2 mile

502 S.State .2 mile

408 S. State .2 mile

1701 E. Taylor .2 mile

1502 E. Olive .2 mile looks new

1100 E. Taylor .3 mile

305 Woodland .3 mile

1802 E. Jackson .3 mile partial

1101 E. Olive .3 mile

1100 E. Grove .4 mile true front

1901 E. Oakland .4 mile

1402 E. Olive .5 mile

2002 E. Jackson .5 mile looks new

1424 E. Olive .6 mile

2001 E. Taylor .7 mile

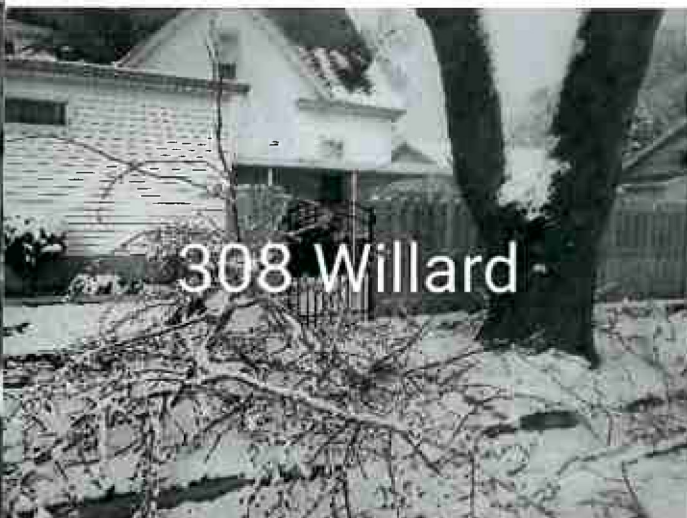
1521 E. Olive .8 mile

502 E. Jackson 1.1 mile





2002 E. Jackson



Zoning Variance Request

Jan and Dennis Fries [REDACTED]

Sun 12/13/2020 11:59 AM

To: Public Comment <publiccomment@cityblm.org>

 1 attachments (19 KB)

Building code protest, 220 Willard, Dec 12th, 2020.docx;

Re: 220 Willard Ave.
Bloomington, IL 61701
Comments / Protest

To the Zoning and Planning Staff
To the Building Safety Dept

Regarding the application by Brooke Hermanowicz for a Variance for their property. What I actually see is several requests to grant them variances for the work they did without a permit (s). There seems to be several violations, maybe ongoing. As they just put a roof on the LeanTo structure attached to the North side of the house and the 6' fence around the back yard, the new concrete driveway, the leanto structure itself, all of the concrete work in the backyard and the deck that has been built in the backyard. And now they want you to overlook all of their misdeeds and also grant them a variance for a 6' fence around their front yard. Please see the attached document.
Thank You
Dennis M Fries

Websense: Click [here](#) to report this email as spam.



Dec 12th, 2020

Economic & Community Devel. Dept.

Zoning Board of Appeals

RE: Variance requested by Brooke Hermanowicz

For 220 Willard Ave.

To even consider this request is ridiculous. The applicant has broken several rules /codes and is now asking you to not only approve what they have done illegally but grant them the rights to further exceed code regulations. To put a 6' tall fence around the FRONT Yard. And what about the addition of structure on the North front side of the home, what about the new concrete drive that has been placed on the property. We have no problem with there being "a garage or a new concrete drive going to the left of the existing driveway, BUT did they obtain a permit for that? As this has been an ongoing work, a little here and a little bit added there, I am highly suspicious that there were no permits and no inspections.

The issue she states about the proximity of the fence to the sidewalk, and to the need for additional security without a 6' fence, we say, they knew of that before they moved in. The fence, WHEN reinstalled could have been moved in from the sidewalk, if the proximity to the sidewalk was that much of a concern.

Their "Concern" that a 6' height is needed to keep their dog from jumping the fence, is NEGATED by them building a raised deck inside and next to the fence that will enable even a medium size dog to look or leap over this new fence. Would a permit be necessary to build a deck? What about the circular concrete basin in the back yard? It appears to be at least 10 feet in diameter, is it to be a wading pool or something else? A base for a large above ground pool? Was there a permit, or any inspection of this work?

The fence that they replaced was about 4' tall. Now, there is a 6' tall at the corner of the alley, blocking vision for any vehicle coming out of the alley. And they want to place a 6' fence in the front yard, which will totally block vision for vehicles traveling on either Willard or Taylor Streets! This is not acceptable!

Why are they building a "Compound" in this residential neighborhood? She speaks of being neighborly, they aren't being good neighbors by isolating themselves from the neighborhood.

She speaks of other homes in the neighborhood having 6' fences, I would ask, if these fences do exist, were they done legally and properly, with permits?

2. "That the variance would be the minimum action necessary to provide relief to the applicant."

(Added costs to the costs they have already incurred.) That expense, while I am sorry they would incur more expense, it is their own fault, for not asking questions. We, as neighbors, that have done improvements had to get permits and permit inspections. And some of us have had major improvements.



3. **“The Special conditions and circumstances were not created by any action of the applicant.”** The Special circumstances for extra costs and not following the Code, is definitely the fault of the applicant.

4. **“That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the code;”** I have addressed this already, if they exist, were these 6” fences installed after a Permit issued and inspections made?

5. YES, **Granting this variance WILL BE detrimental to the Public Welfare**, by blocking visually the approach of any vehicle traveling on either of the side street. Willard or Taylor. This blocked view would be dangerous for pedestrians and other vehicles.

Therefore, we respectfully suggest that the Front yard Fence variance should not be granted, No fence in the front yard would be the neighbors preference. And a Building Inspection of the changes made to the structure and the back yard should be undertaken by the Building Inspector, and if the already made changes are allowed to remain. Then a monetary fine should be applied to cover the extra costs the City Building and Zoning Departments incurred to settle this matter. And as a matter of principle, that citizens have to follow the rules. Again, we state; that we all got permits and were inspected.

I would point out that we are just beyond the 500 foot radius, being the 2nd and 3rd homes just off the corner of Leland and Jackson, we travel those two streets in our vehicles numerous times each week and walk our dog thru that intersection at least once daily if not two or three times.

Respectfully submitted
Janet and Dennis M Fries
403 Leland St.
Bloomington, IL 61701-5647



CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
December 16, 2020

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
Z-29-20	Fence variance	Variance	Caitlin Kelly, Assistant City Planner

PETITIONER'S REQUEST:			
Section of Code: 44. 9-10 Fence Regulations			
Type of Variance	Required	Requested	Variation
Fence standards	4' maximum height	6' in height	2' over maximum height

Staff Recommendation	Staff finds that the application does not meet all the standards for a variance. Staff recommends that the Zoning Board of Appeals deny the requested variance.
-----------------------------	---



Figure 1: An aerial view of subject property, 220 Willard Avenue (outlined in black)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on Monday, November 30, 2020. Courtesy notices were mailed to 69 property owners within 500 feet of the subject property.

GENERAL INFORMATION

Owner and Applicant: Brooke Hermanowicz

LEGAL DESCRIPTION: PARRITT'S 2ND ADDN LOT 23

PROPERTY INFORMATION

Existing Zoning: R-1C Single-Family Residence District

Existing Land Use: Single-Family Housing

Property Size: 0.14 acres / 6,098 sq ft

PIN: 21-03-382-012

SURROUNDING ZONING AND LAND USES

Zoning

North: R-1B, R-1C Single-Family Residence Districts, R-3A Multiple-Family Residence District

South: R-1C Single-Family Residence District, P-2 Public Lands and Institutions

East: R-1C Single-Family Residence District
R-2 Mixed Residence District

West: R-1C Single-Family Residence District

Land Uses

North: Single-family residential, apartment complexes

South: Single-family residential, elementary school

East: Single-family residential, children's home

West: Single-family residential

ANALYSIS

Submittals

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

1. Applications for a variance
2. Site Plan
3. Aerial photographs
4. Site visit

BACKGROUND

The subject property is a corner lot in the Founder's Grove neighborhood, located a few blocks to the east of S. State Street and E. Taylor Street. The lot is approximately 6,098 sq ft in area. The neighborhood is primarily zoned for single-family residential use, though there are commercial and mixed residential districts to the west of the property, and an elementary school to the south. An alleyway abuts the subject property's rear yard, although no adjacent properties seem to take access from it.

The applicant received a compliance order regarding a 6' tall fence located in the property's front yard facing E. Taylor Street on November 2nd, 2020. There is no apparent record of a permit for the fence in question. The applicant is now requesting a variance that would permit the non-conforming fence to remain in place. A 6' tall side yard fence, perpendicular to structures on the lot, is permitted in this district by right (see Figure 2). There are no apparent physical characteristics that would inhibit construction of a side yard fence along E. Taylor Street.

There appear to be other corner lots in the neighborhood with front yard fences exceeding 4' in height. Of those observed, there is no documentation of variances being granted to these properties, or approved permits indicating the proposed fences would be greater than 4' tall.

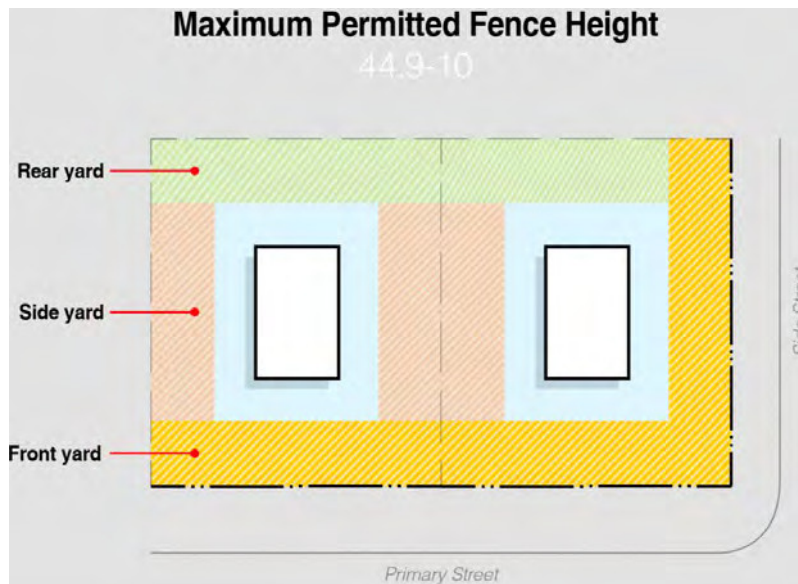


Figure 2: A diagram featured in the Zoning Ordinance illustrating yard lines



Figure 3: A side view of the subject property

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.

1. **that the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult;** A 6' tall fence would be permitted by right as a side yard fence were it to be constructed in line with structures on the lot and placed outside of the

required front yard setback of 25'. There do not appear to be any physical characteristics that would inhibit constructing a side yard fence on the subject property. **The standard is not met.**

2. **that the variances would be the minimum action necessary to afford relief to the applicant;** The lot has no physical characteristics that would prevent the applicant from employing alternative means of screening their property in compliance with the Zoning Ordinance (for instance, constructing a 6' tall side yard fence, installing landscaping in conjunction with a 4' tall front yard fence, and so on). **The standard is not met.**
3. **That the special conditions and circumstances were not created by any action of the applicant;** While there are certainly broader circumstances behind the variance request not created by the applicant, the physical conditions of the property do not appear to present any challenge in erecting a 6' side yard fence by right. Additionally, the variance request is possibly intended to legitimize the installation of the existing non-conforming fence. **The standard is not met.**
4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code;** Similar variance requests have received mixed responses from the Zoning Board of Appeals. In recent years, these responses have tended toward denials, given concerns about establishing a precedent for the neighborhood and for corner lots more generally. While there are some corner lots in the neighborhood with front yard fences that appear to exceed 4', there is no record of variances being granted to these properties, nor fence permit applications which indicate noncompliant fence heights. Additionally, there are corner lots in the area which have 6' side yard fences in compliance with the Zoning Ordinance. Granting the variance without identifiable hardship may establish a precedent. **The standard is not met.**
5. **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 fence directly abuts an alleyway, possibly violating sight distance requirements as set out in Ch. 44, 9-9 (see Figure 4). **The standard is not met.**



Figure 4

STAFF RECOMMENDATION

Staff finds that the application does not meet all the standards for a variance. Staff recommends a denial of the variance.

Respectfully submitted,
Caitlin Kelly
Assistant City Planner

Attachments:

- Variance Application and supplemental documents from applicant
- Site Plan
- Zoning Map
- Aerial Map
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

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: 220 Willard Ave

Site Address: _____

Petitioner: Brooke Hermanowicz Phone: [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: [REDACTED]

City, State, Zip Code: [REDACTED]

Contractual interest in the property ✓ yes no

Signature of Applicant [REDACTED]

Brief Project Description:

The replacement of the fencing on the south side (Taylor) and partial southeast side (alleyway).

Code Requirements Involved:

Outward facing, 4', wooden.
(good side out)

Variances(s) Requested:

6' foot fence on a corner lot/side street.

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.

Please see following letter.

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
Our physical location's proximity to abundant foot traffic poses unreasonable challenges for our home privacy and security. The sidewalk is within close distance to our fence, which also demonstrates an unreasonable challenge in the security and safety of pedestrians/dog walkers due to our
2. That the variance would be the minimum action necessary to afford relief to the applicant; and would help in alleviating additional, expensive costs especially since there has already been cost and time involved in replacing the prior fence. With it being an added measure of security, it also helps to afford relief in having to acquire additional home safety or monitoring devices
dog's ability to jump a shorter fence.
3. That the special conditions and circumstances were not created by any action of the applicant; and the prior fences bad condition.
Although one of the appealing aspects of this neighborhood is pedestrian friendly sidewalks, it also deducts from privacy and security to homes directly on busy paths.
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 it is to the betterment of our home and family without devaluing our home.
While walking in our neighborhood, I have observed several homes on corner lots with 6' fences. I began to take notice after receiving the compliance order; however, like our request, it does not evoke special privilege.
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.
We have been commended by our neighbors in the efforts that we have put forth in repairing and upgrading our home. We are proud to maintain our property to high expectations in Founder's Grove and have enjoyed adding value to it.

PUBLIC ALLEY

Neighbor's
Garage

54'

58'

LOT 116' DEEP

TAYLOR AVE.

37'

39'
GARAGE

HOUSE

39'

12'

5'

DRIVEWAY

16'

21'

31'

LOT 54' WIDE

WILLARD AVE.



Compliance Order

October 16, 2020

OWNER INFORMATION:

Hermanowicz, Brooke A
220 Willard Ave
Bloomington, IL 61701

Please note this order was received Nov. 2. It was badly torn and delivered in a plastic wrap with an apology by the Postal Service.

* Fence is not bad side *
out as noted * This change was made.

An inspector from the City of Bloomington Code Enforcement Division verified a complaint regarding the above property on **10/16/2020**. The violation(s) of the City of Bloomington Property Maintenance Code (Chapter 45, unless noted otherwise) cited by this notification must be corrected to comply with this repair order within the time given. You must consult with the Building Safety Division for permit requirements.

A licensed contractor registered with the City of Bloomington must make any repairs related to plumbing, HVAC, electrical or roofing. **Contractors are required to contact the inspector with their findings.**

The Code Enforcement Division must re-inspect the completed work. It is your responsibility to call to schedule a re-inspection.

Chapter 45, Section 106.0: Violations SEC. 106.4 VIOLATION PENALTIES

Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, upon conviction thereof, shall be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ordinance No. 2011-64)

REPAIRS ORDERED BY THIS NOTICE:

NO PERMIT - COMPLY BY: 11/02/2020

FENCE, BAD SIDE OUT, TOO TALL, NO PERMIT. Larger scope of work than a repair. Obtain a permit. Modify fence for compliance if necessary. If permit is denied, remove fence.

§ 10-204. [Ch. 10, Sec. 14] Adoption of the International Residential Code for One- and Two-Family Dwellings - 2012.

- A. There is hereby adopted the 2012 edition of the International Residential Code for One- and Two-Family Dwellings, including Appendix Chapters E, F, G, H, I, J, K and O, as published by the International Code Council Inc. for the purpose of regulating and governing the construction alteration, movement, enlargement, replacement, repair, equipment, location, their appurtenances and accessory structures, or maintenance of building, mechanical, and electrical systems, removal and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) ~~not more than three stories in height with separate means of egress in the~~ City of Bloomington; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code of which not less than one copy has been and now is filed in the office of the Clerk of the City of Bloomington, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, set forth in Article V of this chapter.

105.1 Required, IRC, as adopted.

International Building Code 105.1

Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

David Silver

Code Enforcement Inspector

If you have not abated the violations prior to the reinspection date, you may be required to appear in Administrative Court, or a Default Judgment will be taken against you. The Default Judgment will contain the fine as marked on the citation, court costs of \$110 and all fees by the Administrative Law Judge.

APPEAL REQUIREMENTS

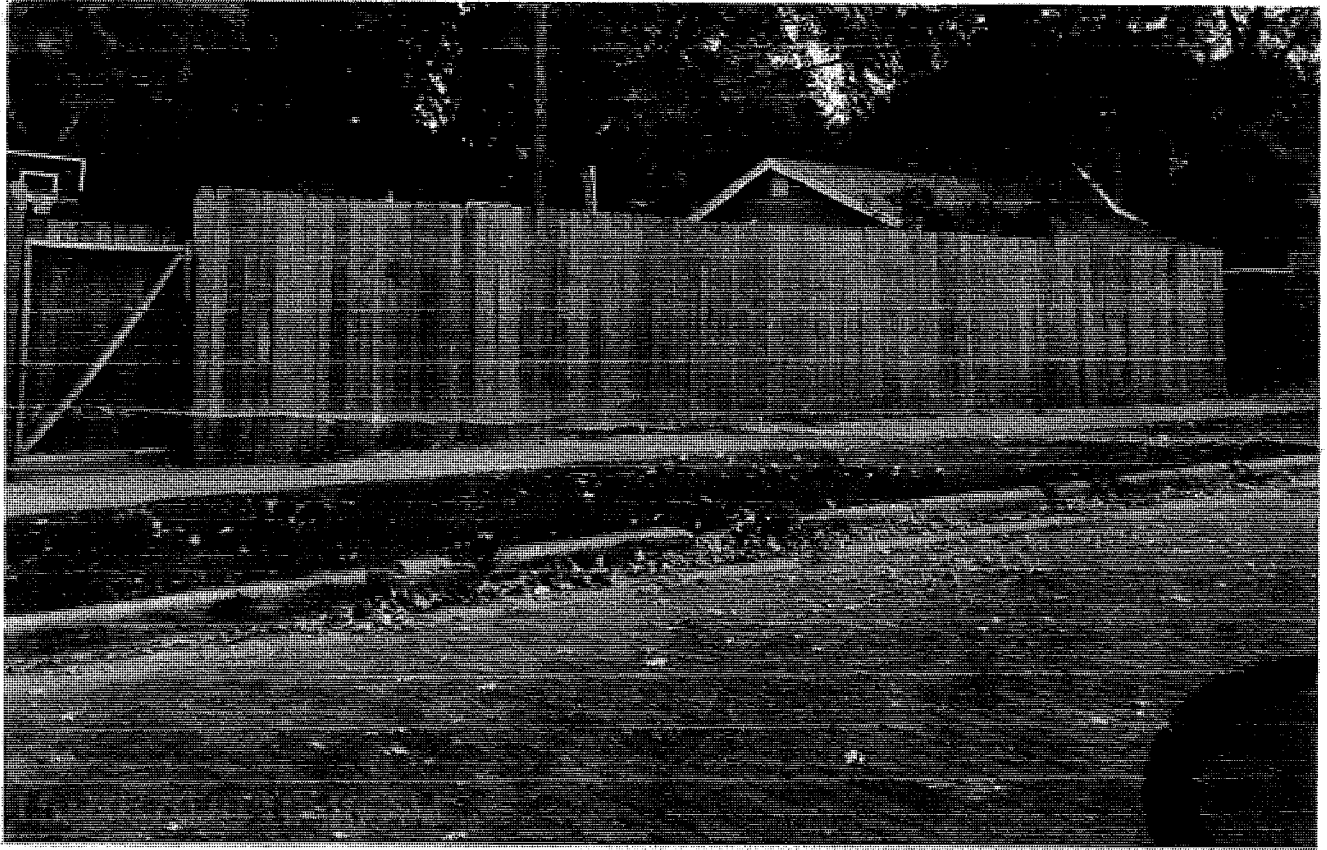
Appeals should be based on the grounds that: (a) the true intent of this code or the rules legally adopted there under have been incorrectly interpreted; (b) the provisions of Chapter 45 do not fully apply; (c) or the requirements of this code are fully satisfied by other means. You may file an appeal with the Community Development Department, 115 E Washington St, Second Floor, Bloomington, Illinois, no later than fifteen (15) calendar days after the date you were served with this notice. Your appeal will be heard by the Property Maintenance Board of Review. The filing fee is \$100 and must be paid at the time the appeal is filed. If you do not appear a board may be convened in your absence to hear the case and render a decision on the disposition of this notice.

TRANSFER OF OWNERSHIP REQUIREMENTS

As per the City of Bloomington's Property Maintenance Code, Chapter 45, Section 107.6, Transfer of Ownership, "It shall be unlawful for the owner of any structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of any interest in such structure to another until the provisions of the compliance order or notice of violation have been complied with unless such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making of corrections or repairs required by such compliance order or notice of violation" (Ordinance Number 1991-120).

Regular mail
Certified/Return Receipt
Posted on address
Personal service

Before:



11/16/20

Dear Members of the Zoning Board of Appeals,

Thank you to everyone involved for giving their time and consideration in allowing me to respond to the letter that I received from Community Development on Nov. 2, 2020 regarding the fence that was upgraded and replaced on my property at 220 Willard Ave.

In the seven plus years since purchasing and residing in our home, we have fallen in love with the "Founder's Grove" neighborhood. I have also taken great pride in being a first-time homeowner. The home and property were affordable to me due to its overall "fixer-upper" condition. We have invested considerable time and money to improve not only our home, but also our neighborhood and community.

One of the many improvements to our home is the section of fence in question. We were the unfortunate victims of a residential burglary in Nov. 2014, which was reported to and investigated by the BPD. In response to this incident and heeding the advice of the responding officers, we have made numerous efforts to increase the safety of our home. This includes, but is not limited to, new steel entry doors, new dead bolt locks and keys, motion sensitive exterior lighting, and replacing an old dilapidated section of fence.

The fence also provides privacy and security to our daughter who loves to play outside in the backyard. It is also essential for the safety and well-being of the many dog walkers who enjoy strolling down the sidewalk along Taylor street. We have a friendly, but active rescue "lab mix" that could easily cause unnecessary alarm to those passing by.

I have good relationships with our neighbors, including those at 219 Krietzner, who are most directly exposed to our fence. They have all been very supportive of our home improvement efforts.

In conclusion, we love our home and neighborhood. We plan to continue our work to improve and upgrade our little "diamond in the rough".

Thank you again for your time and consideration,

Brooke Hermanowicz

220 Willard Avenue Aerial Map

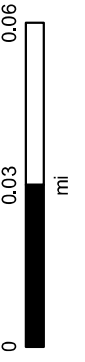
12/1/2020



Sources: Esri, Airbus DS, USGS, NGA, NASA, C&GAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS usercommunity, McGIS, <http://www.McGIS.org/License>, Molean County Museum of History

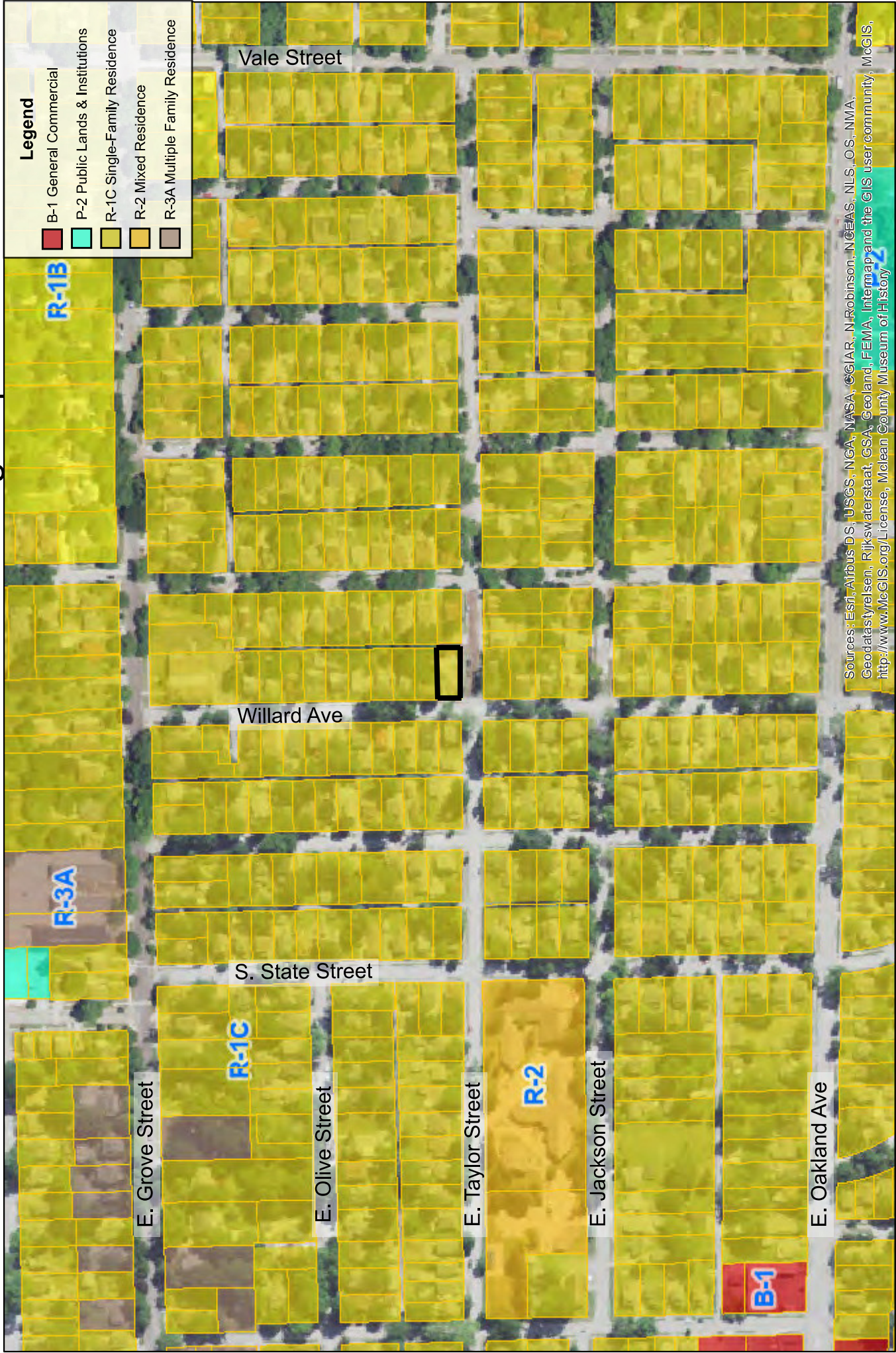


McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.

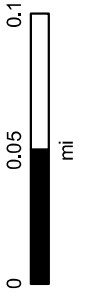


220 Willard Avenue Zoning Map

12/1/2020



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGLAR, N. Robinson, NCEAS, NLS, OS, NMA, Geodataspyrlsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, McGIS, <http://www.McGIS.org/License>, McLean County Museum of History



McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



Legal Inside

95360
HEARING NOTICE

A Public Hearing before the Bloomington Zoning Board of Appeals will be held virtually on Wednesday, December 16, 2020 at 4:00 PM at www.cityblm.org/live on the following petitions. 1) A petition submitted by William Shelton for a variance request at 1125 Rader Run Bloomington, IL 61704 to allow expansion of the driveway apron and approach to exceed 24' (Chapter 44.404C2b2) The Subject

Property is legally described as: RESUB OF MCGRAW PARK SUB LOT 29. PIN: 15-31-401-020. 2) A petition submitted by Michael Hudelson for a variance to allow a 6' fence in front yard (Chapter 44.910C) at 2821 Chesapeake Lane Bloomington, IL 61704. The Subject Property is legally described as: EAGLE CREST NORTH SUB LOT 33. PIN: 15-30-129-001. 3) A petition submitted by Brooke Hermanowicz for a variance to allow a 6' fence in front yard (Chapter 44.910C) at 220 Willard Ave. Bloomington, IL 61701. The Subject Property is legally described as: PARRITT'S 2ND ADDN LOT 23. PIN: 21-03-382-012.

The petitions are available for review online <https://www.cityblm.org/zoning>. To provide testimony on any item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/register>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to publiccomment@cityblm.org. Members of the public may also attend the meeting at City Hall. Attendance will be limited to 10 people and will require compliance with City Hall COVID-19 protocols and social distancing. The rules for participation by physical attendance may be subject to change due to changes in law or to executive orders relation to the COVID-19 pandemic occurring after the publication of this notice. Changes will be posted at www.cityblm.org/register. This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs please contact the City Clerk at 109 E. Olive St., Bloomington, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

Published: Monday, November 30, 2020



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

December 1, 2020

Dear Property Owner or Occupant:

The Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a virtual public hearing on Wednesday, December 16, 2020 at 4:00 PM at www.cityblm.org/live on an application submitted by Brooke Hermanowicz.

You are receiving this notice because you own or occupy property within a 500-foot radius of the subject property (refer to attached map). All interested persons may present evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing.

The applicant is requesting approval of a variance to allow a 6' fence in front yard (Chapter 44.910C) at 220 Willard Ave. Bloomington, IL 61701. The Subject Property is legally described as: PARRITT'S 2ND ADDN LOT 23. PIN: 21-03-382-012.

The application is online at www.cityblm.org/zoning. The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org/zoning. To provide testimony on this item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/government/boards-commissions/register-for-public-comment>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to publiccomment@cityblm.org. Members of the public may also attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely. The rules for physical attendance may be subject to change due to changes in law or to executive orders related to the COVID-19 pandemic occurring after delivery of this notice. Changes will be posted at www.cityblm.org/register.

This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs or accessible questions please contact the City Clerk at 109 E. Olive St., Bloomington, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115, preferably no later than five days before the hearing.

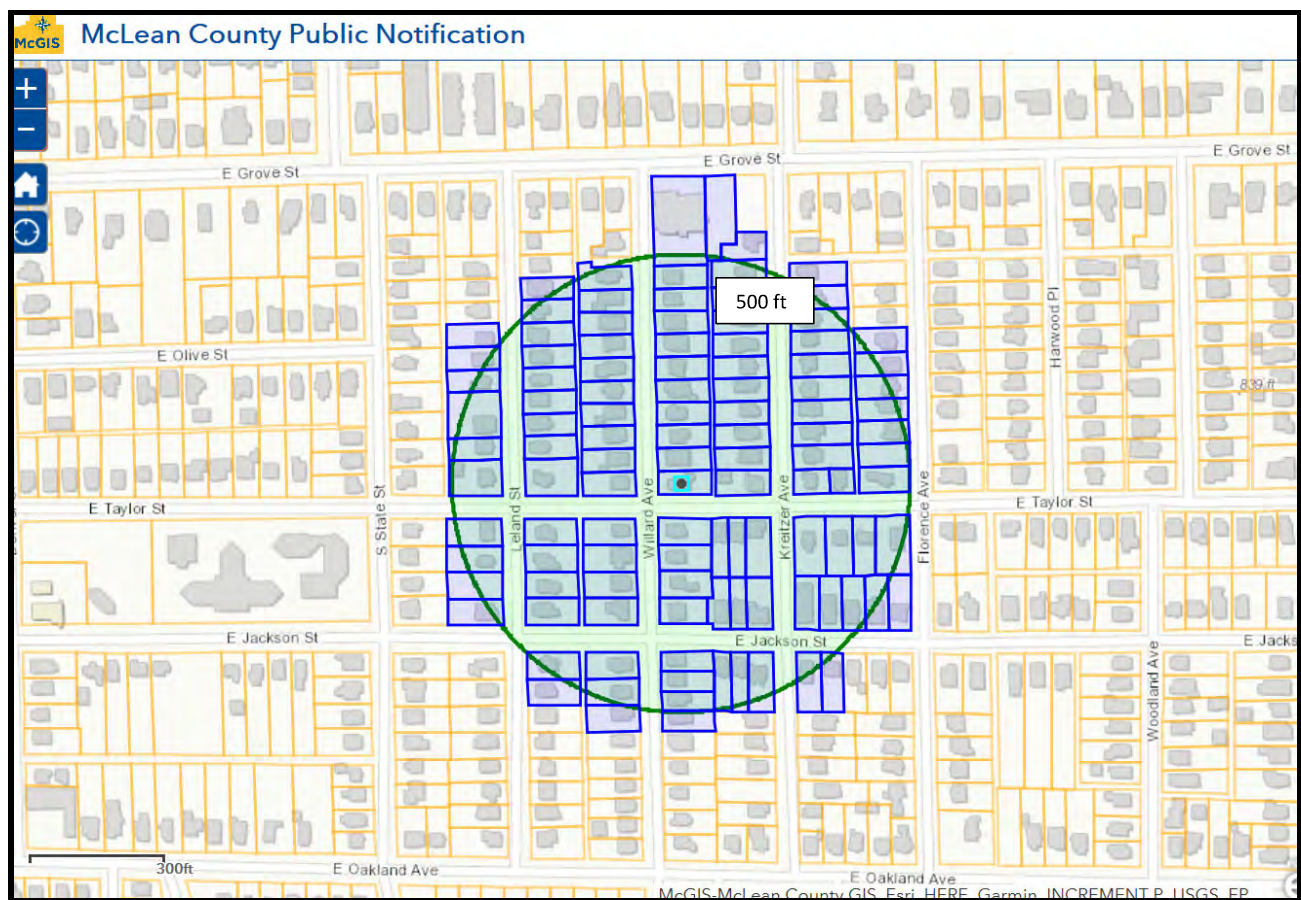
If you desire more information regarding the proposed petition or have any questions, you may email planning@cityblm.org or call (309)434-2226.

Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at www.cityblm.org.

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property



DALE PERRY
208 LELAND ST
BLOOMINGTON, IL 61701

DAVID HALL
3109 YORKSHIRE CT
BLOOMINGTON, IL 61704

JANET MOORE
1501 E TAYLOR ST
BLOOMINGTON, IL 61701

NANCY ANN REED
404 LELAND ST
BLOOMINGTON, IL 61701

HARLAN SHOULTZ
211 S FLORENCE AVE
BLOOMINGTON, IL 61701

MICHAEL & REBECCA WILLIAMS
214 LELAND
BLOOMINGTON, IL 61701

RANDY & DEBRA HYDE
407 MADISON ST
WASHINGTON, IL 61571

RICHARD HILL
225 LELAND ST
BLOOMINGTON, IL 61701

MARK ANDERSON
1508 E JACKSON
BLOOMINGTON, IL 61701

GERI HEISSLER
209 KREITZER AVE
BLOOMINGTON, IL 61701

SHERYL SMITH
216 KREITZER AVE
BLOOMINGTON, IL 61701

JAMES WATSON
1510 E TAYLOR ST
BLOOMINGTON, IL 61701

JERILYN ODRISCOLL
404 1/2 WILLARD AVE
BLOOMINGTON, IL 61701

DONALD HEAFER
1503 E TAYLOR ST
BLOOMINGTON, IL 61701

JAMES & LETTY DUNN
1406 E JACKSON ST
BLOOMINGTON, IL 61701

ANDREW DUSTMAN
2810 VROOMAN CT
BLOOMINGTON, IL 61704

JEFF & ERIN STEVENSON
301 S KREITZER
BLOOMINGTON,, IL 61701

THOMAS LUCEY
301 WILLARD AVE
BLOOMINGTON, IL 61701

CHRISTOPHER & LAUREN LOWELL
MCGOUGH
1506 E JACKSON ST
BLOOMINGTON, IL 61701

STEPHEN JOHNSON
302 LELAND ST
BLOOMINGTON, IL 61701

ANDREW COE
304 LELAND ST
BLOOMINGTON, IL 61701

JERROD KILEY
215 WILLARD AVE
BLOOMINGTON, IL 61701

PNC BANK N A
3232 NEWMARK DR
MIAMISBURG, OH 45342

EMILY GOAD
215 KREITZER AVE
BLOOMINGTON, IL 61701

BRETT LITWILLER
213 LELAND ST
BLOOMINGTON, IL 61701

MATTHEW & AMY K CARLSON
304 Willard Ave
BLOOMINGTON, IL 61701

KARON WALKER
1405 E TAYLOR ST
BLOOMINGTON, IL 61701

HOWARD & KRYSTA TEPPER
219 S FLORENCE AVE
BLOOMINGTON, IL 61701

MARSHA PUYEAR
217 S FLORENCE AVE
BLOOMINGTON, IL 61701

Michael & Kathleen Bowen
404 Willard Ave
BLOOMINGTON, IL 61701

JOSEPH & ERIN NORRIS
210 LELAND ST
BLOOMINGTON, IL 61701

WANDA GRAVES
1510 E JACKSON ST
BLOOMINGTON, IL 61701

SUSAN STEINBACH
205 KREITZER AVE
BLOOMINGTON, IL 61701

KAY STULTS
401 KREITZER AVE
BLOOMINGTON, IL 61701

KIM ANDERSON
209 LELAND ST
BLOOMINGTON, IL 61701

RONALD & PATRICIA A HARWEGER
403 WILLARD AVE
BLOOMINGTON, IL 61701

RANDALL ROBERTS
201 KREITZER AVE
BLOOMINGTON, IL 61701

GABRIEL SPALDING
302 WILLARD
BLOOMINGTON, IL 61701

DON & DAWN CARLSON
208 KREITZER AVE
BLOOMINGTON, IL 61701

CENTENNIAL CHRISTIAN CH
1219 E GROVE ST
BLOOMINGTON, IL 61701

JOANNE ALEXANDER
203 Willard Ave
BLOOMINGTON, IL 61701

MEGAN AMES
211 LELAND ST
BLOOMINGTON, IL 61701

FEDERAL NATIONAL MORGAGE
ASSOCIATION
1 S. WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

BRETT & MARY HOLLYWOOD
204 KREITZER
BLOOMINGTON, IL 61701

SHAWN KIRKWOOD
405 WILLARD AVE
BLOOMINGTON, IL 61701

ROSEMARY BENBOW
% ROSEMARY J BENBOW TR 201
WILLARD AVE
BLOOMINGTON, IL 61701

JAMES CONNOLLY
220 LELAND ST
BLOOMINGTON, IL 61701

KENNETH & ANGELA CLEM
2510 BUNN ST
BLOOMINGTON, IL 61704

JOHN & LAUREN CONKLIN
206 LELAND STREET
BLOOMINGTON, IL 61701

SEAN & CHEERIE CROOK
221 S FLORENCE AVE
BLOOMINGTON, IL 61701

CATHERINE STONE
224 LELAND ST
BLOOMINGTON, IL 61701

ASHLEE SNODGRASS
210 KREITZER AVE
BLOOMINGTON, IL 61701

BRYAN HANNER
401 WILLARD AVE
BLOOMINGTON, IL 61701

PHILLIP WINANS
406 Willard Ave
BLOOMINGTON, IL 61701

WILLIAM CHARLES NELSON
202 KREITZER AVE
BLOOMINGTON, IL 61701

JENNIFER & DARREN SAWYER
2711 RIDGE RD
BLOOMINGTON, IL 61704

HAROLD HOLLOWAY
1507 E TAYLOR ST
BLOOMINGTON, IL 61701

JULIE WINKLER
218 KREITZER AVE
BLOOMINGTON, IL 61701

JOSHUA CUNNINGHAM
213 S FLORENCE AVE
BLOOMINGTON, IL 61701

BROOKE HERMANOWICZ
220 WILLARD AVE
BLOOMINGTON, IL 61701

GROVE RENTALS LLC
1318 E GROVE ST
BLOOMINGTON, IL 61701

ROBERT & MARY LEFFLER
1501 E JACKSON ST
BLOOMINGTON, IL 61701

HOLLY LARSEN
1401 E JACKSON ST
BLOOMINGTON, IL 61701

ROBERT WEBB
201A KREITZER AVE
BLOOMINGTON, IL 617015637

BRYAN FULTON
223 LELAND ST
BLOOMINGTON, IL 61701

AUDREY HARP
1504 E JACKSON ST
BLOOMINGTON, IL 61701

KELLY GARLISCH
217 Willard Ave
BLOOMINGTON, IL 61701

JOSEPH CORCORAN
222 LELAND ST
BLOOMINGTON, IL 61701

LAWRENCE STARKEY
210 WILLARD AVE
BLOOMINGTON, IL 61701

JASON & BRYAN SAYERS WHITESEL
204 WILLARD AVE
BLOOMINGTON, IL 61701

JOSEPH & DEBRA HANCHETT
222 KREITZER AVE
BLOOMINGTON, IL 61701

VICENTE ADAME
1111 E GROVE ST
BLOOMINGTON, IL 61701

HAROLD STREBE
1403 E JACKSON
BLOOMINGTON, IL 61701

JEROME BURKETT
207 KREITZER AVE
BLOOMINGTON, IL 61701

GOMER STOWELL
211 WILLARD AVE
BLOOMINGTON, IL 61701

DJS APARTMENTS LLC
PO BOX 594
NORMAL, IL 61761

KATHRYN LESLIE LOLLAR
208 WILLARD AVE
BLOOMINGTON, IL 61701

WHITNEY THOMAS
215 S FLORENCE AVE
BLOOMINGTON, IL 61701

KIMBERLY BEAN
308 Willard Ave
BLOOMINGTON, IL 61701

JENNIFER HAMILTON
211 KREITZER AVE
BLOOMINGTON, IL 61701

DALE & DIANE COPE
220 KREITZER
BLOOMINGTON, IL 61701

LESLIE LUNDEEN
402 WILLARD AVE
BLOOMINGTON, IL 61701

REBECCA ROSENBLATT
218 WILLARD AVE
BLOOMINGTON, IL 61701

BRADLEY & JANICE OCHILTREE
209 WILLARD AVE
BLOOMINGTON, IL 61701

CAROL DRAKE
216 LELAND
BLOOMINGTON, IL 61701

DENISE NEWMISTER
1402 E JACKSON
BLOOMINGTON, IL 61701

DAVID SCHWULST
207 WILLARD AVE
BLOOMINGTON, IL 61701

SAMANTAHA SUPAN
212 KREITZER AVE
BLOOMINGTON, IL 61701

JANA & JOHN GRANT KUNDE
203 KREITZER AVE
BLOOMINGTON, IL 61701

ANTHONY CARAPELLA
213 KREITZER AVE
BLOOMINGTON, IL 61701

ERIC MAFFEI
213 WILLARD AVE
BLOOMINGTON, IL 61701

JODI METZ
306 LELAND
BLOOMINGTON, IL 61701

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

STEVEN BROWN
306 WILLARD AVE
BLOOMINGTON, IL 61701

KATIE WHETSTONE
308 LELAND ST
BLOOMINGTON, IL 61701

MATTHEW & DANIELLE WEIS BAILEY
307 WILLARD AVE
BLOOMINGTON, IL 61701

BRIAN RILEY
205 WILLARD AVE
BLOOMINGTON, IL 61701

JUSTIN MOCK
202 WILLARD AVE
BLOOMINGTON, IL 61701

ETHAN HOPKINS
1505 E TAYLOR ST
BLOOMINGTON, IL 61701

JEFFREY & JULIA HATTEN
219 WILLARD AVE
BLOOMINGTON, IL 61701

VICKI SKEEN
1502 E TAYLOR
BLOOMINGTON, IL 61701

WILLIAM CRAIG
217 KREITZER AVE
BLOOMINGTON, IL 61701

KELSEY WENGER
212 WILLARD AVE
BLOOMINGTON, IL 61701

SHAWN & KATE FINLEN
221 LELAND ST
BLOOMINGTON, IL 6170

JOSH & COLLEEN SHAW
214 WILLARD AVE
BLOOMINGTON, IL 61701

KATHLEEN FULTON
1404 E JACKSON ST
BLOOMINGTON, IL 61701

MARGARET NUGENT
307 LELAND ST
BLOOMINGTON, IL 61701

WOLFGANG STEIN
301 LELAND ST
BLOOMINGTON, IL 61701

KAREN STEGALL
16 SW 8TH PL
CAPE CORAL, FL 33991

KARA KLEPP
303 LELAND ST
BLOOMINGTON, IL 61701