

**AGENDA
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, FEBRUARY 17, 2016
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

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

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

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

- 4. ELECTION OF CHAIR**
- 5. MINUTES:** Consideration, review and approval of Minutes from the January 20, 2015 meeting.
- 6. REGULAR AGENDA**

A. SP-01-16 Consideration, review and approval of the petition submitted by Bloomington Public Schools, District 87 for:

1) A Special Use for a noncommercial parking lot under the Municipal Code 44.10-4. All for the property located at 900 N. Roosevelt Ave and 901 N. Roosevelt Ave. Zoned R-2, Mixed Residential District (**Ward 7**)

B. Z-04-16 Consideration, review and approval of the petition submitted by Bloomington Public Schools, District 87 for:

1) A variance to allow parking in the front yard of a residential property under the Municipal Code 44.7-2.C.3(b). All for the property located at 900 N. Roosevelt Ave and 901 N. Roosevelt Ave. Zoned R-2, Mixed Residential District (**Ward 7**)

2). A variance for a front yard setback of seven (7) feet in lieu of the required thirteen (13) feet under the Municipal Code 44.4-5.D. All for the property located at 900 N. Roosevelt Ave and 901 N. Roosevelt Ave. Zoned R-2, Mixed Residential District (**Ward 7**)

C. Z-05-16 Consideration, review and approval of the petition submitted by Farnsworth Group, on behalf of CEFCU for:

1) A variance to allow a front yard setback of twelve (12) feet in lieu of the required twenty (20) foot setback under the Municipal Code 44.4-5.F.1(a). All for the property located at 1114 S Veterans Parkway Zoned B-1, Highway Business District (**Ward 1**)

7. **OTHER BUSINESS**

A. Discussion of City Attorney Role

8. **NEW BUSINESS**

9. **ADJOURNMENT**

**MINUTES
ZONING BOARD OF APPEALS
REGULAR MEETING
WEDNESDAY, January 20, 2016, 4:03 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE ST., BLOOMINGTON, IL**

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

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

Mr. Dabareiner called the meeting to order at 4:03 p.m. and called the roll. With five in attendance, a quorum was present.

PUBLIC COMMENT: None

The Board reviewed the minutes from November 18, 2015 and accepted the minutes with modifications. Mr. Briggs noted two non-substantive changes. The minutes as amended were **approved** unanimously.

Chairman Ireland explained the meeting procedures. Mr. Dabareiner stated all items were properly published.

REGULAR AGENDA:

SP-06-15 Public hearing, consideration, review and approval of the petition submitted by Amerco Real Estate Company for: 1) A Special Use for a mini-warehouse under the Municipal Code 44.10-4. All for the property located at 1710 RT Dunn Dr. Zoned B-1, Highway Business District. (Ward 1).

Chairman Ireland noted that the two regular agenda cases are for a special use and for a variance for the same petitioner and location. He cautioned the petitioner to distinguish between the two cases as he makes his presentation. Aaron Freeman, U-Haul Corporation, 1032 Stevenson Drive, Springfield, was sworn in. Mr. Freeman explained he had a brief presentation about the business model for U-Haul which includes environmental sustainability, green buildings, a variety of energy conservation efforts, and extensive recycling of materials. He reviewed the site plan. In the future, it may include a propane distribution center, but this is not in the current proposal. U-Haul promotes truck sharing and these trucks have many sustainability components. Furthermore, the storage space allows a family to live in a more compact home. He described various programs that demonstrate U-Haul's reuse of recycled materials. Mr. Freeman described the proposed store with interior storage and some retail.

When asked by Chairman Ireland about the fence variance, Mr. Freeman noted that U-Haul is withdrawing Building B from the plan to help improve the case for a fence variance, since then all storage would be inside. He called Building B a "billboard" because it is sometimes hard for

people to recognize that there are interior, climate-controlled storage units. Mr. Bullington clarified that the petitioner is keeping the request for variance, but removing Building B from the plans; Mr. Freeman concurred. Mr. Dabareiner indicated that staff is willing to support the fence variance if Building B is withdrawn, as there would be no outdoor storage, which the code identifies as in need of visual protection and security. Mr. Briggs asked whether Building B was simply a sign or intended for storage; Mr. Freeman said the ten storage units in Building B would be available for use.

Mr. Simeone asked about the numbers of trucks on display. Mr. Freeman noted ten vehicles would likely sit in the front, along with equipment in the rear. Mr. Dabareiner noted that the proposal meets the City's parking requirements. Mr. Briggs added his desire that the U-Haul drop-off area would not become cluttered as seen at some thrift shops. No others spoke in favor or against the petition.

Mr. Dabareiner introduced Katie Simpson as the City's new City Planner. After providing some background about herself, Ms. Simpson presented staff's information about the case. She identified the various uses surrounding the property, show photos of and near the site, and presented the proposed site plan and concluded that the proposed use is compatible with the area. She added the desire for additional landscaping around the revised parking areas in the front parking lot. Mr. Dabareiner clarified that even without Building B, the nearby parking row would benefit from additional landscaped areas.

Mr. Dabareiner provided an overview on the variance request, noting that the recommendation will change given the removal of Building B. He reviewed the standards given the revised proposal and recommended in favor of granting the fence variance. Chairman Ireland clarified that staff's recommendation is that no perimeter fence is needed.

Chairman Ireland asked the petitioner if he had further comments. Mr. Freeman agreed to provide the additional landscaping as requested. Mr. Briggs clarified the security measures for access to the building versus the fence and security gate methods outlined in the code; Mr. Freeman provided an overview of their security system.

Chairman Ireland requested a roll call vote on the Special Use, noting that Building B is no longer part of the consideration. The motion was **approved** with five (5) voting in favor and none against with the following votes being cast on roll call: Mr. Brown—Yes; Mr. Bullington—Yes; Mr. Briggs—Yes; Mr. Simeone—Yes; Chairman Ireland—Yes.

Z-01-16 Public hearing, consideration, review and approval of the petition submitted by Amerco Real Estate Company for: 1) A variance not to install a fence where a six (6) foot fence is required for a mini-warehouse under the Municipal Code 44.10-4. All for the property located at 1710 RT Dunn Dr. Zoned B-1, Highway Business District. (Ward 1).

Chairman Ireland requested a roll call vote on the fence variance, noting that Building B is no longer part of the consideration. The motion was **approved** with five (5) voting in favor and none against with the following votes being cast on roll call: Mr. Brown—Yes; Mr. Bullington—Yes; Mr. Briggs—Yes; Mr. Simeone—Yes; Chairman Ireland—Yes.

OTHER BUSINESS:

Chairman Ireland introduced the two items for consideration. Mr. Simeone suggested that the discussion on the City Attorney's role be postponed to the next meeting when Mr. Kearney can be present. There was consensus to do so and place the item on the next agenda.

Discussion turned to the Election of a Vice Chair. Mr. Boyle noted the things a City board or commission can do are governed by state law, ordinances and sometimes by-laws. In the case of the Zoning Board of Appeals, there is no set of by-laws so they are governed by other laws. He distributed relevant copies of Chapter 44. He added that Chapter 44 makes no provision for a Vice Chair, but does ask that an Acting Chairman should be appointed when needed. Mr. Boyle indicated that the group can stick with the Acting Chairman provisions or propose a text amendment that would allow for selection of a Vice Chair. Mr. Simeone said he would like to keep things simple and would like to see an election each year of a Chairman and Vice-Chairman. There was general discussion about former ordinances and amendments and the elective positions desired. Mr. Bullington felt that the Acting Chair seemed to work fine last time and that an ordinance change would simply grant a title to someone in the same functional role; Mr. Briggs concurred, pointing out that the Acting Chair requirement would still be needed if both the Chair and Vice-Chair would be absent. Mr. Simeone repeated his hope for regular elections. There followed general discussion about whether the Chairman position is elected or appointed; Mr. Boyle concluded it is elected. He added that the election could not occur today, but could at a future meeting. Mr. Dabareiner read from Chapter 2 of the code which indicates the need for an annual election for Chairman and a limit for holding the office for two years. Chairman Ireland asked that the next agenda have the election of a new Chairman.

NEW BUSINESS:

None

ADJOURNMENT: 5:04PM

Respectfully,

Tom Dabareiner AICP

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
FEBRUARY 17, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
SP-01-16 900 & 901 N Roosevelt	Special Use to allow a noncommercial parking lot in an R-2, Mixed Residential District.	Katie Simpson City Planner

REQUEST

The petitioner is seeking a special use to allow a noncommercial parking lot in a R-2, Mixed Residential District.

NOTICE

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

GENERAL INFORMATION

Owner and Applicant: Bloomington Public School, District 87

PROPERTY INFORMATION

Existing Zoning: R-2 Mixed Residential
Existing Land Use: Single-family dwelling (900 N. Roosevelt) and multiple-family dwelling (901 N. Roosevelt). Both properties are currently vacant.
Property Size: Approximately 8,712 square feet
PIN: 21-04-126-009; 21-04-126-008

Surrounding Zoning and Land Uses

Zoning

North: R-2, Mixed Residential District
South: R-2, Mixed Residential District
East: R-2, Mixed Residential District
West: S-2, Public Lands and Institutions District

Land Uses

North: Single-family home
South: Two-family home
East: Single-family home
West: Horatio G. Bent Elementary School

Analysis

Submittals

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

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

PROJECT DESCRIPTION

Agenda Item 6.A.

The subject site is commonly known as 900 & 901 N. Roosevelt Ave located east of Horatio G. Bent Elementary School (Bent School), north of W. Walnut Street and west of N. Madison Street. The properties were formerly used a single and multiple-family dwelling at 900 & 901 N. Roosevelt, respectively, and both are currently vacant. Surrounding uses in the area include single and multiple-family housing and Bent School.

The petitioner is proposing to demolish the existing houses on both properties and construct an eighteen (18) space, noncommercial parking lot (approximately 5,525 square feet) to be used by Bent School Staff. Bent School currently serves 416 students, and has 60 faculty and staff. Faculty, staff and parents currently rely on on-street parking along W. Walnut Street, N. Roosevelt Street, N. Lee Street, and W. Empire Street. W. Empire Street and N. Lee Street are state routes used frequently by large trucks. The proposed parking lot would reduce the number of faculty and staff vehicles parked along the street, and improve overall traffic flow surrounding the school.

Over the years, the City has received complaints about on street parking here due to traffic flow problems, and the inability of trucks and garbage trucks to easily serve the neighboring properties as well as the school.

Analysis

The subject properties are located in a R-2, Mixed Residential District, and a special use permit is needed for a noncommercial parking lot in this district. In addition to the Special Use Standards outlined in 44.10-3C, there are additional requirements for a parking lot as a special use explained in section 44.10-4. The petitioner's site plan shows compliance with these standards including the minimum yard and fencing/screening requirements. The petitioner is also seeking a variance to allow parking in the front yard of a residential lot (44.7-2.C.3(b)) and a front yard setback of seven (7) feet (Section 44.4-5.D).

The existing lots are forty four (44) feet wide and ninety nine (99) feet long. The minimum lot width required in the R-2 District is fifty (50) feet. The existing lots are nonconforming. The proposed construction of the parking lot will create a conforming lot in an R-2 District.

Action by the Zoning Board of Appeals

For each special use application the Zoning Board of Appeals shall report to the Council its findings of fact and recommendations, including stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein. No special use application shall be recommended by the Zoning Board of Appeals for approval unless such Board shall find:

- 1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;** the special use will enhance safety in the area. The petitioner is proposing to construct additional off-street parking for neighboring Bent School Staff which will reduce the amount of on-street parking and congestion along W. Walnut Street., N. Roosevelt Ave and N. Lee Street/I-150. Additionally, this will increase driver visibility of pedestrians, especially children, walking to and from Bent School.

- 2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** the special use will complement the neighboring Bent School and reduce the amount of cars parked along N. Roosevelt and W. Walnut. The petitioner's site plan illustrates screening/fencing and landscaping along frontages and near abutting residential properties to increase the aesthetic appeal of the proposed parking lot.
- 3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** the special use will not impede normal and orderly development of the surrounding properties, and is to be used exclusively by Bent School Staff which serves families in the immediate area.
- 4. That the adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** the subject properties have adequate utilities, access and drainage. Design, construction and maintenance shall be in accordance with requirements specified in Section 44.7-2.
- 5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** the proposed ingress and egress is located approximately 50 feet from the intersection of W. Walnut and N. Roosevelt. Additionally, the proposed parking lot will reduce current congestion created from cars parked along the street.
- 6. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Zoning Board of Appeals.** The proposed noncommercial parking lot meets the requirements explained in section 44.10-3 and Section 44.10-4. The petitioner is seeking a variance for a seven (7) foot front yard setback. The existing lots are 44 feet wide and considered to be nonconforming, as a minimum width of 50 feet is required in the R-2 District. The construction of the proposed noncommercial lot will remove the two nonconforming lots.

STAFF RECOMMENDATION:

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a special use for a noncommercial parking lot. Staff recommends the Zoning Board of Appeals provide Council with a recommendation to approve the requested special use petition in Case SP-01-16.

Respectfully submitted,

Katie Simpson
City Planner

Agenda Item 6.A.

Attachments:

- Petition for a Special Use Permit
- Exhibit A-Legal Description
- Ordinance
- Location Map of 900 & 901 N. Roosevelt Ave
- Aerial and Zoning Map of 900 & 901 N. Roosevelt Ave
- Site Plan
- Photos of 900 & 901 N. Roosevelt Ave
- Map with 500ft Neighborhood Notice Buffer
- Notification Mailing List

ROUTE SLIP-APPROVAL OF SPECIAL USE

Date Rec'd: 7/22/16
Council of: _____

PETITION FOR SPECIAL USE FOR PROPERTY LOCATED AT:

900 & 901 N. Roosevelt Ave.

PETITIONER: Bloomington Public School District #87

ATTORNEY: John Pratt

ATTY. PHONE: 309-828-2302

DOCUMENTS SUBMITTED: CHECK IF YES

Petition X *Rg*

Ordinance X

Legal Description X *Rg*

Original Site Plan & 21 copies X

Filing Fee Pd. (\$125.00) X

Recording Fee Pd. (\$24.00) X

Documents on Disk X *N/A*

*****Processing of Petition*****

Development/Staff Meeting (date) _____ Brd of Zoning Appeals (date) 7/17/16

Date sent to Pantagraph _____ (15 day notice)

Publication Date _____

Publication Fee \$ _____ billed date _____ date pd. _____

Date thirteen (13) copies of site plan & one (1) copy of documents sent to PACE _____

Date taken to County Recorder's Office _____

NOTES: _____

1. That your Petitioner is the owner of the freehold estate of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference;
2. That said premises presently has a zoning classification of R-2 under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That under the provisions of Chapter 44, Section 44.6-30 of said City Code Parking Lots, are allowed as a special use in a R-2 zoning district;
4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the R-2 zoning district;
7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;

8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the R-2 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your Petitioner respectfully prays that said special use for said premises be approved.

Respectfully submitted,

BLOOMINGTON PUBLIC SCHOOLS,
DISTRICT 87, BLOOMINGTON,
MCLEAN COUNTY, ILLINOIS

By: 
Barry M. Reilly, Superintendent

EXHIBIT A
LEGAL DESCRIPTIONS

900 N. Roosevelt Avenue, Bloomington, Illinois 61701

The South 44 feet of Lot 14 in Block 3 in Allin, Gridley and Pricketts Addition to the City of Bloomington in McLean County, Illinois;

PIN: 21-04-126-009

901 N. Roosevelt Avenue, Bloomington, Illinois 61701,

The South 22 feet of Lot 11 and Lot 14, except the South 44 feet thereof, in Block 3 in Allin, Gridley and Pricketts Addition to the City of Bloomington in McLean County, Illinois;

PIN: 21-04-126-008

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A

Noncommercial parking lot in the R-2 District

FOR PROPERTY LOCATED AT: 900 & 901 N. Roosevelt

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a noncommercial parking lot in the R-2 District for certain premises hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.10-3C of the Bloomington, City Code, 1960; and

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

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

1. That the Special Use Permit for a noncommercial parking lot on the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk



Location of 900 & 901 N. Roosevelt Ave



1: 2,279

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

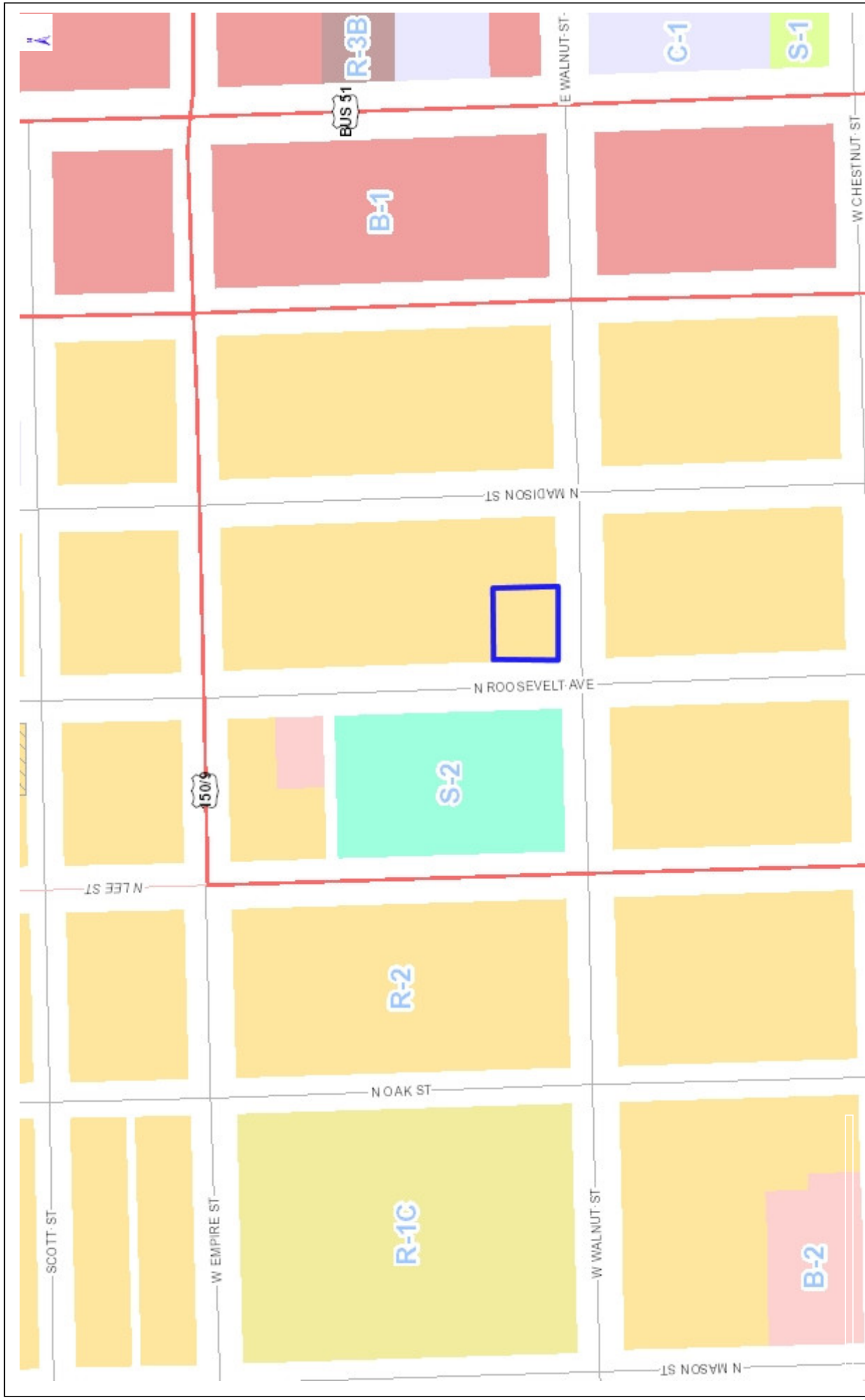
<http://www.McGIS.org/License>

Notes

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Zoning Map and Aerial View of 900 & 901 N. Roosevelt Ave



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Notes

1: 2,944

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Farnsworth
GROUP

2709 MAGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8432 / info@farnsworth.com

www.farnsworth.com
Engineers | Architects | Surveyors | Scientists
ARCHITECT
A. Diller | Description

**BENT SCHOOL
PARKING LOT
900 & 901
N. ROOSEVELT AVE.**

BLOOMINGTON, ILLINOIS

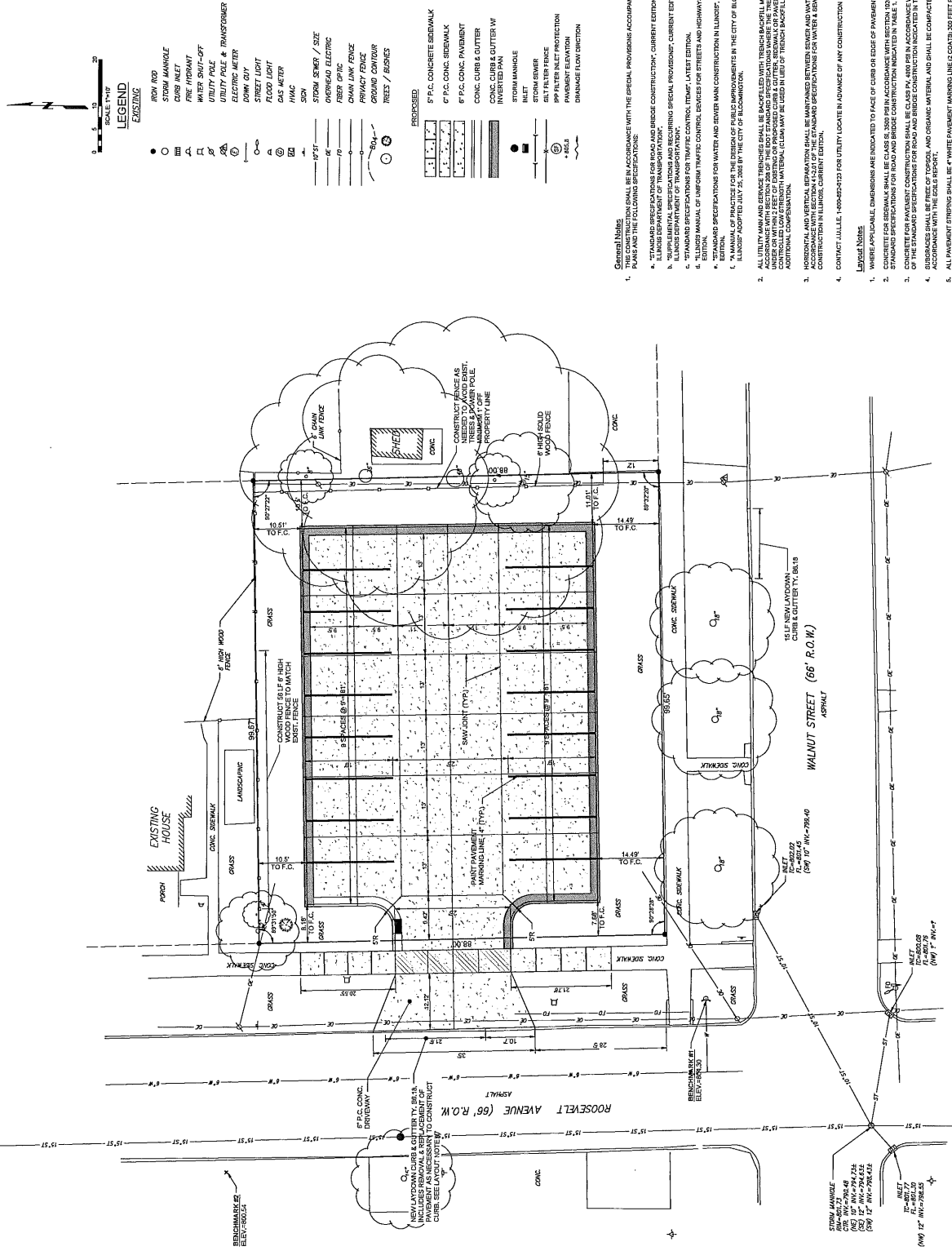
DATE: 12-28-15
DESIGN/DRAWN: DJM
REVIEWED: DLA
BOOK NO.: 275825 FILE#: 12-3-15
PROJECT NO.: D15147200
SHEET TITLE

SITE LAYOUT PLAN

SHEET NUMBER

2

File No.:





900 & 901 N. Roosevelt Ave



West-Bent School



South



North



Southwest

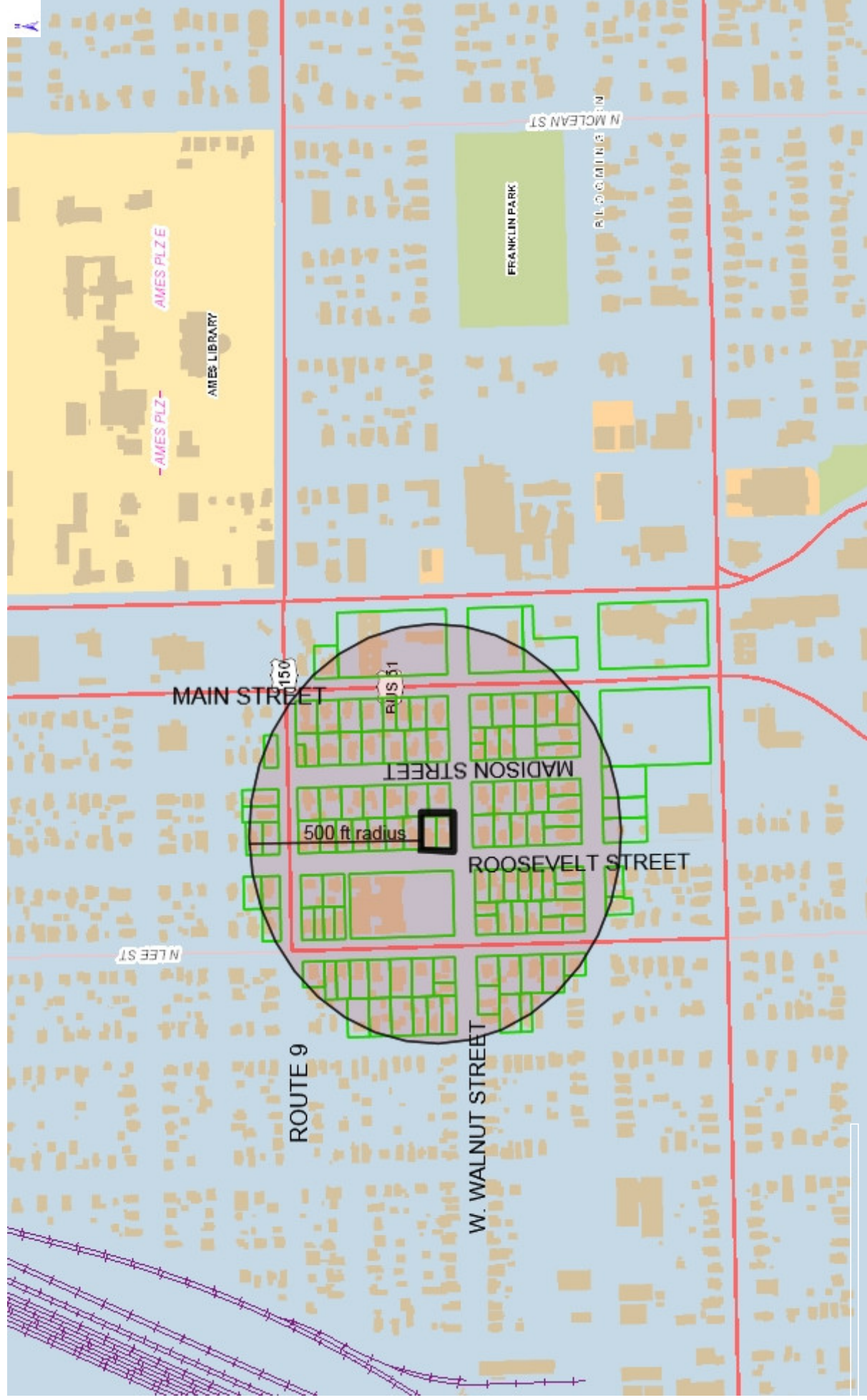


East





Location of 900 and 901 N Roosevelt



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0 0.10 0.2 Miles

1: 6,608

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Notes

Black rectangle = 900 & 901 N Roosevelt
Black circle = Property owners notified within a 500ft radius of subject site

VICENTE & JENNIFER ADAME
1111 E GROVE ST
BLOOMINGTON IL 617014210

TONY & DEBORAH ADEKOYA
3 HANEY CT
BLOOMINGTON IL 617014983

PHILIP F ADELEYE
3950 N LAKE SHORE DR APT 1228E
CHICAGO IL 606133446

JOHN ARMSTRONG
12 KLEGGSTONE CIR
BLOOMINGTON IL 617041508

VICTORIA S BAPTISTE
906 N MADISON
BLOOMINGTON IL 61701

JOSEPH W BARTH
916 N MADISON
BLOOMINGTON IL 61701

MICHAEL BARTH
802 N LEE
BLOOMINGTON IL 61701

DAVID BEAN
23977 E 1000 NORTH RD
DOWNS IL 617369427

CHAD BEARD
916 N LEE ST
BLOOMINGTON IL 617012925

ROGER LINDA & JOHN BEHRENS
806 N ROOSEVELT
BLOOMINGTON IL 61701

BLENT LLC
% KEVIN M DRAEGER 202 GRANDVIEW DR
NORMAL IL 61761

BLOOMING GROVE PROPERTIES LLC
25017 WOOD THRUSH CIR
HUDSON IL 617487511

BENT SCHOOL BOARD OF EDUCATION
300 E MONROE
BLOOMINGTON IL 61701

SEAN A BOZARTH
311 S MAIN ST
NORMAL IL 617612968

THOMAS L & ELLEN J BRENNAN
806 N MADISON ST
BLOOMINGTON IL 617012928

ROBERT J BREWE III
913 N ROOSEVELT AVE
BLOOMINGTON IL 61701

DAVID L & GLORIA BREWER
912 N ROOSEVELT AVE
BLOOMINGTON IL 617012936

JOHN H BROWN
908 N LEE ST
BLOOMINGTON IL 617012925

TODD BUGG
606 N LINDEN ST
NORMAL IL 617611707

MIKE & BRANDE BURLESON
305 MORGAN DR
HEYWORTH IL 617459216

KAREN BURSELL
914 N Madison St
Bloomington IL 617012930

NICHOLAS BURTON
907 N OAK ST
BLOOMINGTON IL 61701

JESUS & OLGA CABRERA
916 N ROOSEVELT AVE
BLOOMINGTON IL 617012936

STEPHEN A CAPODICE
707 WOODRIG RD
BLOOMINGTON IL 617045624

CHASE CAVALERA
1406 W WOOD ST
BLOOMINGTON IL 617016366

HOLLY CHAPMAN
808 N MADISON ST
BLOOMINGTON IL 617012928

KELLY L CICCOLO
1005 PARK ST
BLOOMINGTON IL 617013143

RALPH COOPER
406 W WALNUT ST
BLOOMINGTON IL 617012939

HOWARD J COTTON
405 W CHESTNUT ST
BLOOMINGTON IL 617012916

KELBY CUMPSTON
901 N MADISON ST
BLOOMINGTON IL 617014538

WILLIAM L & GRACIE CUSHMAN
904 N CENTER
BLOOMINGTON IL 61701

% THORNTONS, INC. DAVID BRIDGERS
10101 LINN STATION RD
LOUISVILLE KY 402233848

BERNARD W DEANY
711 E EMPIRE ST
BLOOMINGTON IL 617013245

DELTA PROPERTIES INC
1316 E EMPIRE STE 1
BLOOMINGTON IL 61704

DML REAL ESTATE
202 NORTH CENTER STREET SUITE 2
BLOOMINGTON IL 61701

DOUGHERTY PROSPECT LLC
2390 E FEDERAL DR
DECATUR IL 625262159

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

KEVIN M DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

ELIZABETH DRINAN
905 N ROOSEVELT AVE
BLOOMINGTON IL 617012935

DURAN OWNERSHIP GROUP
613 WHISPERING PINES CC LN
NORMAL IL 617615361

JENNIFER R EVANS
910 N MADISON ST
BLOOMINGTON IL 617012930

THOMAS R EWEN
901 SPEAR DR
NORMAL IL 617613153

FAITH BAPTIST CHURCH
804 N CENTER
BLOOMINGTON IL 61701

FAITH BAPTIST CHURCH INC
804 N CENTER
BLOOMINGTON IL 61701

ROBERT D FARMER
809 N LEE
BLOOMINGTON IL 61704

FIRST STATE BANK CUSTODIAN
706 WASHINGTON ST
MENDOTA IL 613421675

G 5 OF MCLEAN COUNTY LLC
2203 EASTLAND DR STE 8
BLOOMINGTON IL 617047924

DAVID G HAAS
914 N CENTER ST
BLOOMINGTON IL 617012911

CRIS L HARREL
247 S Sycamore St
El Paso IL 617381458

KURT & AMY HERALD
403 SEMINARY AVE
BLOOMINGTON IL 617011664

TIM HERMAN
1316 E EMPIRE ST
BLOOMINGTON IL 617013420

BOB HERMES
PO BOX 707
HUDSON IL 61748

SHAWN F & ALISON M HODINA
904 N LEE
BLOOMINGTON IL 61701

HOLY TRINITY CHURCH
704 N MAIN ST
BLOOMINGTON IL 61701

HOLY TRINITY ROMAN CATHOLIC
CONGREGATION
711 N MAIN ST
BLOOMINGTON IL 617013039

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON IL 61702

MICHAEL S JONES
804 N LEE
BLOOMINGTON IL 61701

CEVAT KARASEN
305 W CHESTNUT ST
BLOOMINGTON IL 617012914

LOIS E KERN
913 N LEE ST
BLOOMINGTON IL 617012924

ZACHARY D KERRICK
1001 N MADISON
BLOOMINGTON IL 61701

RALPH & MARY KAY KILLIAN SCHMITT
28153 E 1100 NORTH RD
ELLSWORTH IL 617379469

MATTHEW KINSELLA
2754 BAKER ST
SAN FRANCISCO CA 941233812

JAMES & MARY KIRK
1004 N ROOSEVELT
BLOOMINGTON IL 61701

M KRUTKE
503 N EAST ST
HUDSON IL 61748

MELVIN L KULL
812 N ROOSEVELT AVE
BLOOMINGTON IL 617012934

KRISTA LEONATTI
912 N LEE ST
BLOOMINGTON IL 617014547

JOHN T LEWIS
911 N Roosevelt Ave
Bloomington IL 617012935

LINCOLN LAND INVESTORS
26921 E 1100 NORTH RD
ELLSWORTH IL 617379454

ELEANOR LORANCE
810 N LEE ST
BLOOMINGTON IL 617012923

SIMONE MANIS
2104 KIRKLAND AVE.
LAS VEGAS NV 891024436

BERNARD MCNAMARA
102 W CHESTNUT ST
LEXINGTON IL 617531369

LAWRENCE MILLER
1003 N ROOSEVELT
BLOOMINGTON IL 61701

KATHERINE MITCHELL
301 W Empire St
Bloomington IL 617012728

TERESA B MORSE
402 W CHESTNUT ST
BLOOMINGTON IL 617012917

DANIEL C NADLER
913 N OAK ST
BLOOMINGTON IL 617012828

DARIN W PARKER
1108 E TAYLOR ST
BLOOMINGTON IL 617015561

WAYNE & MARY PELHANK
2625 Day Lily Run
The Villages FL 321622050

DARRELL PLEINES
811 N OAK ST
BLOOMINGTON IL 61701

JOSEPH PLOENSE
901 N OAK ST
BLOOMINGTON IL 617012828

PNC BANK NA
3232 NEWMARK DR
MIAMISBURG OH 453425433

ALFONSO & LAURA PUENTE
808 N LEE
BLOOMINGTON IL 61701

RICKY ALLAN QUINN
811 N LEE
BLOOMINGTON IL 61701

KEITH & CINDY RANNEY
25049 WOOD THRUSH CIR
HUDSON IL 617487511

CHARLES W RIDGEWAY
506 W WALNUT ST
BLOOMINGTON IL 61701

STEFEN ROBINSON
809 N MADISON ST
BLOOMINGTON IL 617012927

MARTIN R RUMBOLD
201 OAK VALLEY DR
GOODFIELD IL 617429514

MARIE SANDOVAL
308 S GROVE ST
NORMAL IL 617612836

PATTY SANDOVAL
1215 N MASON ST
BLOOMINGTON IL 617011648

Attn Mark Snyder Sasil Properties LLC
1020 Longmeadow Ln
Western Springs IL 605582108

SASIL PROPERTIES, LLC
1020 LONGMEADOW LN
WESTERN SPRINGS IL 605582108

MARK SEGOBIANO
3213 KIRKWOOD RD
BLOOMINGTON IL 617048287

GREG A & CHERYL SEXTON
12768 SOUTH RD
WAYNESVILLE IL 617789512

CYNTHIA M SHEPARD
PO BOX 3333
BLOOMINGTON IL 617023333

ANGELA & WILEY SPIECKER SINNOTT
915 N LEE ST
BLOOMINGTON IL 617012924

JOHN R SNYDER
205 W CHESTNUT ST
BLOOMINGTON IL 617012913

LORI A STEVENSON
903 N OAK STREET
BLOOMINGTON IL 61701

ASHLEY STRUCK
911 N OAK ST
BLOOMINGTON IL 617012828

JANDACE S SWAN
30 ETHELL PKWY
NORMAL IL 617614017

D ROBERT SWIBAKER
1411 N LINDEN ST
NORMAL IL 617611468

Rick S Terven
1111 S Macarthur Blvd
Springfield IL 627042820

DANIEL & PAIGE HOWE TRAINOR
712 N ROOSEVELT AVE
BLOOMINGTON IL 617012932

BRIAN VASQUEZ
812 N MADISON ST
BLOOMINGTON IL 61701

PATRICK & MICHELLE WHEELER
207 W CHESTNUT
BLOOMINGTON IL 61701

DANNY WHEELER
1312 N ALLIN ST
BLOOMINGTON IL 617011602

JOHNNY M WHITE
903 N ROOSEVELT
BLOOMINGTON IL 61701

REGINALD WHITTAKER
303 E WILLOW ST
NORMAL IL 61761

JOHN G WILSON
812 N LEE
BLOOMINGTON IL 61701

JESSI WILSON
914 N LEE ST
BLOOMINGTON IL 617012925

ANTHONY WINGERT
201 W CHESTNUT ST
BLOOMINGTON IL 617012913

REUBEN YODER
8 FISHER DR
BLOOMINGTON IL 617011902

% HAPPINESS SERIES LLC YUWADEE
JOHNSON
18570 E 2375 NORTH RD
TOWANDA IL 617767598

Deborah Skillrud, Supervisor
607 S Gridley St, Suite B
Bloomington, IL 61701

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

STEVE NORTHCUTT
4200 SW 3RD AVE
CAPE CORAL FL 339145940

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

KEVIN DRAEGER
202 GRANDVIEW DR
NORMAL IL 617613135

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
FEBRUARY 17, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-04-16 900 & 901 N Roosevelt	Variance to allow parking in the front yard for a seven (7) foot setback in lieu of the required thirteen (13) foot setback	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance to allow parking in the front yard of property in the R-2 District, Mixed Residential, and a variance to allow a seven (7) foot front yard setback in lieu of the required thirteen (13) foot setback (Section 44.4-5D).

NOTICE

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

GENERAL INFORMATION

Owner and Applicant: Bloomington Public School, District 87

PROPERTY INFORMATION

Existing Zoning: R-2 Mixed Residential
 Existing Land Use: Single-family dwelling (900 N. Roosevelt) and multiple-family dwelling (901 N. Roosevelt). Both properties are currently vacant.
 Property Size: Approximately 8,712 square feet
 PIN: 21-04-126-009; 21-04-126-008

Surrounding Zoning and Land Uses

Zoning

North: R-2, Mixed Residential District
 South: R-2, Mixed Residential District
 East: R-2, Mixed Residential District
 West: S-2, Public Lands and Institutions District

Land Uses

North: Single-family home
 South: Two-family home
 East: Single-family home
 West: Bent Elementary School

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The subject site is commonly known as 900 & 901 N. Roosevelt Ave located east of Bent Elementary School, north of W. Walnut Street and west of N. Madison Street. The properties were formerly used a single and multiple-family dwelling at 900 & 901 N. Roosevelt, respectively, and both are currently vacant. Surrounding uses in the area include single and multiple-family housing and Bent Elementary School.

The petitioner is proposing to demolish the existing houses on both properties and construct an eighteen (18) space, noncommercial parking lot (approximately 5,525 square feet) to be used by, neighboring, Bent School Staff. Bent School currently serves 416 students, and has 60 faculty and staff. Faculty, staff and parents currently rely on on-street parking along W. Walnut Street, N. Roosevelt Street, N. Lee Street, and W. Empire Street. W. Empire Street and N. Lee Street are state routes used frequently by large trucks. The proposed parking lot would reduce the number of faculty and staff vehicles parked along the street, and reduce overall traffic congestion surrounding the school.

The following is a summary of the requested variations:

Applicable Code Sections:

Section 44.7-2.C.3(b)

Type of Variance	Request	Required	Variance
Parking in front yard	to allow parking	not allowed	To allow parking in R-2 District

Applicable Code Sections:

Section 44.4-5.D

Type of Variance	Request	Required	Variance
Front yard setback	7'	13'	6' (46%) decrease

Analysis

Variations from Zoning Ordinance

The petitioner is proposing to demolish the existing houses on both properties and construct an eighteen (18) space, noncommercial parking lot (approximately 5,525 square feet) to be used by Bent School Staff. The subject properties are located in a R-2, Mixed Residential District, and parking in the front yard of said district is prohibited (44.7-2 C.3(b)). A variance is needed to accommodate the proposed amount of parking.

In addition, the petitioner is seeking a variance to allow a seven (7) foot front yard setback. The required font yard setback is equal to the average front yard of neighboring properties (section 44.4-5D) and in this particular case, thirteen (13) feet. The petitioner's site plan shows compliance with standards described in Sections 44.7 and 44.10, including the minimum yard and fencing/screening requirements.

The existing lots are forty four (44) feet wide and ninety nine (99) feet long. The minimum lot width required in the R-2 District is fifty (50) feet. The existing lots are nonconforming. The proposed construction of the parking lot will create a conforming lot in an R-2 District.

Staff's findings of fact are presented below. It is incumbent on each Zoning Board of Appeals member to interpret and judge the case based on the evidence presented and each of the Findings of Fact.

FINDINGS OF FACT

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

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

The property is eighty eight (88) feet wide and ninety nine (99) feet deep. The variance to allow parking in the front yard along with a front yard setback of seven (7) feet would allow the petitioner to attain the desired number of parking spaces. The improvement reduces the physical congestion caused by on-street parking from Bent School faculty and staff.

That the variances would be the minimum action necessary to afford relief to the applicant; and

The variance would be the minimum action necessary to afford relief to the applicant, as a specific amount of space is required to fit the additional cars on the site. There is no additional space left on the Bent School property to be used to address the parking issue; surface space on their lot is currently being used for other school related needs.

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

The circumstances requiring the requested variances were not created by action of the applicant. Bent School is located in an older, residential area. The school, as well as many surrounding properties were platted and constructed before the City's code was adopted in 1960. Over time, as the many houses in the neighborhood have been converted into multi-family residents, the amount of on-street parking in the area has grown resulting in highly congested streets. The proposed parking lot will reduce the number of faculty and staff vehicles parked on the street and reduce congestion.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and

Neighboring properties have front yard setbacks less than those required by the code. Granting the requested front yard setback variance will not give the applicant any special privilege. Moreover, allowing parking in the property's front yard will allow the petitioner to maximize the number of off-street parking spaces and contributes to the overall welfare of the neighborhood.

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 requested variance will be beneficial to public welfare, will improve the essential character of the neighborhood, and will not impair the development of adjoining properties. Additional off-street parking will contribute to the overall safety of the neighborhood, by decreasing existing congestion levels and increasing the visibility of pedestrians, especially school children.

STAFF RECOMMENDATION:

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a variance. Staff recommends denial of the requested variance in Case Z-04-16.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Exhibits provided by Petitioner:
 - Current Site Layout
 - Sidewall Map of Neighborhood
 - Overhead view of Property
 - Photographs of property
- Site Plan
- Legal Description
- For Site Location Map, Aerial Map, Zoning Map, 500ft buffer and List of notified property owners see attachments from Agenda Item A.

APP 21670
Feb 764

CITY OF BLOOMINGTON, ILLINOIS

PETITION FOR VARIANCE REQUEST

Address of the Property: 900 N. Roosevelt, Bloomington, Illinois and
901 N. Roosevelt, Bloomington, Illinois.

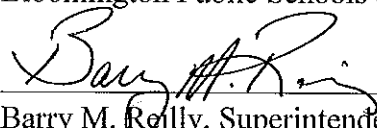
Petitioner and Owner: Bloomington Public Schools, District 87,
Bloomington, McLean County, Illinois

Petitioner's Address: John L. Pratt
Attorney for Petitioner
415 N. Center Street
Bloomington, IL 61701

Petitioner's Phone: John L. Pratt at 309-828-2302

Petitioner's Email: John L. Pratt at jlprattandprattpc.com

Contractual Interest: Bloomington Public Schools owns the Property

Signature of Applicant:  January 22, 2016
Barry M. Reilly, Superintendent

Brief Project Description:

The Bloomington Public Schools, District 87, Bloomington, McLean County, Illinois (hereinafter referred to as "District 87") has purchased two properties commonly known as 900 N. Roosevelt and 901 N. Roosevelt, Bloomington, Illinois (hereinafter referred to as the "Property"). District 87 plans to demolish the two residential improvements on the Property and use the Property for off street parking for Horatio G. Bent Elementary School located at 904 N. Roosevelt, Bloomington, Illinois (hereinafter referred to as "Bent School"), which is across Roosevelt from the Property.

Bent School is a neighborhood elementary school located in a fairly congested residential area. There are 416 students currently attending Bent School along with 60 faculty and staff. There is very little off-street parking at Bent School. On street parking is used by faculty and staff, parents and local residents. The acquisition of this Property provides an excellent opportunity for District 87 to provide additional parking for its teachers, parents and visitors and relieve some of the existing congestion in the largely residential area.

JAN 22 2016
Received RS

If the residential improvements on the Property are not demolished, they would both need considerable repair for them to meet the City of Bloomington Code. At one time, there were as many as seven units in these two residential improvements. They are both vacant now.

The current layout of the Property is attached as Exhibit A. A Sidwell map of the neighborhood is attached as Exhibit B. An overhead view of the Property is attached as Exhibit C. Photographs of the Property are attached as Exhibit D. A layout of the proposed parking area is attached as Exhibit E. The parking area will have one point of ingress and egress from the street and one driveway. The parking area will be screened to the east and to north by a new six foot privacy fence (to the west is Roosevelt Street and to the south is Walnut Street). The parking area will provide for safe off-street parking for eighteen (18) cars. The parking area will aesthetically improve the neighborhood and relieve some of the congestion in the area.

Code Requirements Involved:

Chapter 44, Section 44.7-2.C.3(b) and Section 44.4-5.D.

Variances Requested:

District 87 respectfully requests that parking be allowed with a front yard setback of seven (7) feet in lieu of a thirteen (13) foot setback as provided in Chapter 44, Section 44.4-5.D.

Reasons to Justify Approval by Zoning Board:

The front yard setback variance is necessary to provide an efficient parking area. With the variance, there will be eighteen (18) spaces available and drivers will be able to safely turn around in the parking area and exit the parking area onto Roosevelt driving forward. Bent School is landlocked. Additional parking will be of great benefit to the school and the entire neighborhood. It is essential that the parking area provide for safe ingress and egress for the safety of the students and the neighborhood, which is largely residential and is congested during certain hours of the day.

The existing residential structures are in very bad condition. They are not habitable. To the extent the existing use of the Property continues, the use will continue to contribute to the on street parking congestion of the area. By removing these dilapidated structures and providing much needed off-street parking for the adjacent elementary school, the Property will be put to its best use for the benefit of District 87, the neighborhood and the community.

Findings of Fact Questionnaire:

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

The property is only 88 feet wide and 99 feet deep. Bent School is landlocked and surrounded by residences. Over the years, many of the surrounding residences have been converted from single family to multi-family, which has increased the on-street parking demand. The acquisition of off-street parking to service Bent School in this congested residential neighborhood is difficult and expensive. The Property provides an excellent opportunity to remove eighteen (18) cars from the street during very congested times of the day.

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

District 87 is only requesting one waiver. District 87 is requesting that the front yard setback be reduced to seven (7) feet. That is a six (6) foot reduction. The parking lot will comply with all other requirements, including screening requirements.

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

District 87 is requesting a waiver of the front yard setback requirement. Bent School and the Property were both platted and in use before the Code provisions became effective. District 87 did not create the need for this waiver request. District 87 is responding to the need for additional off-street parking in the neighborhood.

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

The Code permits requests for variances from transitional area setback requirements. District 87 is not the only entity that can request such a variance. This neighborhood was platted long before the current zoning code was adopted.

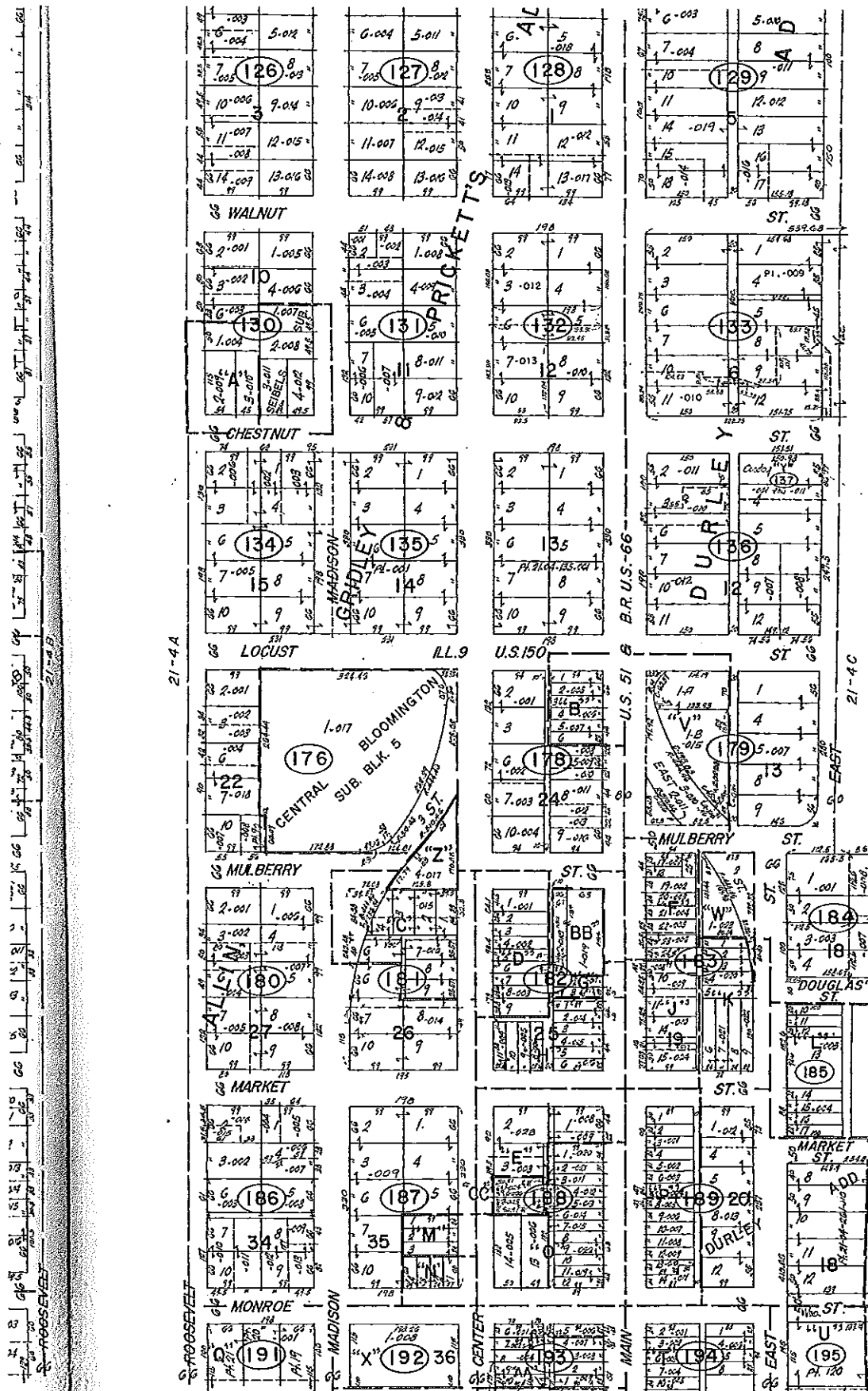
5. That the granting of the variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, not unreasonably impair the use or development of adjoining properties.

The granting of the variances requested will be beneficial to the public welfare, improve the essential character of the neighborhood and not impair the use or the development of the

adjoining properties. Bent School is not only the largest property in the neighborhood geographically, it is the focus of a great deal of attention in the neighborhood and the City. During the school year, students, teachers, parents, administrators, after school care providers, coaches, bus drivers and others go to Bent School during the day and early evening.

Bent School is surrounded by residences, many of which have been converted to multi-family housing over the years. The streets surrounding Bent School are congested at certain times of the day. Additional off-street parking will alleviate some of the congestion that exists in the neighborhood.

There will be no impact to the adjoining properties. The front yard at issue faces Bent School. The parking lot will replace dilapidated buildings with much needed off-street parking with adequate screening.



SUB. "C"
EVANS' SUB. LOTS
17TH & BLK. 20
ALLIN, GRIDLEY &
PACKETT ADD.
"D"
EVANS' SUB. LOTS
2, 3, 6 BLK. 25 OF
ALLIN, GRIDLEY &
PACKETT ADD.
LOT 7 OF LOTS 7, 8, 9, 10 BLK. 25 OF
"E"
K. H. FELL'S ADD.
COUNTY CLERK'S
SUB. OF LOTS 2, 3, 6
& 7 IN BLK. 19 OF "F"
"G"
SUB. OF LOT 5 BLK.
25 OF "H"
"I"
PARK'S SUB.
DURLEY ADD.
"J"
DEWENSE & KENNEDY'S
SUB.
"K"
THE WALTON PLAZA
CO'S SUB.
"L"
PARK'S SUB. OF
LOT 8 & EX LOT 9
BLK. 35 ALLIN,
GRIDLEY & PACKETT
ADD.
"M"
PARK'S SUB. OF S.
60 FT. LOT 9 BLK. 25
ALLIN, GRIDLEY &
PACKETT ADD.
"N"
SUB. OF LOTS 4, 5, 7,
8, 9 & 10 BLK. 25 OF
"O"
"P"
ASSESSOR'S SUB. OF
W. BLK. 20 OF "Q"
"R"
BLOOMINGTON (W. & S.
TOWN)
"S"
ASSESSOR'S SUB. OF
LOTS 1, 2, 3, 4, 5 &
6 OF "T"
"U"
GARY'S SUB.
"V"
PROPRIETOR'S SUB.
OF LOTS 1, 2, 3, 4, 5 &
6 OF "W"
"X"
JAMES ALLEN'S 2ND
ADD.
"Y"
CENTRAL BLOOM-
INGTON SUB. BLK. 3
"Z"
CENTRAL BLOOM-
INGTON SUB. BLK. 5
"AA"
CENTRAL BLOOM-
INGTON SUB. BLK. 20
"AB"
PHYSICIAN'S OFFICE
BUILDING CONDO.
UNIT 11 PARCEL 11
10 21-41-1-11
"AC"
CENTRAL BLOOMINGTON
600 BLK. 6 LOT 100.
"AD"
HEDRICK PLAZA CONDO.
SEE PAGE 21-4F-1
FOR INFORMATION
"AE"
PARKING LOT SUB.
"AF"
"AG"
EATON SUB.
BLOOMINGTON

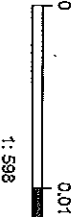
CITY OF BLOOMINGTON TWP.
E. 1/2 NW. 1/4 SEC. 4 T.23N. R.2E.

SCALE 1" = 100'
21-4B

Exhibit B



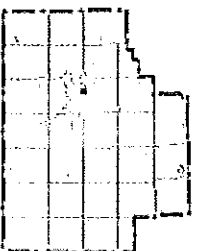
McLean County Regional GIS Consortium



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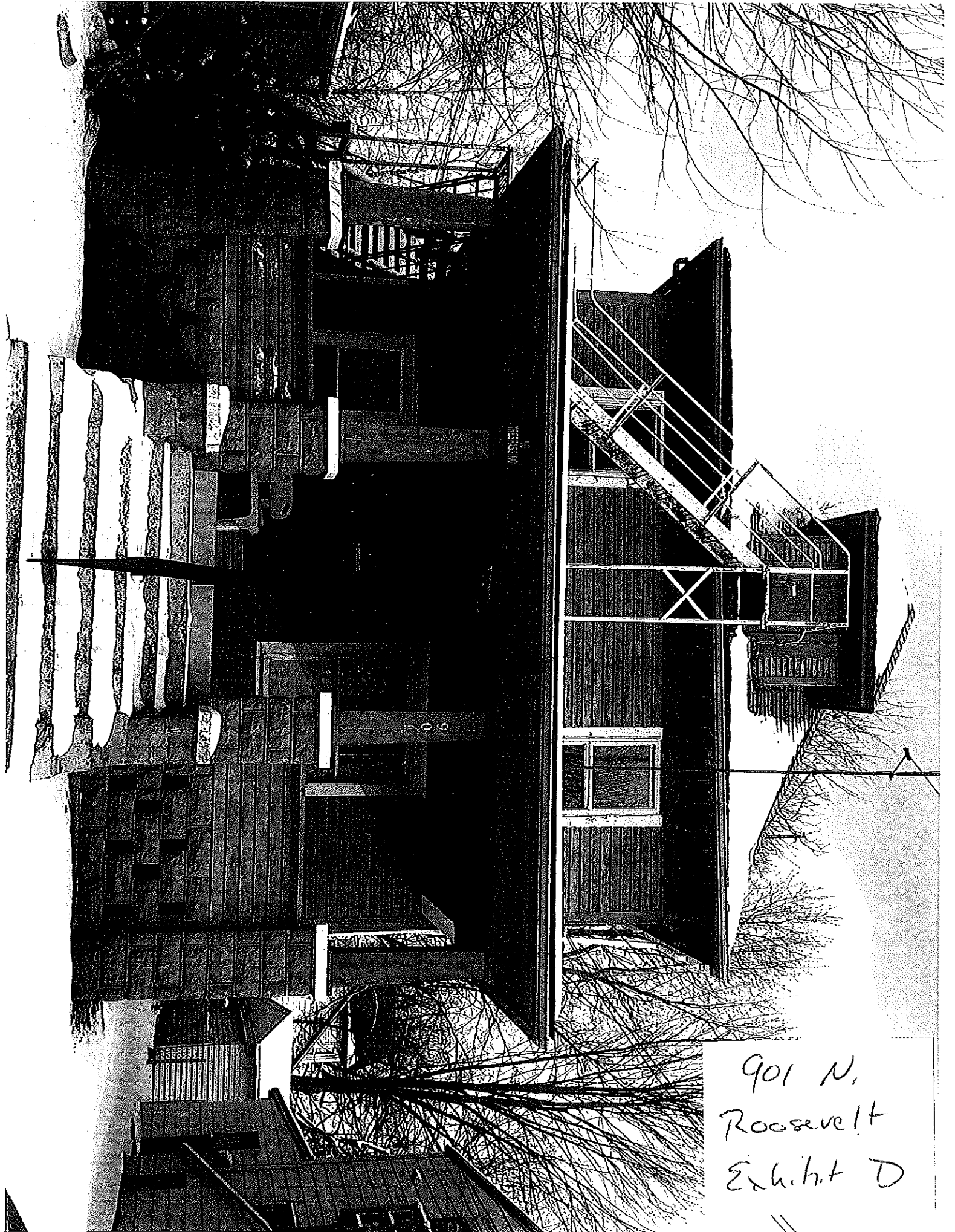
Legend

- Parcels
- Condo_Improve
- Interstates
- US_Highways
- State_Highways
- County_Highways
- Minor_Arterial
- Major_Collector
- Minor_Collector
- Local_Road_Street
- Alleys
- Private_Streets
- Railroad
- County

Notes

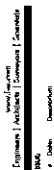
Exhibit C





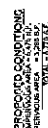
901 N.
Roosevelt
Exhibit D

11



Date:	12-20-15
Design/Drawn:	DJM
Reviewed:	DJA
Book No.:	2700/95
Project No.:	0151412.00

EPA No.:

[illegible]

1

no.

7. PAVEMENT REMOVED TO CONSTRUCT NEW CURB ON ROOSEVELT SHALL BE REPLACED W/ PATCH TY. 14" 12" HOT MIX AGGREGATE BASE 7" 6" CONC. GAZE COLLARS.

EXHIBIT A
LEGAL DESCRIPTIONS

900 N. Roosevelt Avenue, Bloomington, Illinois 61701

The South 44 feet of Lot 14 in Block 3 in Allin, Gridley and Pricketts Addition to the City of Bloomington in McLean County, Illinois;

PIN: 21-04-126-009

901 N. Roosevelt Avenue, Bloomington, Illinois 61701,

The South 22 feet of Lot 11 and Lot 14, except the South 44 feet thereof, in Block 3 in Allin, Gridley and Pricketts Addition to the City of Bloomington in McLean County, Illinois;

PIN: 21-04-126-008

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
FEBRUARY 17, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-05-16 1114 S. Veterans Parkway	Variance to allow a front yard setback of twelve (12) feet in lieu of the required twenty (20) foot setback for a transitional front yard	Katie Simpson City Planner

REQUEST

The petitioner is seeking a variance for a twelve (12) foot front yard setback in a transitional front yard created by a B-1 district abutting a R-3B district. The required front yard setback is equal to the front yard setback for the R-3B district, twenty (20) feet (Section 44.4-5.F.1(a)).

NOTICE

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

GENERAL INFORMATION

Owner and Applicant: Farnsworth Group, on behalf of Citizen's Equity First Credit Union (CEFCU)

PROPERTY INFORMATION

Existing Zoning: B-1, Highway Business District
Existing Land Use: Vacant lot to be developed as a CEFCU Member Center
Property Size: Approximately 2.19 acres
PIN: 21-11-351-023

Surrounding Zoning and Land Uses

Zoning

North: R-3B, Multiple Family Residential District
South: B-1, Highway Business District
East: B-1, Highway Business District; M-1 Restricted Manufacturing District
West: B-1, Highway Business District

Land Uses

North: North: Westminster Village Retirement Community
South: Vacant Lot
East: Radisson Hotel; State Farm
West: Taco Bell, CVS

Analysis

Submittals

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

1. Application for Variation

2. Site Plan
3. Aerial photographs
4. Site visit

PROJET DESCRIPTION

The subject site is commonly known as 1114 S. Veterans Parkway and is located along Veterans Parkway with S. Mercer Ave to the west and Ireland Grove Road to the East. The subject property is part of the Parkway Village Planned Unit Development (PUD) and the petitioner proposes the construction of a new CEFCU Member Center. Surrounding uses include a restaurant, pharmacy, retirement home, bank/credit union, hotel and insurance company.

The following is a summary of the requested variations:

Applicable Code Sections:

Section 44.4-5.F.1(a).

Type of Variance	Request	Required	Variance
Front yard setback	12'	20'	8' (40%) decrease

Analysis

Variations from Zoning Ordinance

The petitioner is proposing to construct a new CEFCU Member Center. The subject property is currently zoned B-1, Highway Business District and abuts a R-3B, Multiple Family Residential District to the north. The front yard of the subject property is therefore a transitional front yard and subject to additional requirements explained in Section 44.4-5.F of the City's Code. A front yard depth of twenty (20) feet is required along the entire front yard of the subject property. Veterans Parkway/I-55 runs directly between the B-1 and R-3B districts functioning as a physical 150 foot buffer between the business and residential districts.

The properties located directly southwest of the subject property, Taco Bell and CVS, have front yard setbacks less than twenty (20) feet. These properties are not adjacent to nor abutting a residential district and therefore, are not required to have a front yard setback equal to that of the R-3B district. Nonetheless, the requested variance would create uniformity and consistency among the three properties all located within the Parkway Village PUD.

Staff's findings of fact are presented below. It is incumbent on each Zoning Board of Appeals member to interpret and judge the case based on the evidence presented and each of the Findings of Fact.

FINDINGS OF FACT

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

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

Although the residential and business districts abut, the subject property is physically separated by Veterans Parkway/I-55 which provides a 150 foot buffer between the subject property and the neighboring retirement community.

That the variances would be the minimum action necessary to afford relief to the applicant; and

The variance would be the minimum action necessary to afford relief to the applicant, as the requirement in the code assumes adjacency of the conflicting use.

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

The petitioner based the requested front yard setback on the front yards of other properties in the Parkway Village PUD. Although these properties are not located adjacent to a residential district and therefore not subject to the same transitional yard requirements as the subject property, granting the variance will allow for uniform and consistent development of the commercial area.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and

The requested front yard setback is consistent with neighboring businesses.

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 physical buffer created by Veterans Parkway prevents the encroachment of the B-1 district into the abutting residential district. Additionally, the requested front yard setback is consistent with neighboring business properties.

STAFF RECOMMENDATION:

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a variance. Staff recommends denial of the requested variance in Case Z-05-16.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Legal Description
- Location Map and Aerial Map
- Zoning Map
- 500ft buffer
- List of notified property owners see attachments from Agenda Item A.

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: 1114 S. Veterans Parkway

Site Address: 1114 S. Veterans Parkway

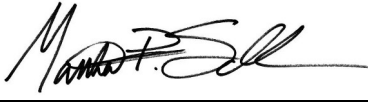
Petitioner: Farnsworth Group, on behalf of CEFCU Phone: 309-689-9888

Petitioner's Email Address: mschumacher@f-w.com

Petitioner's Mailing Address Street: 7707 N Knoxville Ave, Suite 200

City, State, Zip Code: Peoria, IL 61614

Contractual interest in the property _____ yes _____ X no

Signature of Applicant 
(agent for Owner)

Brief Project Description:

- Construction of a new Member Center for the Citizen's Equity First Credit Union with associated underground utilities and parking lot, located on Lot 401 in Parkway Village, Phase 4 Subdivision.

Code Requirements Involved:

- Front yard setback

Variances(s) Requested:

- Request a 12 foot front yard setback along the Veterans Parkway/I-55 right of way in lieu of the 20 ft setback required by code.

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.

- A 20 ft front yard setback is required for a B-1 lot when the lot is across a street from a R-3B zoned lot. This project site is unique as it is across from a R-3B zoned lot that is separated by Veterans Parkway, which is a 150 ft ROW with a 9 lane divided highway between the two lots, creating a sufficient buffer between the properties.
- Lots 102 and 103 of Parkway Village Phase 1 (CVS and Taco Bell), located directly southwest of the project site, have front yard setbacks less than the 20 ft required for the subject property. The requested 12 ft front yard setback for the subject property will create uniformity for all lots adjacent to Veterans Parkway within the Parkway Village development limits.

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 project site is across from a R-3B zoned lot that is separated by Veterans Parkway, which is a 150 ft ROW with a 9 lane divided highway between the two lots, creating a sufficient buffer between the properties.

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

The requested 12 ft front yard setback for the subject property will create uniformity for all lots adjacent to Veterans Parkway within the Parkway Village development limits.

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

The applicant utilized the accepted and recorded plat for this property when preparing the final design and details for this development. That plat noted an eleven-foot setback as approved and recorded. From that approved and recorded setback, the most efficient and appropriate site design for this development was created.

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

With this singular requested front yard setback variance, this proposed development will mirror and compliment all surrounding existing developments.

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.

Again, with this singular requested front yard setback variance, this proposed development will mirror and compliment all surrounding existing developments.

EXHIBIT A-LEGAL DESCRIPTION

LOT 401 IN PARKWAY VILLAGE, PHASE 4 SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED
JULY 2, 2015 AS DOCUMENT NO. 2015-22645 IN MCLEAN COUNTY, ILLIONIS



Location and Aerial of 1114 S. Veterans Parkway



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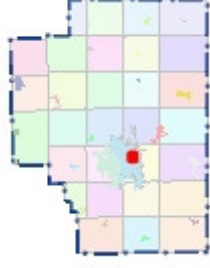
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Notes



Zoning Map for 1114 S Veterans Parkway



Legend

Zoning_COUNTY

- A Agricultural
- R-1 Single Family Residential
- R-2 Two-Family Residential
- M-1 Restricted Manufacturing
- M-2 General Manufacturing
- C Commercial

Zoning_TON_Overlay

- Parking Impact Zone
- S-3 Historic Districts
- South Uptown Overlay District

Zoning_TON

- A - Agriculture
- B-1 - Highway Business District
- B-2 - General Business District
- C-1 - Office District
- C-2 - Neighborhood Shopping Distr
- C-3 - Community / Regional Shopp
- M-1 - Restricted Manufacturing Dist
- M-2 - General Manufacturing District
- R-1A - Low Density Single-Family F
- R-1B - Medium Density Single-Fam
- R-2 - Mixed Residence District
- R-3A - Medium Density Multiple-Fa
- R-3B - High Density Multiple-Family
- S-1 - University District
- S-2 - Public Lands and Institutions I

Zoning_COB_Overlay

- S-3
- S-4

Zoning_COB

- A Agricultural
- B-1 Highway Business District
- B-2 General Business District
- B-3 Central Business District

Notes

1114 S Veterans outlined in blue

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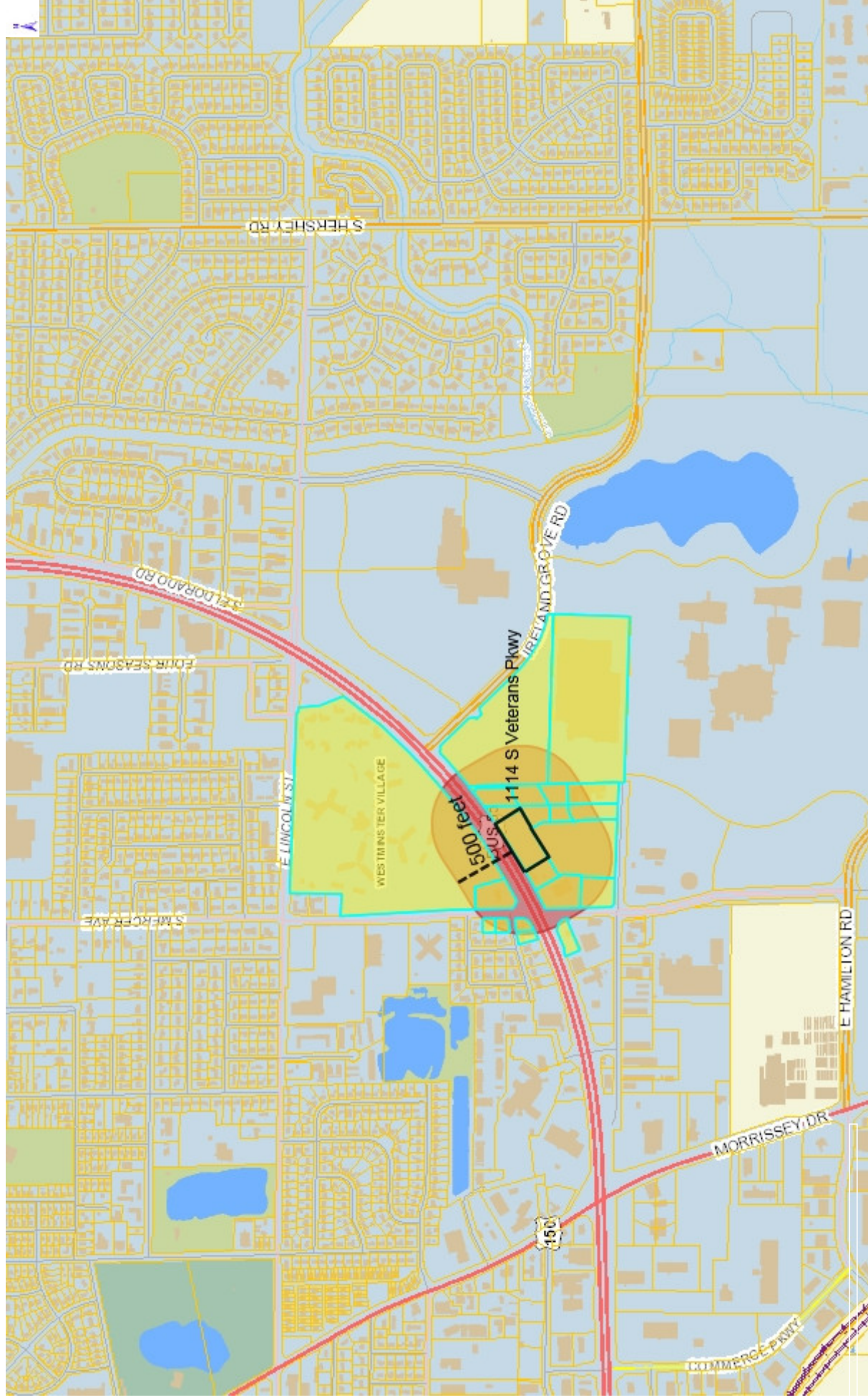
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1114 S. Veterans Parkway Location and 500ft buffer



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1: 17,131

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Notes

JAMES L MANN PARKWAY PARTNERS LLC
5 SHENANDOAH AVE
JACKSONVILLE IL 62650 1073

JAMES L MANN PARKWAY PARTNERS LLC
5 SHENANDOAH AVE
JACKSONVILLE IL 62650 1073

HAROLD JENKINS TRI-JEN, INC.
7211 N KNOXVILLE AVE
PEORIA IL 61614 2077

BUSEY BANK VETERANS
ATTN: ACCOUNTS PAYABLE PO BOX 17430
URBANA IL 61803 7430

ENTERPRISE RENT A CAR COMPANY
MIDWEST
4509 N BRADY ST
DAVENPORT IA 52806 4051

GERALD W MILLER
1203 S MERCER
BLOOMINGTON IL 61701

HIGHLAND PARK CVS LLC
%CVS CAREMARK CORP % PROP MGT 1
CVS DR
WOONSOCKET RI 02895

JEANNE K ALEXANDER
1913 MARZEL DR
BLOOMINGTON IL 61701 7105

PARKWAY PARTNERS-ONE INC
5 SHENANDOAH AVE.
JACKSONVILLE IL 62650

ROSEMARY T KELLEY
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BLOOMINGTON IL 61701 7111

STACY PAUL
1911 MARZEL DR
BLOOMINGTON IL 61701 7105

STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON IL 61701

WESTMINSTER Village
2025 E LINCOLN ST
BLOOMINGTON IL 61701 5995