



**AGENDA  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
109 EAST OLIVE ST.  
BLOOMINGTON, IL 61701  
WEDNESDAY, DECEMBER 19, 2018 at 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Consideration, review and approval of Minutes from the November 21, 2018 meeting.
- 5. REGULAR AGENDA**
  - A. Z-27-18** Consideration, review and action of a petition submitted by Edward J. Deutsch requesting a variance to allow a telecommunication antenna as an accessory structure in the front yard at 1409 Cloud Street. (Ward 4)
  - B. Z-28-18** Consideration, review and action of a petition submitted by JNB, LP requesting the following variances: 1) to reduce the size of parking space dimensions, 2) to reduce the parking aisle dimensions, 3) to reduce the 6' landscaping setback for parking lots, and 4) to reduce the 12' front perimeter landscaping for parking lots for the properties at 510 E. Washington Street & 500 E. Jefferson Street. (Ward 4)
- 6. OTHER BUSINESS**
- 7. NEW BUSINESS**
  - A.** Recognition of Appreciation – Tristan Bullington for his service on the Bloomington Zoning Board of Appeals
  - B.** Elect new Chairperson
  - C.** Introduction of New Commissioner – Michael Rivera, Jr.
- 8. ADJOURNMENT**

**DRAFT MINUTES  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING - 4:00 P.M.  
WEDNESDAY, NOVEMBER 21, 2018  
COUNCIL CHAMBERS, CITY HALL  
109 EAST OLIVE STREET  
BLOOMINGTON, ILLINOIS**

Members present: Mr. Robert Schultz, Mr. Terry Ballantini, and Ms. Victoria Harris, Mr. Jeff Brown, Mr. Veitengruber, Ms. Barbara Meek, Chairman Tristan Bullington

Members absent: none

Also present: Mr. George Boyle, Assistant Corporation Counsel  
Mr. Bob Mahrt, Community Development Director  
Ms. Izzy Rivera, Assistant City Planner

Chairman Bullington called the meeting to order at 4:00 p.m. Ms. Simpson called the roll; with seven members present, the Zoning Board of Appeals established a quorum.

**PUBLIC COMMENT:** None.

**MINUTES:** The Zoning Board of Appeals reviewed the October 17, 2018 regular meeting minutes. Ms. Harris motioned to approve the minutes. Seconded by Mr. Brown. The motions was approved by voice vote.

**REGULAR AGENDA:**

**Z-24-18 Consideration, review and action of a petition submitted by Greg & Karen Wilson requesting a variance to allow a 15' reduction in the required rear yard setback from the 30' setback required at 71 Pebblebrook Ct., Bloomington. (Ward 2)**

Chairman Bullington introduced the case and swore in the petitioners, Karen Wilson, Greg Wilson, and the contractor Merve Burkholder. Ms. Wilson gave testimony that they would like to build a house with no stairs and easy access, because of her handicap. They bought the lot without realizing that the curve from the cul-de- sac was so large and cut into the lot so much. There are approximately 15 feet that are lost in the front of the lot because of the radius. With 30 feet taken from the rear and 30 feet in the front, the lot became shorter with limited space for building. Mr. Burkholder stated that behind the lot there is a golf course which would not encroach on any other dwellings.

Chairman Bullington swore in Mark Kastello, who would like to speak against the request for variance. Mr. Kastello gave testimony that his property is right up against the golf course and because of the layout the house faces the golf course. He stated that a reason he opposes the variance, is because the new construction would obstruct his view to the valley and other pleasing features like an old oak tree. Mr. Kastello stated that the oak tree behind 71 Pebblebrook Ct could be big enough to be on the big tree register. He stated that any building constructed on that lot would damage the roots of the tree. Mr. Kastello stated that the area

has an ecosystem, since the area is located along the trail. He stated the tree is a base for hunting for many animals, and are concerned for the tree as well as the ecosystem.

Chairman Bullington asked Mr. Burkholder if the tree was on the property. Mr. Burkholder stated that it was not. When asked if the new construction would impact the tree, Mr. Burkholder stated that it would not and that if it did, he would not be building there. Ms. Meek asked if the construction plans that would be used had the “L” shape construction. Mr. Burkholder stated that those would be the plans used. He stated if the other construction plans would be used, more of the view from the neighbor’s house would be obstructed.

Ms. Rivera presented that staff report and the recommendation to approve the variance. Ms. Rivera provided the board with an overview of the general standards the Board uses to review Zoning Cases. Ms. Rivera provided pictures of the subject property, the surrounding properties and an aerial view of the neighborhood as well as the zoning view. The site was annexed into the City of Bloomington in 1999. The site is vacant and unimproved. The site is surrounded by R-1B, Medium Density Single Family Homes, as well as the Golf Course. Ms. Rivera presented photographs of the lot dimensions. The site is located at the end of the cul-de-sac. The curvilinear street design cuts off a portion of the lot. Staff looked at the impacts to the west, which will not exist as no new development is proposed. The final plat shows a 15 foot rear setback which contains a utility easement. There is also a 30 foot front yard setback which appears to contain an easement as well. No construction may go over a utility easement. This lot along with one across the subdivision are shorter and not like the other lots which are longer. Ms. Rivera presented the scaled rendering that was provided by the petitioner, and demonstrated how much the buildable area would be reduced if all the setbacks would be applied. There would only be approximately 5,000 square feet of buildable area, and newer homes would not fit on a shorter space. She presented the Commission with existing construction, and the uniqueness of 71 Pebblebrook Ct. Development such as this would also encourage a Comprehensive Plan goal of having a housing stock that meets the needs of all regardless of age and ability. Ms. Rivera reviewed the standards. The site has some physical characteristics, such as the irregular shape. The lot is shorter and the lot depth is shorter than the average lot depth in the subdivision. Granting the variance would not alter the character of the subdivision, the construction would not interfere with development as the front yard setback would be maintained as well as the side yards. There is no development expected to the rear of the house. Ms. Harris asked if all the houses had to be ranch style. Ms. Rivera stated there is only one other house and was unsure if it was a ranch. Ms. Simpson stated there is nothing in the zoning ordinance that states the houses have to be ranch. However, the subdivision could have regulations in place for that.

Chairman Bullington declared the evidentiary hearing closed.

Ms. Harris motion to adopt the City’s findings as fact. Seconded by Ms. Meek. The motion was approved 7-0 with the following votes cast on roll call: Ms. Harris—yes; Ms. Meek—yes; Mr. Ballantini—yes; Mr. Brown—yes; Mr. Schultz—yes; Mr. Veitengruber—yes; Chairman Bullington—yes.

Chairman Bullington requested the Board vote in favor or against the petition for a variance, case Z-24-18. The variance was approved, 7-0, with the following votes called: Mr.

Draft ZBA Minutes 11/21/18

Ballantini—yes; Mr. Brown—yes; Ms. Harris—yes; Ms. Meek—yes; Mr. Schultz—yes; Mr. Veitengruber—yes; Chairman Bullington—yes.

**ADJOURNMENT**

Chairman Bullington motioned to adjourn. The motion was approved by voice vote. The meeting adjourned at 6:25 p.m.

Respectfully Submitted,  
Izzy Rivera  
Assistant City Planner

**CITY OF BLOOMINGTON  
 REPORT FOR THE BOARD OF ZONING APPEALS  
 DECEMBER 19, 2018**

<b>CASE NUMBER:</b>	<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-27-18	1409 Cloud St.	Variance	Izzy Rivera Assistant City Planner

<b>PROJECT DESCRIPTION:</b>		
Allow a telecommunication antenna structure in the front yard		
<b>PETITIONER'S REQUEST:</b>		
<b>Type of Variance</b>	<b>Request</b>	<b>Required</b>
Antenna in front yard	Allow in front yard	Side or rear yard

<b>STAFF RECOMMENDATION:</b>	<p>Staff finds that the variance will not give special privilege nor be detrimental to the character of the neighborhood.</p> <p><i>Staff recommends the Zoning Board of Appeals <b>approve</b> the variances for 1409 Cloud St.</i></p>
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**NOTICE**

The application has been filed in conformance with applicable procedural requirements and legal, public notice for the hearing was published in *The Pantagraph* on December 3, 2018.

**GENERAL INFORMATION**

Owner and Applicant: Edward J. Deutsch

**PROPERTY INFORMATION**

**Legal description:** C. WEED’S SUB PT N1/2 10 23 2E W54’ 35

Existing Zoning: R-1C, High Density Single Family Residence District  
Existing Land Use: Single Family Home  
Property Size: Approximately 7,117 square feet  
PIN: 21-10-206-001

**Surrounding Zoning and Land Uses**

Zoning

North: R-1C, High Density Single Family  
South: R-1C, High Density Single Family  
South: B-2, General Business District  
East: R-1C, High Density Single Family  
West: R-1C, High Density Single Family

Land Uses

North: Single family home(s)  
South: Restaurant  
South: Hair Salon  
East: Single family home(s)  
West: Single family home(s)

**Analysis**

Submittals

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

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

**PROJECT DESCRIPTION**

*Background.*

The subject property at 1409 Cloud Street, is located at the south east corner of Cloud Street and McGregor Street. The site is part of Weeds Subdivision which was an addition to the City in the 1950’s. The site is zoned R-1C, High Density Single Family Residence District, and is improved with a single family home built in 1955. The area



**Agenda Item 5A**  
**Z-27-18**  
**1409 Cloud St.**

was developed before the adoption of the Code. The lots along this block are narrow and long. The subject property is rectangular in shape. There are minor contours that run east and west that produce slight elevations of the property. There are bushes and trees which are located in the northwest corner of the property. Along the rear of the house, there is a patio with stairs and landscaping that wraps around the rear of the house. Ozark House Restaurant is located directly south of the property, they obtained a special use permit to operate as a restaurant in the R-1C residential district in 1988. The petitioner is requesting a variance to install a telecommunication antenna in the front yard, located where a previous antenna stood. Staff was unable to find any information regarding the first antenna. However Google Maps has a 2011 visual of the house with the antenna.



*Project Description:* The petitioner would like to install a new antenna in the front yard. The previous antenna was located in the same place along the west side of the home, parallel to McGregor Street. Since the subject property is a corner lot, it has two front yards per Chapter 44. The front yard is defined as a yard extending from the front lot line to the principle structure, in this case, the front yard would be established along the frontages of a corner lot (44.3-2). This property has setbacks which were established before the adoption of this code, however the average setback would be used to identify the setback. The subject property does not have the size to accommodate an average setback, therefore the setbacks would be identified from the lot line to the principle structure foundation line.



As seen above the corner front yard setbacks are identified based on the foundation lines of the principle structure. The location of the antenna would be within the front yard setback. The petitioner proposes to place the antenna in the ground with a cement base and install brackets securing the antenna to the side of the house at the sixteen (16) foot mark. The antenna will be 65 feet tall.

Telecommunication Antennas are permitted as an accessory structure in residential districts. However they must comply with the standards for the telecommunication antenna facilities. The antenna facility refers to the pole, structure and antenna itself. The antenna must be located in the side or rear yard and must not exceed 70 feet in height. The antenna must also comply with the Federal Aviation Administration standards. The standards of the Central Illinois Regional Airport should also be followed if the site is located within 20,000 feet of the runways. The antenna should not contain any other signs except a warning sign.

The Federal Communications Commission (FCC) regulates and protects amateur radio operators. States and towns must “reasonably accommodate” for this type of communication. Amateur radio operator have a right to have and use antennas, but they also must abide by their respective city’s zoning code. According to the FCC, amateur communication presents an opportunity for intercommunication and technical investigations. The FCC has six (6) different operating classes given to the qualified licensee. The operating class is determined by the skills and knowledge that is demonstrated by the licensee during an examination<sup>1</sup>. The petitioner has an “Advanced” operator class. The advanced class is a grandfathered operator classes which are still present on the licenses, however have been updated with current operator class status. The current operator class for the petitioner is Amateur Extra. In order to obtain the Amateur Extra class, a Technician Class examination must be passed along with other exams and accreditation. Licensed amateurs can also sign up to be a part of the Amateur Radio Emergency Service. This allows for public service communication to be open during disasters when other forms of communication have not been successful. Amateur radio volunteers have helped open communication during Hurricane Irma and Maria in 2017, among other emergencies.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Type of Variance	Request	Required
Antenna in front yard	Allow in front yard	Side or rear yard

**Analysis**  
**Variations from Zoning Ordinance**

The Zoning Board of Appeals may grant variances only in specific instances where there would be practical difficulties or particular hardships in carrying out strict adherence to the Code. Staff’s findings of fact are presented below. It is incumbent on each Zoning Board of Appeals

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<sup>1</sup> <https://www.fcc.gov/wireless/bureau-divisions/mobility-division/amateur-radio-service>

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 subject property is located on a narrow lot with a principle structure that extends all the way up to the side lot line to the east, leaving no space for an antenna placement in that side yard. Since the site is located on the corner lot, the second side yard, would be considered a front yard. The rear yard contains various landscaping elements, including arborvitae, cement patio and open porch with stairs. Placing the antenna in the rear would impede the antenna from being attached closer to the house. The antenna bracket would also be placed much lower on the antenna. If the antenna is placed on the west side of the house, the antenna would be located 3 feet from the house, and a bracket would be placed at sixteen (16) feet up. Securing the antenna to the house at a higher location would also give the antenna more support and stability. The antenna would run right up against the home. The proposed location would also give the most space between other structures and power lines, if it were ever to fall. **The standard is met.**

**That the variances would be the minimum action necessary to afford relief to the applicant; and the standard is met.** The location of the antenna must have enough space for the cement base, as well as brackets to secure the antenna to the house. Other locations on the property contain obstructions such as patios or landscaping. The placement of the antenna in the rear yard would not allow the antenna to be as close to the house. With more distance between the antenna and the principle structure, the less sturdy and secure the brackets attaching it to the house will be. **The standards is met.**

**That the special conditions and circumstances were not created by any action of the applicant; and** corner lots have additional constraints, such as an additional front yard. The lot and principle structure creating reduced space in the rear and side yards was not created by the applicant. The petitioner is able to comply with the other telecommunication antenna facility standards. **The standard is met.**

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** telecommunication antennas are permitted as an accessory use and structure in residential districts. Based on the layout of the house, layout of the site, the existing obstructions, and the safety of securing the antenna directly against the house, the proposed location would provide the antenna facility with the most support. Antennas are permitted in the rear and side yards. The variance request is a result of the best possible placement of the antenna, to provide the most support and security. Granting the variance would not give the applicant special privilege. **The standard is met.**

**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.** Telecommunication antennas of up to 70 feet are permitted in residential districts. The proposed location of the antenna contains bushes and trees that would cover the base of the antenna. If the antenna were placed in the south of the property, the antenna would still be visible. There are images from 2011 which show the antenna located in the proposed location. The previous antenna was removed because the securing brackets were failing. The new antenna will be attached to the house with a heavy duty house bracket as well as set in concrete. Prior to the public hearing, staff received one inquiry from a neighboring resident about the health impacts associated with the tower. According to the American Heart Association website, ham radios pose little to no risk for pacemaker users. Depending on the watts of the radio, it is advised pacemakers stay between twelve (12) inches to two (2) feet away from the radio<sup>2</sup>. According to the Federal Communications Commission, an appropriately installed antenna and radio should not interfere with other electronic systems in the area. An operator may lose their license if they are not properly operating their equipment<sup>3</sup>. **The standard is met.**

**STAFF RECOMMENDATION:** Staff finds that the variance will not be detrimental to the character of the neighborhood.

*Staff recommends the Zoning Board of Appeals **approve** the variance for 1409 Cloud Street to allow a telecommunications antenna facility in the front yard.*

Respectfully submitted,  
Izzy Rivera  
Assistant City Planner

Attachments:

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

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<sup>2</sup> <http://www.heart.org/en/health-topics/arrhythmia/prevention--treatment-of-arrhythmia/devices-that-may-interfere-with-icds-and-pacemakers>

<sup>3</sup> <https://www.fcc.gov/consumers/guides/interference-radio-tv-and-telephone-signals>

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: 1409 Cloud St.

Petitioner: Edward J. Deutsch

Phone: [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: 1409 Cloud St.

City, State, Zip Code: Bloomington, IL 61701

Contractual interest in the property  yes  no

Signature of Applicant [REDACTED]

Brief Project Description:

Install an antenna structure for amateur radio use. The structure will be a Rohn, Inc. manufactured tower. The structure will be set in concrete and attached to the house with a Rohn, Inc. heavy duty house bracket. Being set in concrete and attached to the house at the 16-foot level will make a safer installation than the previous installation. The view of the lower 12 feet of the tower will be hidden by two large bushes.

Code Requirements Involved:

44.4-4E3

Variances(s) Requested:

Allow an accessory antenna support structure (tower) in my front yard.

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.

I am requesting a variance of city code to allow the installation of an antenna support structure to replace one removed from the same location. The location, by definition, is considered to be a front yard. Because our house is on a corner the west side elevation along McGregor street is considered to be a front yard even though it is the side of the house. The previous tower was in that location for 31 years. The new tower cannot be placed in any other location on my property. The east side of my house has a large tree that overhangs most of that area. And, the east side of the house has no place for a supporting house bracket. The south side of the house has extensive landscaping and stone work. The south also has no place for a supporting house bracket. At the south side of our property there are high voltage power lines making placing

the tower in the back yard less safe. The north side is the front elevation of the house and is the main entrance. The north side faces Cloud Street and also is considered to be a front yard.

The west side is the location of the previous structure. This side of the house has a place for a supporting house bracket at the 16-foot level. The tower will be within the footprint of the house. (See drawing.) The tower will be placed less than 3 feet from the side of the house.

The old structure was removed because I had safety concerns. The bottom end had been in the ground for 31 years. My concern was the possibility of rust that would compromise its safety. The new structure will be set in concrete and attached to the house with a Rohn, Inc heavy duty house bracket. The new tower is a heavier duty tower than the one I removed.

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

To locate the antenna support structure in any other location on the property would prevent me from adequately and safely secure the installation. The east side of my house has a large tree that overhangs most of that area. And, the east side of the house has no place for a supporting house bracket. The south side of the house has extensive landscaping and stone work. The south also has no place for a supporting house bracket. At the south side of our property there are high voltage power lines making placing the tower in the back yard less safe. The north side is the front elevation of the house and is the main entrance. The north side of the house is considered a front yard.

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

Variance is the minimum required for the installation of the tower supporting amateur radio antenna.

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

This house, according to county assorts office, was built in 1955. The layout of the property has not changed, except for a garage, since we moved in.

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

Granting the variance will not affect anyone who, in the future, would desire installing a similar installation.

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 tower will occupy only a small area that is within the footprint of the house (see drawing). It will be behind two large shrubs that will obscure the lower 12 feet of the structure. The previous installation has been in the neighborhood for 31 years. It has been accepted by the neighbors I have spoken to. Because it will occupy only a small area and it is close to the house it will not interfere with or impair any other development.

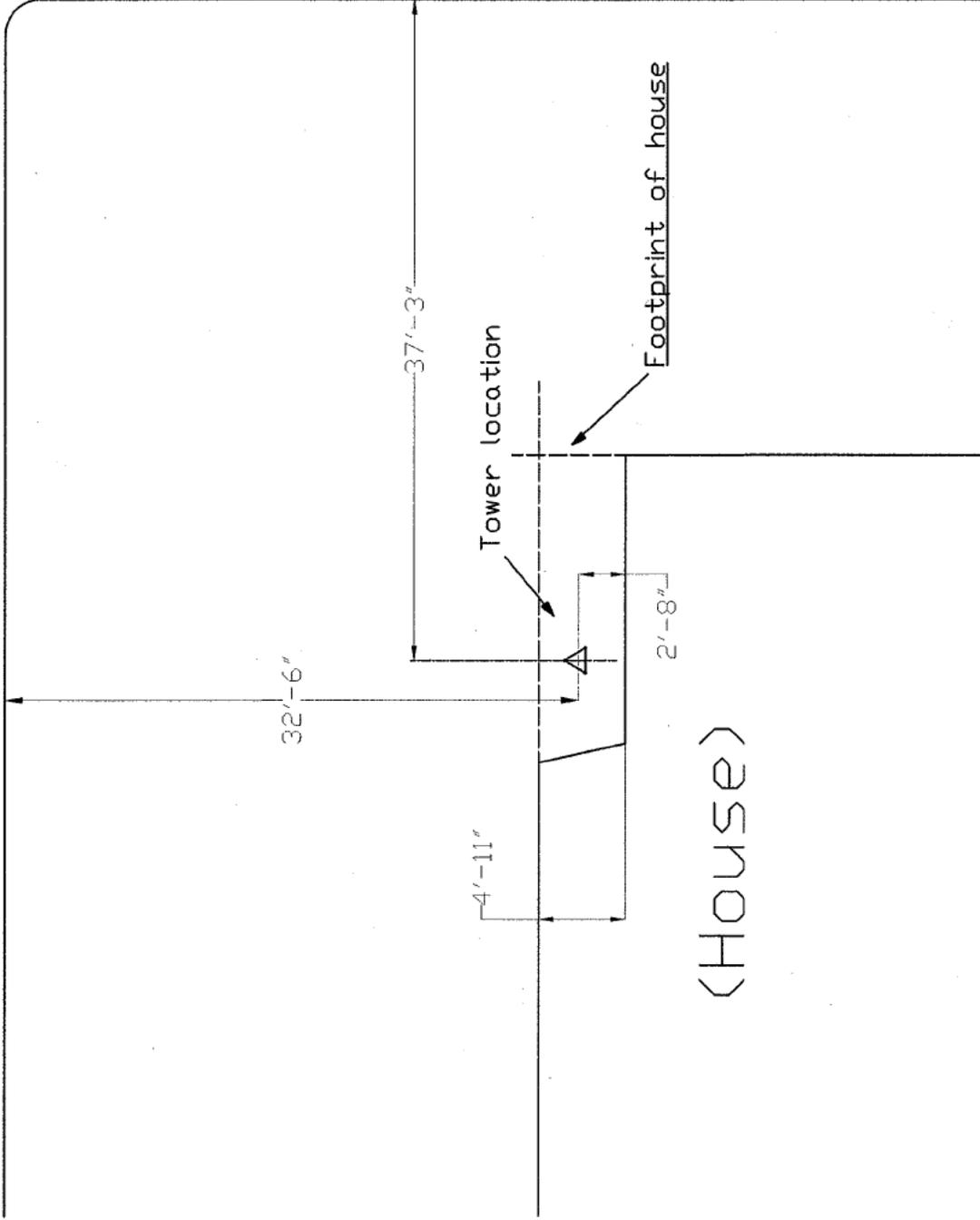
McGregor St

Cloud St.

N



Edward J. Deutsch  
1409 Cloud St.  
Bloomington, IL 61701  
Cell: ( )



(House)

4'-11"

2'-8"

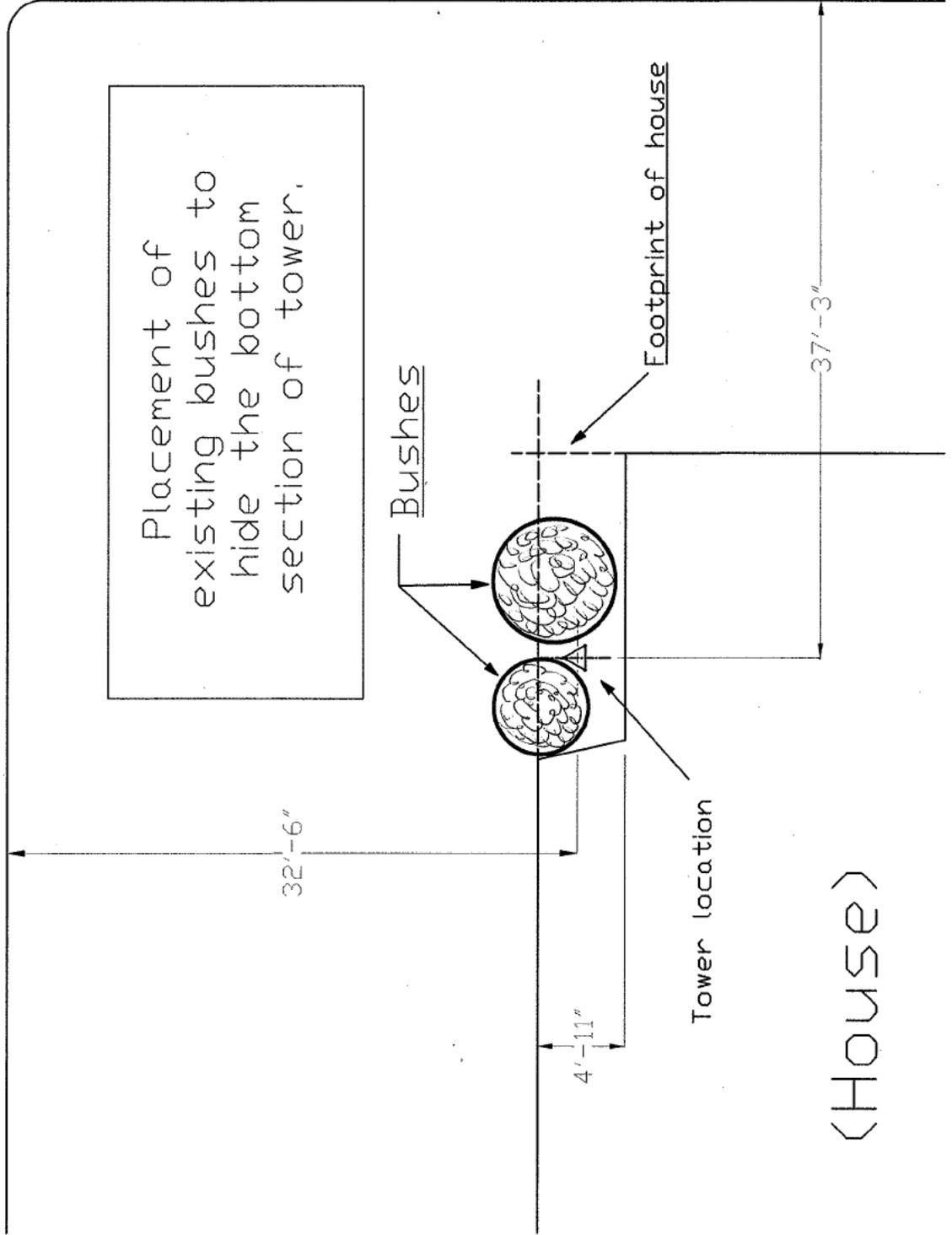
Tower location

Footprint of house

37'-3"

32'-6"

McGregor St



Cloud St.

N



Edward J. Deutsch  
1409 Cloud St.  
Bloomington, IL 61701  
Cell: [REDACTED] 38

(HOUSE)

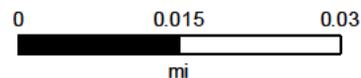
# 1409 Cloud St. Aerial Map



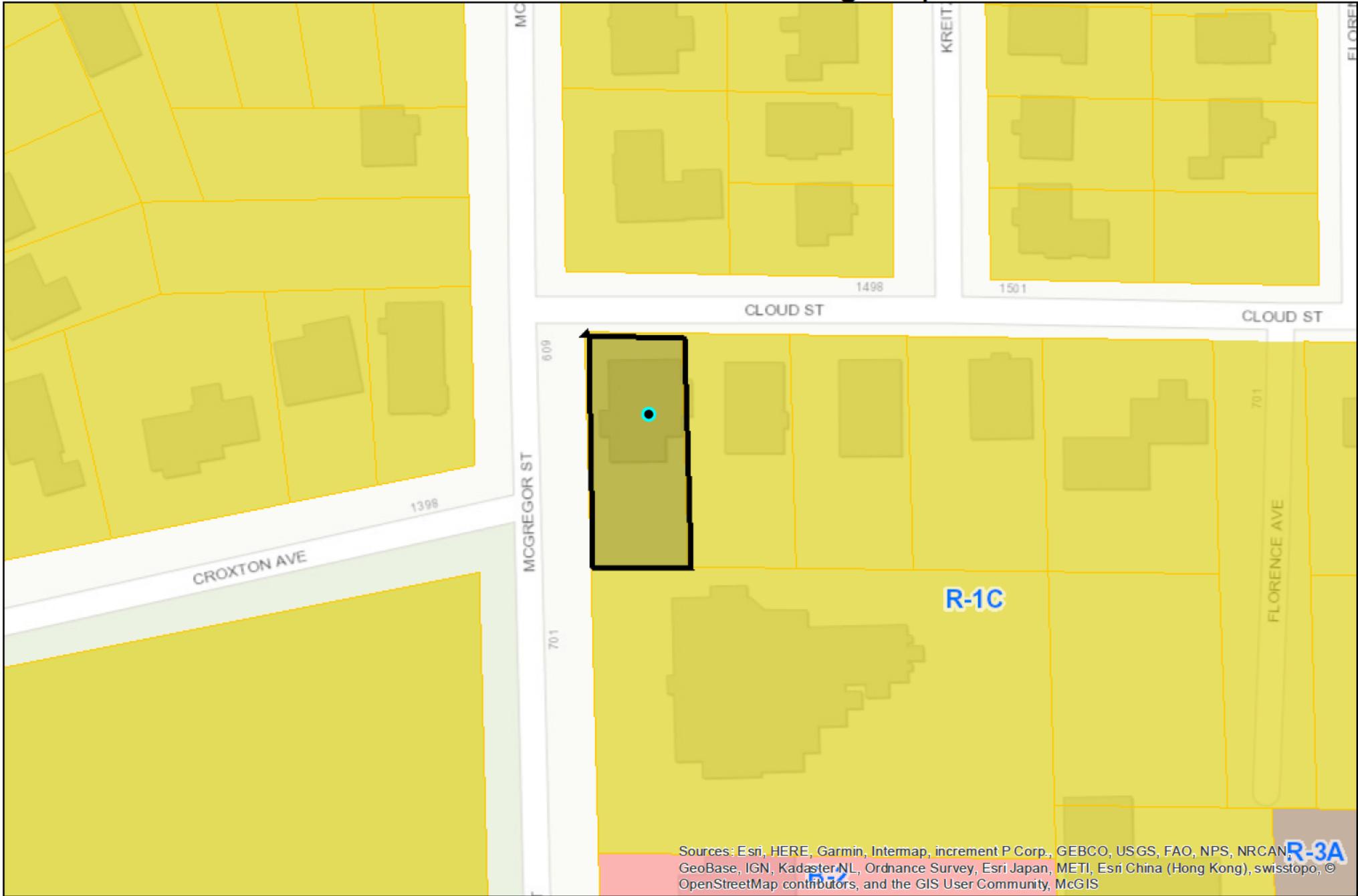
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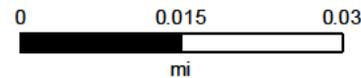
# 1409 Cloud St. Zoning Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, R-3A  
 GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, ©  
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24043  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD OF  
APPEALS  
DECEMBER 19, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, December 19, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

Edward J. Deutsch is requesting a variance at 1409 Cloud St., Bloomington, IL. PIN 21-10-206-001(C. WEED'S SUB PT N1/2 10 23 2E W54'35) to allow a telecommunication antenna structure in the front yard (44.4-4E3).

JNP Bloomington JP, is requesting variances at 510 E. Washington St. PIN 21-04-459-013 (EVANS ADDN 4) and 500 E. Jefferson St. PIN 21-04-404-001 (EVANS ADDN 7 & 8 1). The petitioner is requesting variances 1). to reduce the size of parking space dimensions (44.7-2); 2) to reduce the parking aisle dimensions (44.7-2); 3). to reduce the 6ft landscaping setback for parking lots (44.7-2 G.4.(c)7); and 4) to reduce the 12' front perimeter landscaping for parking lots (44.7-2, G-4(h)5).

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

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

Published: December 3, 2018



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

December 3, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday December 19, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois**, to hear testimony for a petition submitted by Edward J. Deutsch for approval of a variance request, for the property at **1409 Cloud St.**, at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

#### REQUEST

The petitioner is requesting a variance to allow a telecommunication antenna as an accessory structure in the front yard.

LEGAL DESCRIPTION: C. WEED'S SUB PT N1/2 10 23 2E W54' 35

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org](http://www.cityblm.org).

If you desire more information regarding the proposed petition or have any questions you may email me at [irivera@cityblm.org](mailto:irivera@cityblm.org) or call me at (309) 434-2341.

Sincerely,

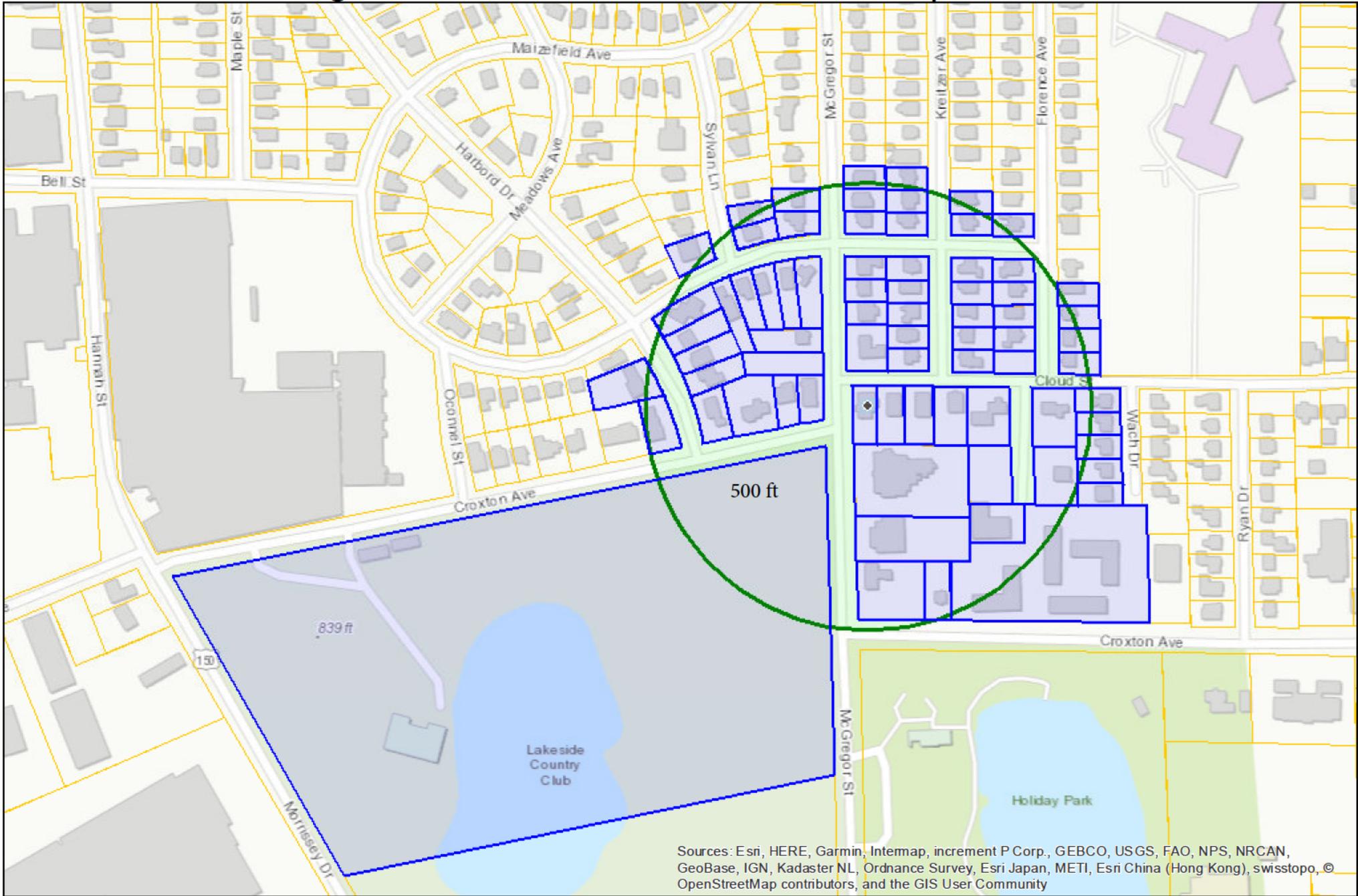
A handwritten signature in cursive script that reads 'Izzy Rivera'.

Izzy Rivera, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property

12/4/2018 Public Hearing on Dec. 19, 2018 for a Variance request at 1409 Cloud St.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community



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SUSAN FOURNIER  
608 MCGREGOR  
BLOOMINGTON, IL 61701

DONALD & CAROL SIEG  
16 SYLVAN LN  
BLOOMINGTON, IL 61701

ADAM GRIFFIN  
607 S FLORENCE AVE  
BLOOMINGTON, IL 61701

ANN DADY  
604 KREITZER AVE  
BLOOMINGTON, IL 61701

DIANE BREWINGTON  
9 WACH DR  
BLOOMINGTON, IL 61701

LARRY WEAVER  
2606 FOX CREEK ROAD  
BLOOMINGTON, IL 61704

LISA JOBE  
606 KREITZER AVE  
BLOOMINGTON, IL 61701

STEVE & RONDA BATTY  
39 HARBORD DR  
BLOOMINGTON, IL 61701

LAKESIDE COUNTRY CLUB, INC  
1201 CROXTON AVE  
BLOOMINGTON, IL 61701

THOMAS SIMPSON  
604 MCGREGOR ST  
BLOOMINGTON, IL 61701

J ROBERT ZENOR  
522 MCGREGOR ST  
BLOOMINGTON, IL 61701

JOHN WEAVER  
46 HARBORD DRIVE  
BLOOMINGTON, IL 61701

PATRICIA EHRMANTRAUT  
609 S FLORENCE AVE  
BLOOMINGTON, IL 61701

DAVID MARPLE  
522 KREITZER AVE  
BLOOMINGTON, IL 61701

MATTHEW KLEPEC  
605 S FLORENCE AVE  
BLOOMINGTON, IL 61701

J ROBERT ZENOR  
522 MCGREGOR ST  
BLOOMINGTON, IL 61701

CAROL AUYEUNG  
605 MCGREGOR  
BLOOMINGTON, IL 61701

JESUS RINCON  
1304 CROXTON AVE  
BLOOMINGTON, IL 61701

STEPHEN & MELISSA STREITMATTER  
5145 N 1475 EAST RD  
HEYWORTH, IL 61745

ANGELA RIETHMAIER  
602 MCGREGOR ST  
BLOOMINGTON, IL 61701

DANIEL WOLFE  
519 KREITZER AVE  
BLOOMINGTON, IL 61701

CLIFF OCKER  
PO BOX 313  
CARLOCK, IL 61725

REAL ESTATE PARTNERS LLC  
9646 WALNUT WAY  
BLOOMINGTON, IL 61705

JAMES ROBINSON  
15 SYLVAN LN  
BLOOMINGTON, IL 61701

KIMBERLY GRIFFIN  
38 Harbord Dr  
BLOOMINGTON, IL 61701

JON & TRACY PERKINS  
521 MC GREGOR  
BLOOMINGTON, IL 61701

MICHAEL CRAIG  
1308 CROXTON AVE  
BLOOMINGTON, IL 61701

SANDRA MYERS  
37 HARBORD DR  
BLOOMINGTON, IL 61701

JORDAN CARPENTER  
1213 WILLOW CREEK DR  
BLOOMINGTON, IL 61705

THOMAS JONES  
20 EDGEWOOD CT  
BLOOMINGTON, IL 61701

NATHAN IHNES  
601 KREITZER AVE  
BLOOMINGTON, IL 61701

TYLER GUDEMAN  
603 FLORENCE AVE  
BLOOMINGTON, IL 61701

KATHRYN BLACK  
42 HARBORD DR  
BLOOMINGTON, IL 61701

MEGHAN RYAN  
513 MAIZEFIELD AVE  
BLOOMINGTON, IL 61701

DWIGHT E & MARY ANN BODINE  
523 S FLORENCE AVE  
BLOOMINGTON, IL 61701

ALLISON SLOCUM  
5 WACH DR  
BLOOMINGTON, IL 61701

JEFFREY D AND JOANN M MCGRAW  
12 RIDGEWOOD TERREACE  
BLOOMINGTON, IL 61701

KIMBERLY MITCHELL  
3 WACH DR  
BLOOMINGTON, IL 61704

KEVIN & VARUNEE TUUK  
18 SYLVAN LN  
BLOOMINGTON, IL 61701

ANTONIO & BARTOLA DELACRUZ  
40 HARBORD DR  
BLOOMINGTON, IL 61701

PATRICIA E SULKEY  
606 MCGREGOR ST  
BLOOMINGTON, IL 61701

SUSAN KILLIAN  
524 KREITZER AVE  
BLOOMINGTON, IL 61701

ANNE MARIE BECK  
601 S FLORENCE AVE  
BLOOMINGTON, IL 61701

DIETRA KULICKE  
511 MAIZEFIELD  
BLOOMINGTON, IL 61701

JORDAN CLAY  
705 S MOORE ST  
BLOOMINGTON, IL 61701

EDWARD DEUTSCH  
1409 CLOUD ST  
BLOOMINGTON, IL 61701

CHANDRA SHIPLEY  
605 Kreitzer Ave  
BLOOMINGTON, IL 61701

MEGAN JENKINS  
710 MCGREGOR ST  
BLOOMINGTON, IL 61701

JODI BLOOMINGTON SF LLC  
1716 R T DUNN DR STE 4  
BLOOMINGTON, IL 61701

DIANA FERGUSON  
608 S FLORENCE AVE  
BLOOMINGTON, IL 61701

ANTONIO JR & SANDRA ZUNIGA  
MARTINEZ DE LA CRUZ  
36 HARBORD DR  
BLOOMINGTON, IL 61701

JOSHUA R & KATHERINE J HENDON  
521 Kreitzer Ave  
BLOOMINGTON, IL 61701

JANINE EVANS  
602 KREITZER AVE  
BLOOMINGTON, IL 61701

DEBBIE WEY  
523 Kreitzer Ave  
BLOOMINGTON, IL 61701

TOM SCANLON  
610 S KREITZER  
BLOOMINGTON, IL 61701

SARAH & CALEB MARTIN  
1411 CLOUD ST  
BLOOMINGTON, IL 61701

KAREN MCDOWELL  
608 KREITZER  
BLOOMINGTON, IL 61701

JOHN GOBLE  
903 PARMON RD  
BLOOMINGTON, IL 61701

HEIDI HIDEWALD  
1509 CLOUD ST  
BLOOMINGTON, IL 61701

AUSTIN CARLEN  
610 FLORENCE AVE  
BLOOMINGTON, IL 61701

HOLIDAY PARK LP  
ATTN: LAWRENCE B IRWIN 1628  
COLONIAL PARKWAY  
PALATINE, IL 60067

ROBIN MARRS  
1 WACH DR  
BLOOMINGTON, IL 61701

DREW KELLER  
604 S FLORENCE AVE  
BLOOMINGTON, IL 61701

RUTH RICE  
612 E FRONT  
BLOOMINGTON, IL 61701

KELLY HARRIS  
1511 CLOUD ST  
BLOOMINGTON, IL 61701

JULIE HEBDING  
712 MCGREGOR ST  
BLOOMINGTON, IL 61701

CINDY KISTNER  
607 KREITZER AVE  
BLOOMINGTON, IL 61701

JERRY LANG  
4 Breckenridge Dr  
BLOOMINGTON, IL 61701

RUTH RICE  
612 E FRONT ST  
BLOOMINGTON, IL 61701

MICHAEL & JAMIE GARRISON  
1413 CLOUD ST  
BLOOMINGTON, IL 61701

BART CANNON  
603 KREITZER AVE  
BLOOMINGTON, IL 61701

MICHAEL STEINKOENIG  
524 S MCGREGOR  
BLOOMINGTON, IL 61701

CHRISTOPHER HOLSTEIN  
1601 CLOUD ST  
BLOOMINGTON, IL 61701

**CITY OF BLOOMINGTON  
REPORT FOR THE  
BOARD OF ZONING APPEALS  
DECEMBER 19, 2018**

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-28-18	510 E Washington St. and 500 E Jefferson St.	Variance	Katie Simpson, City Planner

**PETITIONER'S REQUEST:**

Dimensions rounded to nearest foot

Type of Variance	Request	Required	Variation
1). 12' landscaping setback (44.7-2, G.4.(c)(7))	a). 4 ft to 8 ft (North Lot)	12ft	8ft-4ft decrease
	b). 1 ft and 4 ft (NW Lot)	12ft	11ft and 8ft decrease
	c). 10ft (East Lot)	12ft	2 ft decrease
2). 6' landscaping setback (44.7-2, G.4.(c)(7))	a). 2ft to 5 ft (North Lot)	6ft	4 to 1ft decrease
	b). 0ft (NW Lot)	6ft	6ft decrease
3). Reduced parking aisle dimensions	a). 16 (60°parking North Lot)	18ft	2ft decrease
	b). 24ft (90°parking NW Lot)	25ft	1ft decrease
	c). 24ft (90° parking East Lot)	25 ft	1ft decrease
4). Reduced parking stall dimensions	a). 20 ft (60°parking North Lot)	21 ft	1 ft decrease
	b). 18 ft (90°parking NW Lot)	19 ft	1 ft decrease
	c). 18 ft (90° parking East Lot)	19 ft	1 ft decrease
	d). 8.5 width (all lots)	9 ft	0.5 ft decrease

<b>STAFF RECOMMENDATION:</b>	Staff determines the <b>petition meets</b> the Zoning Ordinance's standards required to grant a variance (4.13-3). <i>Staff recommends approval of the requested variances.</i>
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Location Map of Subject Property N Δ

**NOTICE**

The application was filed in conformance with applicable procedural requirements and notice was published in *The Pantagraph* on December 3, 2018.

**GENERAL INFORMATION**

Owner and Applicant: JNP, Bloomington LP

**PROPERTY INFORMATION**

510 E. Washington St.  
PIN 21-04-459-013  
EVANS ADDN 4

500 E. Jefferson St  
PIN 21-04-404-001  
EVANS ADDN 7 & 8 1

Existing Zoning: B-3 Central Business District  
Existing Land Use: office/retail Multiple tenants  
Property Size: 1.98 acres

Existing Zoning: S-2, Public Lands  
Existing Land Use: parking lot  
Property Size: 0.33 acres

**Surrounding Zoning and Land Uses**

<u>Zoning</u>	<u>Use</u>
North: R-2, Mixed Residential	North: Single, Two family homes
South: S-2, Public Lands	South: Church
East: R-3B, Multi-family residential	East: Single, two, multifamily homes
West: B-3, Central Business District	West: Mixed-use, parking lots.

**Analysis**

**Submittals**

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

1. Application
2. Site Plan
3. Aerial Photographs.

**PROJECT DESCRIPTION**

*Background*

The subject properties, 510 E. Washington St. and 500 E. Jefferson St. are located at the northeast corner of N. McLean St. and E. Washington St, and the northeast corner of N. McLean St. and E. Jefferson St., respectively. 510 E. Washington St. is improved with a large three-story, brick building built c. 1914. The building, which was previously owned by District 87, was used as a high school and junior high from 1917 to 1990. At the time of construction, the City's ordinance did not require the building to provide off-street parking. As automobiles and buses became more common modes of transportation, the school district added parking and a bus lane on 510 E. Washington St, and purchased the property at 500 E. Jefferson St. (a demolished house) to be used as a parking lot. The existing off-street parking at 510 E. Washington St. and the parking lot at 500 E. Jefferson St. do not comply with the zoning ordinance parking lot landscaping regulations, and both properties are considered to have a legal, nonconforming status.

**Agenda Item B**  
**510 E Washington St.**  
**500 E Jefferson St.**

In 2017, the petitioner, JNP Bloomington, LP, acquired the property and began redevelopment as a 58 apartment unit, mixed-use development. According to the petitioner, the property will be developed into 33 one bedroom units, 21 two bedroom units, and 4 efficiency units with commercial space on the first floor. The petitioner received tax credits from the Illinois Housing Development Authority and tax credits from the Illinois Historic Preservation Agency for the project. Although the property is currently zoned B-3, Central Business District, and the district does not require off-street parking, the petitioner is required to provide parking for residents in accordance with the housing tax credit guidelines. The Historic Preservation tax credits received require the property to be redeveloped in accordance with the Secretary of the Interior’s Standards for Rehabilitation. These standards necessitate that all parking is located close to the rear of the building and that the building front yard is restored to grass, similar to when it was built in 1914.

The zoning ordinance requires that parking lots greater than nine cars are paved and that a landscaping setback is provided between the parking lot and the lot line. The purpose of the landscaping setback is to provide for landscaping, create a buffer between parking lots and the sidewalk which increases safety and ensures cars are not blocking the sidewalk, and to provide a place to plow snow. Additionally, the zoning ordinance provides specific guidelines for the dimensions of parking spaces and aisles. The City is looking at reducing these dimensions in the revised zoning ordinance, but no standards have been formally adopted yet.

*Scope of work:*

The petitioner intends to remove the bus lane and parking in the front of the building, reconfigure the parking in the rear of the building (Northwest (NW) Lot), redevelop the parking lot at 500 E. Jefferson (North Lot) and add parking on the east side of the building (East Lot).

**The Northwest Lot:** the Northwest Lot is located at the southeast corner of E. Jefferson St. and N. McLean St, and the northwest side of the building. The lot will be reconfigured to take access from E. Jefferson St. rather than N. McLean St. E. Jefferson St. has less traffic and is a one way street. The proposed entrance improves safety. The parking lot is also reconfigured to provide ADA accessible parking and an accessible ramp. The northwest lot has an intense slope which makes accommodating the ramp difficult. As represented in the site plan pictured above, the ADA ramp is a long switch-back style ramp to accommodate the 6-8ft change in grade.



The following is a summary of the requested variations:

Dimensions rounded to nearest foot			
Type of Variance	Request	Required	Variation
1). 12’ landscaping setback 44.7-2, G.4.(c)(7)	b). 1 ft and 4 ft (NW Lot)	12ft	11ft and 8ft decrease
2). 6’ landscaping setback	b). 0ft (NW Lot)	6ft	6ft decrease

**Agenda Item B**  
**510 E Washington St.**  
**500 E Jefferson St.**

44.7-2, G.4.(c)(7)			
3). Reduced parking aisle dimensions 44.7-2, G.4.(h)(5)	b). 24ft (90°parking NW Lot)	25ft	1ft decrease
4). Reduced parking stall dimensions 44.7-2, G.4.(h)(5)	b). 18 ft (90°parking NW Lot) d). 8.5 width (all lots)	19 ft 9 ft	1 ft decrease 0.5 ft decrease

**The East Lot:** The East Lot is located on the building’s east side near Evans St. Evans Street is a north bound, one-way street. The lot is currently used as a playground. The petitioner proposes adding two “T” shaped lots consisting of eight and five spots. The lots provide additional off street parking and the design limits unnecessary congestion. The public sidewalk encroaches two feet onto the property necessitating a variance. When reducing the size of the drive aisle and parking space dimensions, the petitioner is able to provide a ten foot, front yard landscaping setback.

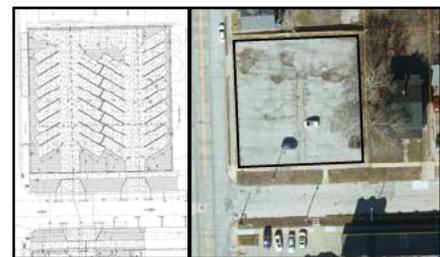


The following is a summary of the requested variations:

Dimensions rounded to nearest foot

Type of Variance	Request	Required	Variation
1). 12’ landscaping setback 44.7-2, G.4.(c)(7)	c). 10ft (East Lot)	12ft	2 ft decrease
3). Reduced parking aisle dimensions 44.7-2, G.4.(h)(5)	c). 24ft (90° parking East Lot)	25 ft	1ft decrease
4). Reduced parking stall dimensions 44.7-2, G.4.(h)(5)	c). 18 ft (90° parking East Lot) d). 8.5 width (all lots)	19 ft 9 ft	1 ft decrease 0.5 ft decrease

**The North Lot:** The north lot is located at the northeast corner of N. McLean St. and E. Jefferson St. The property has no landscaping setbacks and ingress/egress is provided on N. McLean St. The petitioner is proposing to change the circulation of the parking lot from bi-directional to one-way circulation. 60° angled parking is proposed. The property abuts residential buildings on the north and east side. To provide screening, the petitioner proposes adding a six foot fence. The ordinance requires a 12 ft landscaping setback on the south and west sides and a six foot setback on the north and east sides. By reducing the size of the parking spaces, the petitioner is able to increase the amount of greenspace on the property, but given the size of the lot, cannot accommodate the entire setback and needed parking.



The following is a summary of the requested variations:

Dimensions rounded to nearest foot			
Type of Variance	Request	Required	Variation
1). 12' landscaping setback 44.7-2, G.4.(c)(7)	a). 4 ft to 8 ft (North Lot)	12ft	8ft-4ft decrease
2). 6' landscaping setback 44.7-2, G.4.(c)(7)	a). 2ft to 5 ft (North Lot)	6ft	4 to 1ft decrease
3). Reduced parking aisle dimensions 44.7-2. G.4.(h)(5)	a). 16 (60°parking North Lot)	18ft	2ft decrease
4). Reduced parking stall dimensions 44.7-2. G.4.(h)(5)	a). 20 ft (60°parking North Lot) d). 8.5 width (all lots)	21 ft 9 ft	1 ft decrease 0.5 ft decrease

**Analysis**

**Variations from Zoning Ordinance**

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

**FINDINGS OF FACT**

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

**That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult;** and the southwest corner of the property is the property's highest elevation point. From the southwest corner, 510 E. Washington slopes significantly downward, with about an 8 foot change in grade. The change in elevations make accommodating the needed off-street parking complying with accessibility requirements difficult. Additionally, a portion of the city sidewalk encroaches onto the property reducing the amount of land the petitioner can use to provide the landscaping setback. Finally, the size of 500 E. Jefferson St. makes it difficult to provide the needed amount of parking and the landscaping setbacks. This lot also has a significant change in grade and retaining walls on the north and east sides. To minimize impacts on the neighbors, the petitioner proposes installing a six foot fence on the north and east sides of the lot. **The standard is met.**

**That the variances would be the minimum action necessary to afford relief to the applicant;** and The petitioner and city staff have discussed the layout multiple times. The proposed design meets the needs of the petitioner without fully eliminating greenspace and landscaping opportunities from the site. Additionally, the proposed fence on the North Lot will minimize impacts on adjacent properties. Nonetheless, since the lot is already improved, the amount of space is limited. A variance is needed to meet the ordinance requirements. **The standard is met.**

**That the special conditions and circumstances were not created by any action of the applicant; and** the property has physical characteristics that make strict adherence difficult. Additionally, the petitioner must balance historic preservation and adaptive reuse of a building. Parking, which was not required when the building was constructed, is a necessity. **The standard is met.**

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** the requested relief from the design standards for a parking lot are proposed changes to the zoning ordinance. The petitioner will not receive special privilege if the variance is granted. Furthermore the property has physical characteristics which make strict adherence challenging. The petitioner is also proposing adding greenspace and eliminating concrete on the north side of the property. The Zoning Board has considered similar variances in the past for other infill and redevelopment projects. **The standard is met.**

**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 developer of the subject property is required to follow the Secretary of the Interior's Standards for Design in order to receive historic tax credits. These design criteria ensure the historic profile of the building and property are preserved. As a result the parking and playground area in the front of the building has been relocated to the rear of the property. In order to safely accommodate the amount of parking required by the IL Dept. of Housing, the petitioner is proposing reducing the dimensions of the parking and landscaping setbacks. The current building is not compliant with the current ordinance's landscaping setback requirements and the proposed greenspace improves the site. The variances should not impair the use of adjoining properties but rather will encourage reducing the amount of on-street parking and congestion. **The standard is met.**

**STAFF RECOMMENDATION:**

Staff determines the petition meets the Zoning Ordinance's standards required to grant a variance (4.13-3). *Staff recommends approval of the requested variances.*

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

- Application
- Aerial Map
- Zoning Map
- Contours Map
- Newspaper notice and neighborhood notice
- List of notified property owners

**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: 510 E. Washington St. Site  
Address: Bloomington, IL  
Petitioner: JNP Bloomington JP Phone: ██████████  
Petitioner's Email Address: ██████████  
Petitioner's Mailing Address Street: ██████████  
City, State, Zip Code: ██████████  
Contractual interest in the property  yes  no  
Signature of Applicant ██████████  
**Brief Project Description** ██████████

*The project includes providing all material and labor required to renovate an existing three-story 1914 building into a mixed use, commercial and multi-family housing facility consisting of 33 one bedroom units (approximately 520 square feet, all of which exceed 500 square feet), 21 two bedroom units (approximately 800 square feet, all of which exceed 500 square feet) and 4 efficiency units (approximately 500 square feet, all of which exceed 500 square feet). Includes site improvements to provide parking and ADA compliance. The project is located at 510 East Washington Street in Bloomington, Illinois consisting of approximately 140,000 total gross square feet of total building area.*

**Code Requirements Involved:**

***Section 44.7-2, G.4.(c)(7):*** A minimum landscaped setback area shall be provided between the public right-of-way line and parking lots or parking garages containing more than nine (9) parking spaces in accordance with the following table:

<u>Landscaped No. of Spaces Required</u>	<u>Minimum Perimeter</u>
0 – 9	None
10+ feet	Twelve (12) feet

***Section 44.7-2, G.4.(c)(8):*** Perimeter Landscaping. Minimum landscaped setbacks shall be provided along all the other sides of the parking lot or parking garage other than between the property line and edge of the parking lot or parking garages in accordance with the following table:

<u>Landscaped No. of Spaces Required</u>	<u>Minimum Perimeter</u>
0 – 9	None
10+	Six (6) feet

...

**Section 44.7-2, G.4.(h)(5): Size and Access.** *Each required parking space shall open directly upon an aisle, a driveway, driving area, or a public way of such width and design as to provide safe and efficient means of vehicular access and egress to such parking space at all times. The dimensions of such parking space or means of access shall not be less than shown in Figure 2 in Appendix "A" of this Code.*

Variances(s) Requested:

1. *Reduction in the 12 ft landscaping setback (44.7-2) for portions of the north, northwest, and east lots:*

*North Lot – The angled parking lot has been shifted to the east as far as will allow construction and maintenance of a required 6 ft high vinyl fence screening against the adjacent residential district. This results in a greenspace along Mclean St. that varies from 3.7 ft to 8 ft as the angled parking spaces jog.*

*Northwest Lot - The required 12 ft setback is provided along Mclean St. The replaced sidewalk along south side of Jefferson has been reduced to the required width of 6 ft which allows for greater green space. In order to keep 2 regular parking spaces the 12 ft setback along Jefferson needs to reduce to 1.4 ft west of the entrance and 4.5' east of the entrance. The greenspace to the back of the new 6 ft wide sidewalk results in 3.5 ft and 6.5 ft respectively.*

*East Lot – The required 12 ft setback is provided along Jefferson St. The existing sidewalk along the west side of Evans is greater than the current code requirement of 6 ft in width and encroaches onto private property. The new sidewalk is shown as 6.9 ft in width to encroach 2 ft onto private property while attempting to match into the existing walk width to the east. Due to the sidewalk encroachment resulting from the required 6 ft width of walk the greenspace would reduce to 10 ft.*

2. *Reduction in the 6ft landscaping setback (44.7-2) for the north and northwest lots.*

*North Lot – Current parking lot is non-compliant and has existed this way for many years. To achieve the desired parking spaces using an angled parking layout, the greenspace along the north side would reduce to 2 ft and along the east side would vary from 2 ft to 5.1 ft as the angled parking spaces jog.*

*Northwest Lot - The required 6 ft setback around the perimeter of the parking lot is met along the east side of the lot but cannot be achieved along the south side because of adherence to ADA accessibility components and maximizing the number of parking spaces needed.*

3. *Reduction in the parking aisle dimensions for all lots*

*Providing as much greenspace as possible and achieving the required number of parking spaces for the facility requires the dimensions of the parking isles and parking spaces to be adjusted. The dimensions used, as provided by City Staff, align with proposed dimensional changes to the City Code that will be adopted early next year.*

4. *Reduction in the parking space dimensions for all lots*

*Providing as much greenspace as possible and achieving the required number of parking spaces for the facility requires the dimensions of the parking isles and parking spaces to be adjusted. The dimensions used, as provided by City Staff, align with proposed dimensional changes to the City Code that will be adopted early next year.*

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.

**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 building occupies most of the 2 acre parcel and when built did not consider on-site parking, therefore, there is limited area for new parking lots or sidewalks.*

*The front entrance to the building is constructed with an elevated finish floor approximately 12 feet above the curb on Washington St.. The west and northwest entrances are 6 feet below the main entrance which is approximately 12 feet above the top of curb on Jefferson St.. The elevation of the building with respect to surrounding streets and public sidewalks make it very difficult to provide on-site parking with ADA compliant routes to the doorways at the north and northwest entrances.*

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

*The site is located in the B-3 Central Business District. Section 44.7-2, D. indicates that the minimum number of off-street parking spaces required by Section 44.7-2, H. do not apply to sites located in the B-3 Central Business District. On-site Parking is required by the developer for the residential living units.*

*The parking space and aisle dimensions used comply with proposed ordinance changes scheduled for adoption early next year.*

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

*The restrictive characteristics of the lot is an existing condition that has permeated since original construction circa 1914-1916.*

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

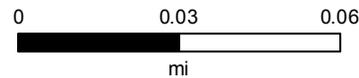
*This facility will provide on-site parking in a zoning district that does not require parking.*

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 existing site conditions are non-compliant with City Code and ADA accessibility. Planned improvements move the overall site closer to City Code compliance while adhering to ADA requirements. Adjacent properties are not affected by the development and the character of the neighborhood is enhanced with required screening and landscape areas.*

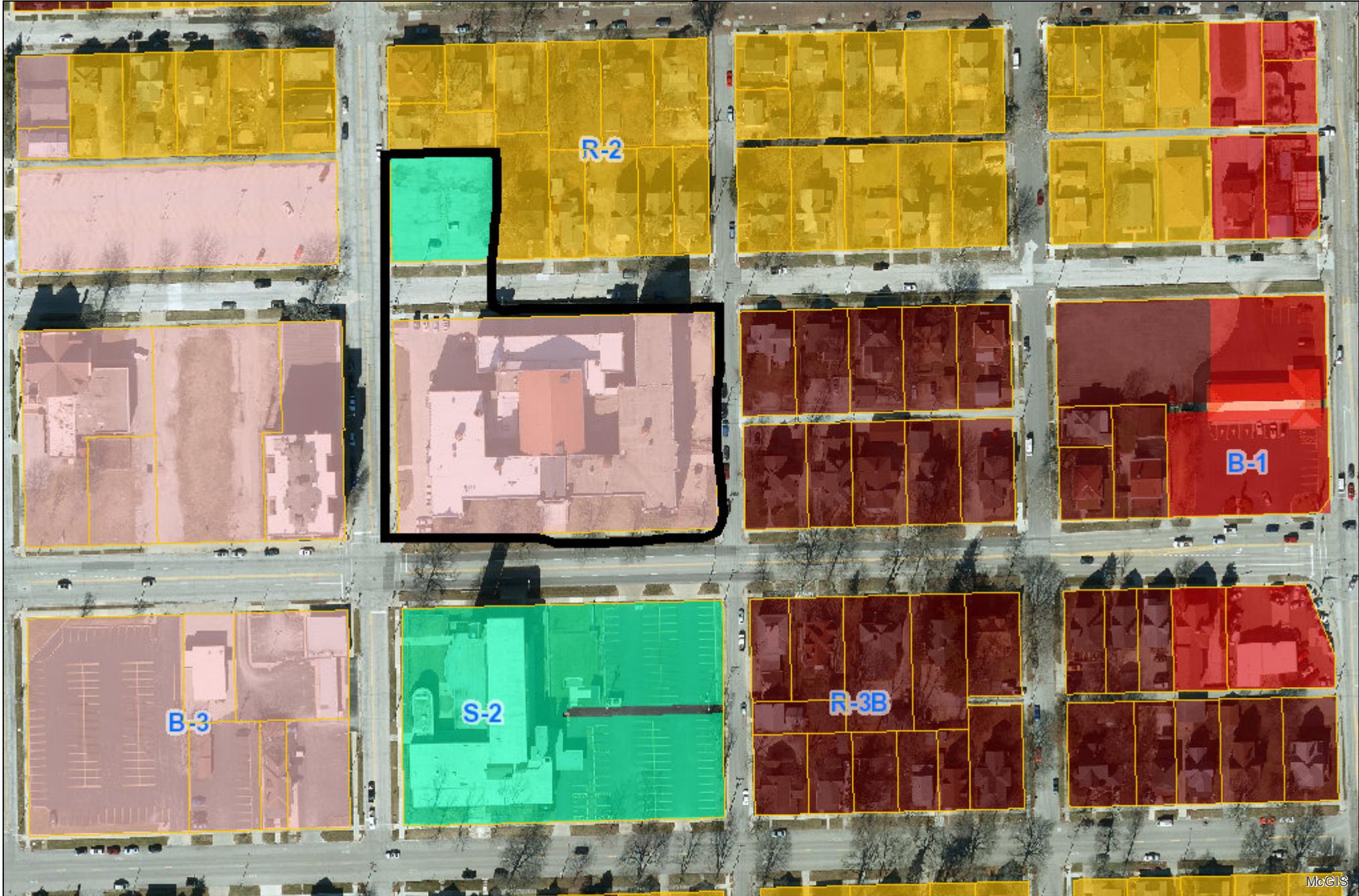


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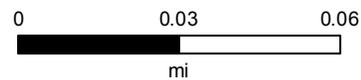




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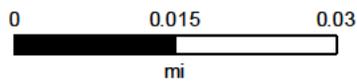




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24043  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD OF  
APPEALS  
DECEMBER 19, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, December 19, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

Edward J. Deutsch is requesting a variance at 1409 Cloud St., Bloomington, IL. PIN 21-10-206-001(C. WEED'S SUB PT N1/2 10 23 2E W54'35) to allow a telecommunication antenna structure in the front yard (44.4-4E3).

JNP Bloomington JP, is requesting variances at 510 E. Washington St. PIN 21-04-459-013 (EVANS ADDN 4) and 500 E. Jefferson St. PIN 21-04-404-001 (EVANS ADDN 7 & 8 1). The petitioner is requesting variances 1). to reduce the size of parking space dimensions (44.7-2); 2) to reduce the parking aisle dimensions (44.7-2); 3). to reduce the 6ft landscaping setback for parking lots (44.7-2 G.4.(c)7); and 4) to reduce the 12' front perimeter landscaping for parking lots (44.7-2, G-4(h)5).

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

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

Published: December 3, 2018



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

December 3, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday December 19, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois**, to hear testimony for a petition submitted by JNP Bloomington, JP, for approval of variance requests, for the properties at **510 E. Washington St. & 500 E. Jefferson St.**, at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

#### REQUEST

The petitioner is requesting variances: 1) to reduce the size of parking space dimensions, 2) to reduce the parking aisle dimensions, 3) to reduce the 6' landscaping setback for parking lots, and 4) to reduce the 12' front perimeter landscaping for parking lots.

LEGAL DESCRIPTION: 510 E. Washington St. (EVANS ADDN 4) 500 E. Jefferson St. (EVANS ADDN 7&8 1)

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org](http://www.cityblm.org).

If you desire more information regarding the proposed petition or have any questions you may email me at [ksimpson@cityblm.org](mailto:ksimpson@cityblm.org) or call me at (309) 434-2341.

Sincerely,

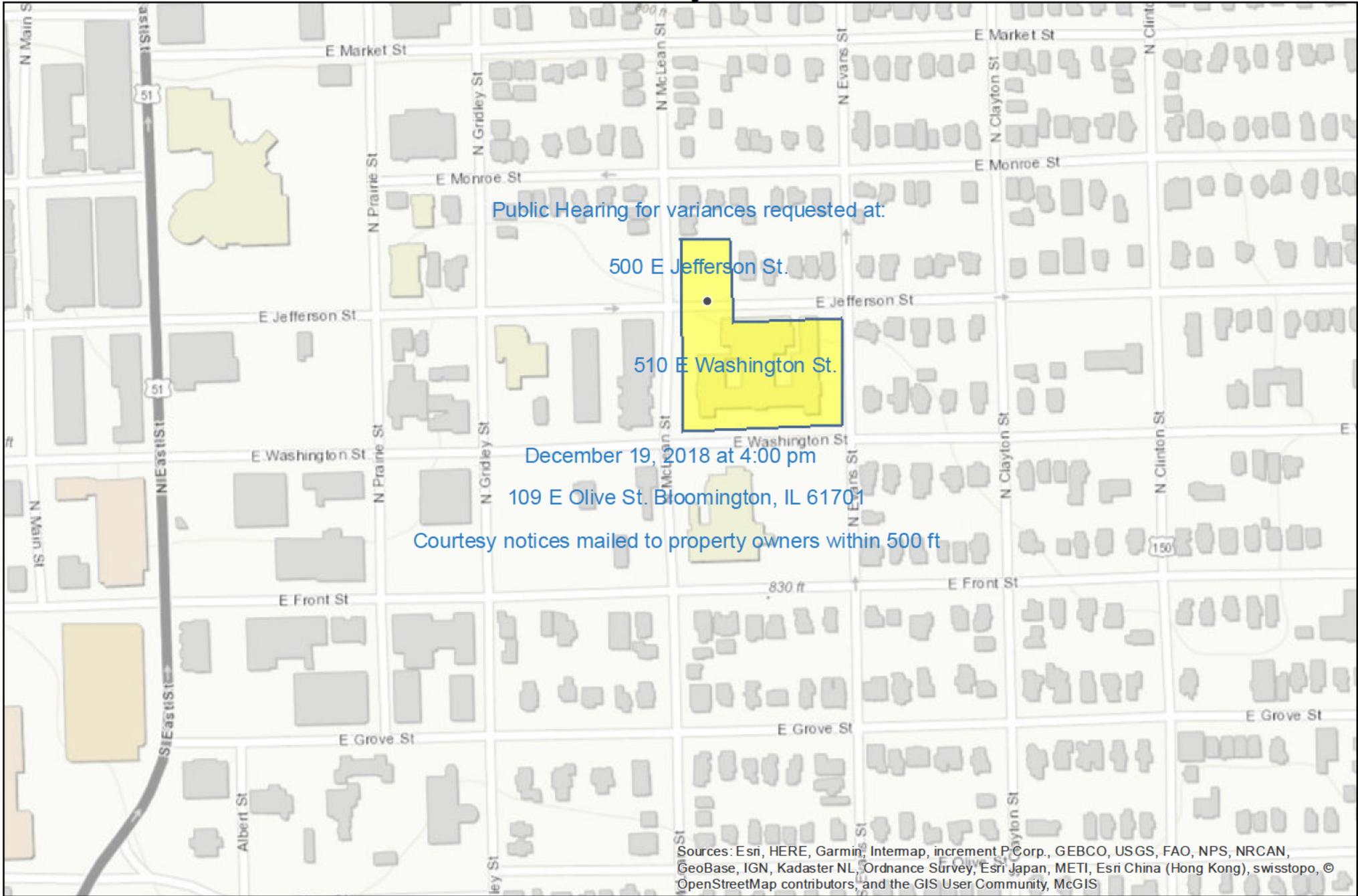
A handwritten signature in black ink, appearing to read 'Katie Simpson'.

Katie Simpson, City Planner

Attachments:

Map of notified properties within 500 ft of subject property

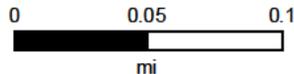
# McLean County GIS Consortium



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community, McGIS



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.



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TINERVIN FAMILY FOUNDATION  
% JEFF TINERVIN 1208 S BUNN ST  
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WINCHESTER, CA 925968447

SASIL PROPERTIES LLC  
1020 Longmeadow Ln  
Western Springs, IL 605582108

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HUGO CORREA  
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BLOOMINGTON, IL 617013187

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BLOOMINGTON, IL 61701

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PEORIA, IL 616151613

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BLOOMINGTON, IL 617047630

# *Resolution of Appreciation*

*Whereas, Tristan Bullington has faithfully served as a member of the  
Bloomington Zoning Board of Appeals for 3 years,  
(2015–2018)*

*Now therefore be it resolved that the Bloomington Zoning Board of Appeals  
on this 19th day of December, 2018  
hereby expresses its sincere and heartfelt appreciation to*

## *Tristan Bullington*

*for his dedicated, loyal, and excellent service  
to the City of Bloomington, Illinois as a member of the Zoning Board of Appeals.*

Attest:

  
Katie Simpson, City Planner