



**AGENDA**  
**BLOOMINGTON ZONING BOARD OF APPEALS**  
**REGULAR MEETING**  
**109 EAST OLIVE ST.**  
**BLOOMINGTON, IL 61701**  
**WEDNESDAY, DECEMBER 16, 2020 at 4:00 P.M.**  
**THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:**  
**[www.cityblm.org/live](http://www.cityblm.org/live)**

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

Physical attendance will be limited to the lesser of 10 persons or 10% of room capacity and will require compliance with City Hall COVID-19 protocols and social distancing.

The rules for participation and attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at [www.cityblm.org/register](http://www.cityblm.org/register).

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENT**

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

**4. MINUTES**

- A.** Consideration, review and approval of minutes from the meeting on September 16, 2020 meeting.
- B.** Consideration, review and approval of minutes from the meeting on November 18, 2020 meeting

## **5. REGULAR AGENDA**

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

- A. Z-26-20** Public hearing, review and action on a petition for a variance from Chapter 44-404 submitted by William Shelton to allow for a driveway expansion beyond 24' in the Residential District at 1125 Rader Run, Bloomington IL 61704. (Ward 3)
- B. Z-27-20** Public hearing, review and action on a petition for a variance submitted by Michael Hudelson to install a 6ft fence in the front yard of a residential property, a 2ft increase, at 2821 Chesapeake Lane, Bloomington, IL 61704. (Ward 9)
- C. Z-29-20** Public hearing, review and action on a petition for variance submitted by Brooke Hermanowicz to install a 6ft fence in the front yard of a residential property, a 2ft increase at 220 Willard Ave, Bloomington, IL 61701. (Ward 4)

## **6. OTHER BUSINESS**

## **7. NEW BUSINESS**

## **8. ADJOURNMENT**



**DRAFT**  
**MINUTES**

**PUBLISHED BY THE AUTHORITY OF  
THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS  
WEDNESDAY, SEPTEMBER 16, 2020, 4:00 P.M.  
[WWW.CITYBLM.ORG/LIVE](http://WWW.CITYBLM.ORG/LIVE)**

*This meeting was conducted under Governor Pritzker’s Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.*

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the City Planner, Katie Simpson, and Member Michael McFarland in-person in City Hall’s Council Chambers at 4:06 p.m., Wednesday, September 16, 2020. The meeting was live streamed to the public at [www.cityblm.org/live](http://www.cityblm.org/live). The Meeting was called to order by Chairperson Victoria Harris.

**Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Ms. Victoria Harris	Chairperson	Present
Mr. Terry Ballantini	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Absent
Mr. Michael Rivera Jr	Commissioner	Present
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Mr. Craig McBeath	Interim Information Systems Director	Present
Mr. Bob Mahrt	Community Development Director	Present
Ms. Katie Simpson	City Planner	Present

**COVID-19**

Mr. George Boyle, Assistant Corporation Counsel explained that this meeting was being held virtually via live stream pursuant to the gubernatorial executive order 2020-07, Section 6. Public comment was accepted until 15 minutes before the start of the meeting. Written public comment must have been emailed to [publiccomment@cityblm.org](mailto:publiccomment@cityblm.org) and those wishing to speak live must have registered at <https://www.cityblm.org/register> at least 15 minutes prior to the meeting.

**DRAFT**  
**MEETING MINUTES**

## Minutes:

The Commission reviewed the minutes from the August 19, 2020 regular meeting of the Zoning Board of Appeals with revisions identified by Chairperson Harris and Mr. Ballantini.

Commissioner Straza made a motion to approve, seconded by Commissioner Ballantini, that the Minutes from the August 19, 2020 minutes be approved with revisions. The minutes were approved by voice vote 6-0.

## Regular Agenda:

**Z-15-20 Public hearing, review and action on a petition for a variance submitted by Jonathan Thompson for the approval of a variance to allow an eight (8) foot increase to the maximum allowed width of the driveway approach in a single-family home for the subject property located at 54 Fedor Circle Bloomington, IL 61705. (Ward 2).**

Chairperson Harris introduced case Z-15-20 and asked for the staff report.

Ms. Simpson, City Planner, indicated that staff finds that the application meets the standards for a variance and staff is recommending in favor of the variance. Ms. Simpson gave an overview of the subject property and neighborhood. The property is zoned R-1C and is improved with a single-family home built in 2006. The petitioner is requesting a variance to widen the driveway behind the sidewalk to 32 feet. The petitioner would also like to widen the curb cut and driveway apron to 32 feet. The proposed driveway would be setback 8 feet from the property line. Ms. Simpson shared a photo of the property, aerial view and lot dimensions. Ms. Simpson shared surrounding properties along with the site plan.

Ms. Simpson reviewed the Findings of Fact and staff finds the application meets the standards for a variance. Ms. Simpson noted the property's location to the curve and on-street parking creates a physical challenge for maneuvering safely in-and-out of the three-car garage and driveway. The variance will allow the homeowner to pull/back straight out improving their visibility of the sidewalk and street. Widening the driveway would make it safer to back out of the driveway.

Chairperson Harris asked if there were any questions for staff. There were none by the Commission.

Chairperson Harris swore in Jonathan Thompson, petitioner gave testimony for the variance application. He stated that due to the size of the family's vehicles' and the curve located at subject property it makes it difficult to out of the driveway safely.

Mr. Rivera Jr asked for clarification as to the name of the petitioner noting a discrepancy on the staff report stating the petitioner as Justin Thompson. Jonathan Thompson confirmed his name. Ms. Simpson indicated the staff report reflected an error in referencing Justin instead of Jonathan. Staff confirmed Jonathan Thompson as the petitioner.

Chairperson Harris asked if there were any other witnesses. There were none. Chairperson Harris closed the Hearing at 4:22 p.m. and asked the Board to consider the matter. Chairperson Harris asked for a vote on the Findings of Fact as outlined in the Staff Report.

Mr. Ballantini made a motion to accept the Findings of Fact as a whole. Mr. Straza seconded the motion. Mr. Mahrt took a roll call vote. Mr. Straza - Yes, Mr. Ballantini - Yes, Mr. McFarland - Yes, Ms. Williams - Yes, Mr. Rivera Jr. - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the variance application submitted. Mr. Straza seconded the motion. Mr. Mahrt took a roll call vote. Mr. Straza - Yes, Mr. Ballantini - Yes, Mr. McFarland - No, Ms. Harris - Yes, Mr. Rivera Jr - Yes and Chairperson Harris - Yes (6-0-0).

Ms. Simpson informed Mr. Thompson that staff will follow-up with approval and permitting steps to be taken.

**Z-16-20 Public hearing, review and action on a petition for a variance submitted by Charles Rosen/Ann Stroink for the approval of a variance to allow a 1,360 sqft increase in the 1,000 sqft maximum floor area requirement of an accessory structure for a new garage at 1 Moore Rd Bloomington, IL 61701. (Ward 4)**

Chairperson Harris introduced case Z-16-20 asked for the staff report.

Ms. Simpson, City Planner, gave a staff report sharing with the Commission that staff finds that the application generally meets the standards for a variance and intention of the ordinance. If there are no objections from adjacent residents, staff is recommending in favor of the variance. The report was prepared pending any opposition to the case when the staff report was prepared.

Ms. Simpson provided the Commission with a property and neighborhood overview stating the property is a large estate lot, approximately 88,427 square feet (2.03 acres) and is improved with a 9,622 square foot home constructed in the 1980's. It is zoned R-1A, Low Density Single Family Residential District, sharing photos of the property and adjacent zoning districts. The property is heavily screened and the home and accessory buildings are not visible from the street. The subject property has a carport (21 X 46, ~966 sqft) that was constructed in 2002. It is located 10 feet from the south lot line and 8ft from the rear, east lot line. The existing structure is 11 feet tall and has electricity.

Ms. Simpson provided a project overview stating the petitioner like to demolish the existing carport and construct a new, 2360 square foot garage. New enclosed accessory structure.

The submitted items with the petition showed a general rendering of what the garage looks like, it is intended to facilitate light & air circulation. Due to the large lot size and adequate pervious area. Staff understands there could be some concerns by some neighbors.

Ms. Simpson shared the Findings of Fact as presented in the staff report. In addition, a property located south of subject property was allowed a variance in 2012 for a larger footprint and additional height of an accessory structure. The subject area is heavily screened with foliage and it's most likely the new garage won't be seen from the street.

Commission discussion and Questions for staff:

Mr. Straza inquired as to the location of the new structure in relation to the property lines. Will the neighbors be able to see it? Ms. Simpson referred to the site plan and areial map to show the sturcture location in relation to the adjoining properties. The property south shows a garage and the property to the east shows the setback of the house.

Mr. Ballantini inquired as to the structure to the south of subject property's use: is it for storage or a garage? Ms. Simpson discussed the use of the structure as a garage but did not enter property to report entire structure.

Mr. Boyle recommended open testimony from applicant.

Chairperson Harris swore in for the record, Bobby Vericella , contractor. Mr. Vericella is available for testimony and questions Mr. Vericella gave a project overview stating that the exsisting carport will be demolished and the new garage design took into consideration the exsisting trees. No questions were brought forward from the Commission.

Chairperson Harris swore in for the record, Charles Rosen, applicant. Mr. Rosen gave a project overview, stating that the trees are of great imporatace and the design of the garage and location took the preservation of the trees under consideration. Preservation of the trees is very important. The desgin of the new structure is asthetically pleasing and will look like a garage. Mr. Rosen stated that this is not for commercial use; it will be for his care and motorcyle collections.

Chairperson Harris stated the plans noted a restroom. Mr. Rosen stated the addition of the restroom would save him from going into the home when greasy and dirty, allowing to clean up onsite when done working on his motorcycles.

Mr. Balliniti inquired as to why Mr. Rosen couldn't build the structure with the allowed 1,000 sq ft. Mr. Rosen stated his collections/ items wouldn't fit in anything smaller. Mr. Ballantini asked if Mr. Rosen spoke with the adjacent property owners regarding his project? Mr. Rosen stated that he has spoken to all but one of his neighbors and they have been in support.

No additional questions were brought forward from the Commission.

Ms. Simpson shared the additional pictures provided by the petitioner of subject property. Marked for petitioner exhiit A and exhibit B. Mr. Rosen discussed the photos and content showing where the garage will peak out from the trees and the street view. The entrance to driveway is the only site line where one can see the corner of the garage. The garage will not be visible from the street.

Chairperson Harris asked for additional persons speaking in favor of the petition. Chairperson Harris swore in for the record, Dr. Ann Stroink. Dr. Stroink stated she was sensitive to the neighborhood and wanted it in keeping with the way it currently appears while adding the new garage. She is sensitive to how it will look and feels the location is the right setting and very appropriate while maintainig the neighborhood standards.

Chairperson Harris inquired as to the façade of the new structure, will it be similar to the house? Dr. Stroink indicated the facade will be different but she feels the outside décor will

be cohesive with the improvements already on the existing home. No additional questions were brought forward from the Commission.

Chairperson Harris asked if there were any additional individuals speaking in favor. There were no speaking in favor

Chairperson Harris swore in for the record, Cathy Pratt .Ms. Pratt indicated her reasons for attending the meeting was to: 1) Gather information as to the use of the garage as the plans state "Shop". She is supportive if the main purpose is for storage and it will not have an adverse impact for the neighborhood. 2)The screening from the residential neighbors. She proposed the screening remain in place with the variance and inquired how to make that provision for the future of the variance and property. Ms. Pratt would like to know whether the next property owner guidelines would be in place for the future of the variance? What stipulations can the board make in regards to the screening of the garage?

Chairperson Harris continued discussion regarding the screening on the property . Mr. Rosen stated he wants to preserve the trees. The wooded nature of the lot is important.

Chairperson Harris asked for guidance on the future of the variance. Mr. Boyle indicated the variance will stay with the building and it will not be required to be taken down.

Ms. Simpson stated that Chapter 44 17-8 of the Ordinance allows the Board to impose conditions as recommended. The Ordinance allows for a condition to be placed on the variance. Mr. Boyle confirmed the variance and condition would survive with the property.

Mr. Mahrt recommended looking at the transitional buffer yard requirements for specific guidelines especially to the east and south of the structure.

Mr. Ballantini inquired as to the length of ownership and future of the property. Mr. Rosen indicated the property is owned by Dr. Stroink. If he builds the garage the intention is to enjoy the garage for a very long time.

When asked, Dr. Stroink agreed and would approve a provision to maintain the screening. She has owned the property for over 36 years.

Chairperson Harris asked if there were any other questions or considerations. No additional questions were brought forward from the Commission.

Mr. Mahrt and Ms. Simpson provided the buffer yard standards referenced. Staff recommends a standard to apply for future screening referencing Division 13 Landscape - Transitional yard landscape requirements. There was recommendation by staff to specify standard that will be enforced in the future.

There was discussion as to the the appropriate transition yards. The standards would be referenced by staff in the future. A recommendation of TY-3 standard was suggested adding a condition added to the request. The applicant does not have any objection to condition of the request.

Chairperson Harris closed the Hearing at 5:13 p.m. and asked the Board to consider the matter.

Chairperson Harris made a motion to include adequate screening be maintained consistently with what is presently there. Seconded by Mr.Rivera.

Staff recommends to reference one of the transition yards standards specifically TY-1.

Procedural discussion followed with staff and commission. Chairperson Harris withdraws her motion.

Commissioner Ballantini made a motion to accept a condition added to consideration of the petition. Seconded by Mr. Rivera Jr. Mr. Mahrt took a voice vote. Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Rivera Jr - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes. (6-0-0)

Chairperson Harris made a motion to accept the Findings of Fact as presented by staff. Seconded by Mr. Rivera Jr. Mr. Mahrt took a voice vote. Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Rivera Jr - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes. (6-0-0)

Commissioner Rivera Jr made a motion to accept the variance with the added screening provision. Seconded by Commissioner Straza. Mr Mahrt took a voice vote. Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Rivera Jr - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes. (6-0-0)

**Z-18-20 Public hearing, review and action on a petition for a variance submitted by Carrie Scritchlow for the approval of a variance to reduce the separation requirement between a swimming pool and the principal structure to install a new pool and covered deck at 107 Parkview Dr. Bloomington, IL 61701. (Ward 5)**

Chairperson Harris introduced case Z-18-20 and asked for the staff report.

Ms. Simpson, City Planner, provided a staff report recommending the Zoning Board's approval of the application. Ms. Simpson provided background information on the subject property and gave background information on the neighborhood as well. Sugar Creek runs along the rear of the property. Additionally, a 24" sanitary sewer in a 10' sewer easement bisects the back portion of the property. There currently is an above ground pool in the rear yard. The pool sits on top of the sewer.

Physical hardships is identified due to the stream and sewer easement. The pool cannot be located further in the rear yard. The site plan was reviewed. The pool is pushed closer to the home due to the sewer. The sewer is dictating where the pool could be located, creating the need for the variance.

The petitioner is requesting a variance to allow for a 5ft reduction in the 10ft separation requirement between the roof and the pool. The petitioner is proposing to locate the pool outside of the easement, and cannot locate the pool further to the rear of the property because of the sanitary sewer.

Commission discussion included Chairperson Harris's question as to the current pool, was there a variance requested? Ms. Simpson indicated that staff did not locate a variance for the current above ground pool.

Chairperson Harris asked if there were any witnesses for or against. Ms. Simpson stated that staff received a letter in support from an adjacent owner, Scott Stimeling. Ms. Simpson read the letter and marked as - Exhibit A.

Chairperson Harris asked if there were any questions or consideration on the staff report. There were no other questions brought forth by the Commission.

Chairperson Harris swore in for the record Ryan Scritchlow, the Petitioner. Mr. Scritchlow gave an overview of the project. The project includes building a new inground pool and a new outdoor porch on subject property.

Mr. Ballanini inquired as to the above ground pool that is currently on the property, was there a variance for said structure? Mr. Scritchlow stated that the above ground pool was there when he purchased the property.

Chairperson Harris asked if there were any other witnesses. There were no other witnesses signed up to speak for or against. Chairperson Harris closed the Hearing at 5:22 p.m. and asked the Board to consider the matter.

Chairperson Harris asked for a vote on the Findings of Fact as outlined in the Staff Report.

Mr. Ballantini made a motion to accept the Finding of Facts as a whole. Mr. McFarland seconded the motion. Mr. Mahrt took a roll call vote. Mr. Straza - Yes, Mr. Ballantini - Yes, Mr. McFarland - Yes, Ms. Williams - Yes, Mr. Rivera Jr - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the variance application as submitted. Mr. Straza seconded the motion. Mr. Mahrt took a roll call vote. Mr. Straza - Yes, Mr. Ballantini - Yes, Mr. McFarland - Yes, Ms. Williams - Yes, Mr. Rivera Jr - Yes and Chairperson Harris - Yes (6-0-0).

**OLD BUSINESS: None**

**NEW BUSINESS: None**

**ADJOURNMENT:** Chairperson Harris made a motion to adjourn the meeting. Mr. Ballantini seconded. Mr. Mahrt took a roll call vote. Mr. Straza - Yes, Mr. Ballantini - Yes, Mr. McFarland - Yes, Ms. Williams - Yes, Mr. Rivera Jr - Yes and Chairperson Harris - Yes (6-0-0) the meeting adjourned at 5:28 p.m.

CITY OF BLOOMINGTON

ATTEST

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Victoria Harris,  
Chairperson

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Katie Simpson, City Planner

DRAFT



**DRAFT**  
**MINUTES**

PUBLISHED BY THE AUTHORITY OF  
THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS  
WEDNESDAY, NOVEMBER 18, 2020, 4:00 P.M.  
[WWW.CITYBLM.ORG/LIVE](http://WWW.CITYBLM.ORG/LIVE)

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the City Planner, Katie Simpson, in-person in City Hall’s Council Chambers at 4:03 p.m., Wednesday, November 18, 2020. The meeting was live streamed to the public at [www.cityblm.org/live](http://www.cityblm.org/live). The Meeting was called to order by Chairperson Victoria Harris.

**Roll Call**

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

**COVID-19**

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**Minutes:**

Chairperson Harris had several revisions of the September 16<sup>th</sup> meeting minutes that she sent directly to staff. Mr. Boyle explained that the Open Meetings Act requires that these revisions be made available for review prior to the Board’s approval of them. Chairperson

Harris made a motion to table review of the September 16<sup>th</sup> minutes until the next meeting, seconded by Mr. Ballantini. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0).

#### **Regular Agenda:**

- A. SP-07-20 Public hearing, review and action on a petition for a special use permit submitted by Ramazan Muharemoski to allow vehicle sales in the B-1 General Commercial District at 2426 S. Main Street, Bloomington, IL 61704. (Ward 2).**

Chairperson Harris introduced case SP-07-20 and asked for the staff report.

Ms. Simpson, City Planner, recommended in favor of approving the special use permit with the condition that a fence or landscaping screen be added to the eastern side of the subject property if and when pending residential development occurs.

Ms. Simpson provided the Commission with a property and neighborhood overview. The subject property is zoned B-1 and is surrounded by B-1 zoning to the north and south, B-2 and R-4 to the east, and M-1 to the west. Neighboring uses include outdoor storage, a gas station, and a mobile home park. Ms. Simpson elaborated on the existing parking, dumpster storage, and landscaping between the site and the adjacent land to the east, stating that additional screening would be needed in order to screen residential uses from light and noise.

Ms. Simpson shared the findings of fact, asserting that the special use permit with the suggested conditions would meet each standard.

Chairperson Harris swore in Erol Muharemoski, son of the applicant Ramazan Muharemoski, for testimony on the case. He described the property's history and plans for establishing a used car dealership at the site, and expressed willingness to comply with the screening conditions. Mr. Muharemoski clarified the screening requirements as they relate to the visibility of the dumpsters with Ms. Simpson.

Mr. Ballantini confirmed that Mr. Muharemoski would be willing to install a six foot tall fence as screening.

Mr. Noonan made a motion to accept the Findings of Fact as a whole including the conditions. Mr. Ballantini proposed that the condition be that the fencing be six feet tall, and Chairperson Harris added that the dumpster enclosure would be included. Mr. Straza seconded it. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Chairperson Harris moved to approve the petition for special use permit, seconded by Mr. Ballantini. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Ms. Simpson informed Mr. Muharemoski that the petition would be heard by City Council on December 14<sup>th</sup>.

**B. Z-25-20 Public hearing, review and action on a petition for a variance submitted by the Meadow Ridge Homeowner's Association to allow a fence to be installed with the finished side facing toward the subject properties at 101A-113B Meadow Ridge Drive, Bloomington, IL 61704. (Ward 2)**

Chairperson Harris introduced case Z-25-20 asked for the staff report.

Ms. Kelly, Assistant City Planner, recommended a denial of the variance as staff found the petition did not meet all the required standards. She provided the Board with an overview of the case and property, explaining that the fence as it currently exists (finished side in) is legal nonconforming and the primary screen between the subdivision and adjacent properties. She also mentioned that the side yard fences of neighboring properties have been installed in compliance with the Zoning Ordinance. Ms. Kelly shared the findings of fact, stating that the request met only two of the five standards for granting a variance.

Chairperson Harris clarified that the fences of neighboring properties are in compliance.

Chairperson Harris swore in Rebecca Gray, the applicant, for testimony. The applicant provided an overview of the property's history, disputing Ms. Kelly's claim that the neighboring fences are installed with the finished side out. Ms. Gray explained that, if the variance were to be denied, one resident would have mismatched fence segments.

Chairperson Harris inquired as to whether the fence could be constructed with two finished sides. Ms. Gray said no. Mr. Ballantini asked why the applicant wants a variance for the fence rather than installing it according to code. Ms. Gray referenced the mismatched fence segments and the potential for diminished property values. Mr. Noonan asked whether that particular segment could be finished on both sides, and Ms. Gray said that this would be cost prohibitive. Mr. Ballantini verified that construction on the replacement fence had not yet been started.

Chairperson Harris swore in Sandra White for testimony. She spoke in favor of the variance, stating that the subdivision and its property values are enhanced by the finished side of the fence facing inward toward the subject properties. Chairperson Harris asked whether landscaping is an option. Ms. White said no.

Ms. Simpson read aloud an email in favor of the variance. Mr. Gary Leach called in to provide testimony speaking against the variance; Chairperson Harris swore him in. He explained that he is a neighbor and asserted that the applicant has not kept up maintenance of the fence, affecting his own property values. He added that the fenceposts are directly on the property line and that while installing the fence finished side in might positively influence the applicants' property values, it would diminish his own.

Ms. Gray disputed Mr. Leach's claims. Chairperson Harris asked whether the applicant and Mr. Leach would be willing to split the cost of a fence with two finished sides. Mr. Leach indicated that he would not be willing to do so.

Mr. Ballantini moved to approve each Finding of Fact separately. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Boyle clarified that for a variance to be granted, each factor needs to be met. The Board unanimously accepted each Finding of Fact as Ms. Kelly presented them.

Mr. Ballantini made a motion deny the variance. Mr. McFarland seconded the motion. Mr. Boyle verified that a “yes” vote would be a vote against the variance in this case. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Ms. Simpson explained that a Notice of Decision would be sent to the applicants.

**C. SP-08-20 Public hearing, review and action on a petition for a special use permit and variances submitted by Diego Villagomez to allow vehicle sales and service in the M-1 Restricted Manufacturing District at 604 W. Division Street, Bloomington, IL 61701. (Ward 7)**

Chairperson Harris introduced case SP-08-20 and asked for the staff report. Ms. Simpson suggested considering only the special use permit for vehicle repair at this meeting, tabling the variances for the next meeting. She stated that staff recommended in favor of approving the special use permit and variances for vehicle repair with conditions regarding screening, storage, parking, and lighting in consideration of the site’s adjacent residential uses, making the point that this may be the only opportunity to mitigate the impacts of industrial uses on the residential zoning via screening.

Ms. Simpson explained that the applicant seeks to use the site primarily for vehicle repair, with vehicle sales occurring on a separate property as an accessory use. The variances requested by the applicant relate to vehicle sales and setback requirements. She also brought up the potential for traffic impacts on the surrounding neighborhood were the special use permit to be granted. Additionally, Ms. Simpson mentioned that the requested setback variances enable the repair and sales sites to be situated further away from residential neighbors than the code would permit.

Mr. Ballantini and Chairperson Harris inquired as to whether the site’s previous use as a PEMCO repair shop entailed the same intensity of work and vehicle traffic. Ms. Simpson indicated that both were likely less intense than the current usage.

Chairperson Harris swore in Mr. Diego Villagomez, the applicant, for testimony. No questions were asked of him.

Mr. Tom Synder, a neighbor, was sworn in for testimony. He spoke in favor of the application.

Mr. Dwayne Young, another neighbor, was sworn in for testimony. He spoke against the application, citing difficulties with parking, communication with the employees, and concerns about diminished property values. He mentioned that the PEMCO facility was quieter.

Mr. Henry Dawdy, another neighbor, was sworn in, speaking against the application. He also cited parking and screening concerns, and inquired about enforcement.

Ms. Cheryl Dawdy, another neighbor, was sworn in. She spoke against the application, mentioning parking concerns and communication difficulties. Ms. Dawdy brought up the fact that garbage trucks have difficulty getting down the street as a result of the crowded parking conditions and expressed concerns over whether fire trucks or other emergency vehicles would be able to fit on the street. She requested screening for the dumpster and cars being worked on.

Mr. Gene LeGrand was sworn in. He spoke in favor of the application, stating that the concerns raised about parking in particular can easily be addressed.

Ms. Simpson shared several emails providing comment on the application. Many were in opposition to the petition.

Mr. Villagomez stated that his site would be able to accommodate more off-street parking in order to relieve neighbors' concerns about parking. He mentioned that screening would be able to be installed immediately.

Mr. Ballantini asked whether the cars parked on the street are generally employee cars or customer cars. Mr. Villagomez stated that five cars belong to employees and that no inoperable cars are stored on the street. Mr. Ballantini clarified Mr. Villagomez's willingness to accommodate the additional screening, lighting, and parking conditions.

Mr. Ballantini made a motion to accept the Findings of Fact and conditions as presented by staff. Chairperson Harris seconded the motion. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the special use petition along with the conditions recommended by staff. Mr. Noonan seconded the motion. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Straza made a motion to table consideration of the variance regarding vehicle sales. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to consider all remaining variances. Chairperson Harris seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Chairperson Harris made a motion to accept staff Findings of Fact with respect to the variances. Mr. Ballantini seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the remaining variances. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0). The motion was passed.

DRAFT

MEETING MINUTES

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

WEDNESDAY, SEPTEMBER 16, 2020

Page | 5

**OLD BUSINESS: None**

**NEW BUSINESS:**

- A. Introduction: Melissa Hon, Economic & Community Development Director
- B. Introduction: Kimberly Smith, Assistant Economic & Community Development Director
- C. Introduction: Caitlin Kelly, Assistant City Planner
- D. 2021 Meeting Dates

Mr. Ballantini made a motion to accept all proposed meeting dates. Mr. McFarland seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

**ADJOURNMENT:** The meeting was adjourned at 6:53 PM.

DRAFT

**CITY OF BLOOMINGTON**

**ATTEST**

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Victoria Harris,  
Chairperson

---

Katie Simpson, City Planner

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

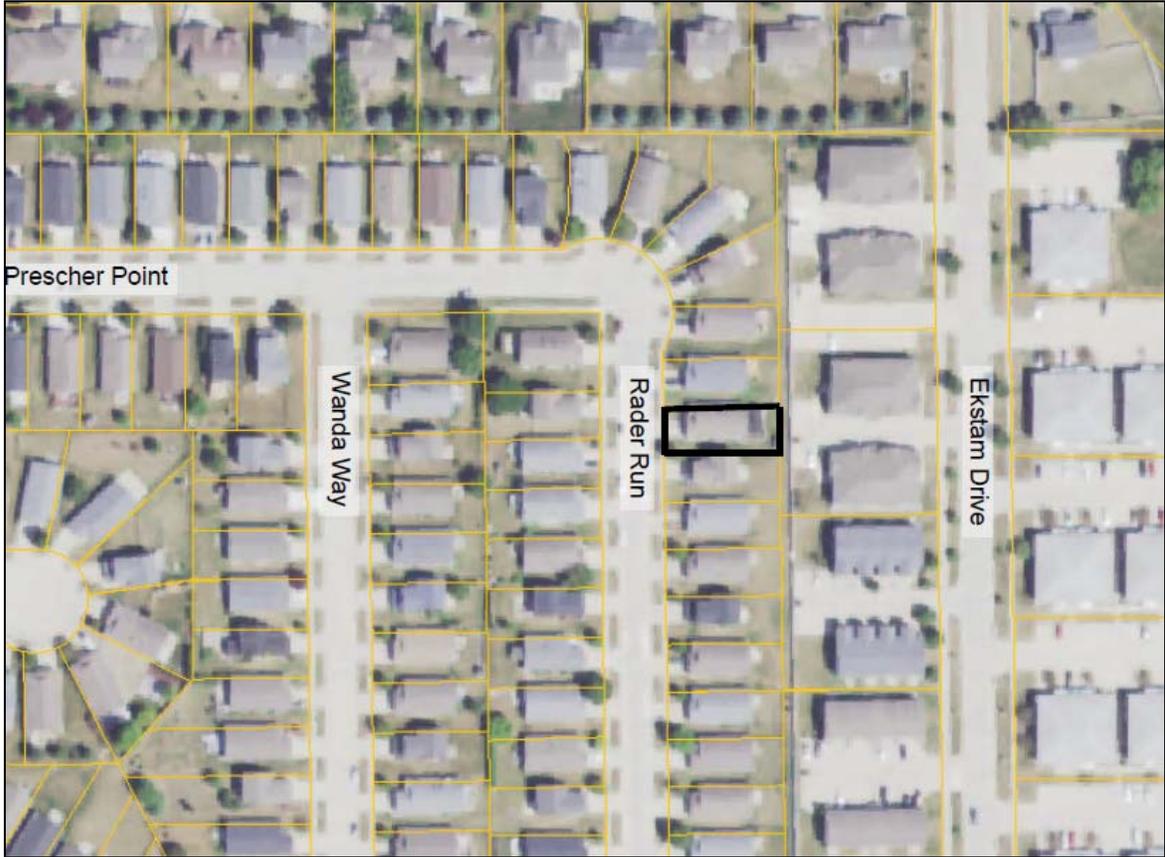
CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
Z-26-20	1125 Rader Run	Variance	Katie Simpson, City Planner

**PETITIONER’S REQUEST:**

Section of Code: 44. 4-4 Driveway Width			
Type	Required	Requested	Difference
Variance	24ft	27.5ft	+3ft

<b>Staff Recommendation</b>	Staff finds that the application <u>does not</u> meet the standards for a variance. Staff is recommending <u>denial</u> of the requested variance.
-----------------------------	--

Figure 1 The subject property, 1125 Rader Run.



1125 Rader Run. Driveway Variance

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the *Pantagraph* on Monday, November 30, 2020. Staff mailed courtesy notices to 97 property owners within 500 feet of the subject property.

**GENERAL INFORMATION**

Applicant and Owner: William Shelton

**LEGAL DESCRIPTION:** RESUB OF MCGRAW PARK SUB, LOT 29

**PROPERTY INFORMATION**

Existing Zoning: R-2 Mixed Residence District  
Existing Land Use: Single Family home  
Property Size: 45' X 110'  
PIN: 15-31-401-020

**Surrounding Zoning and Land Uses**

Zoning

*North:* R-2 Mixed Residence  
*South:* R-2 Mixed Residence  
*East:* C-1 Office District  
*West:* R-2 Mixed Residence

Land Uses

*North:* Single-family Residential  
*South:* Single-family Residential  
*East:* Apartments  
*West:* Single-family Residential

**Analysis**

Submittals

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

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

Below: 1125 Rader Road. Source: Google

**BACKGROUND** The subject property, 1125 Rader Run, is in the McGraw Subdivision located east of Wanda Way and west of Ekstam Drive. The subject property is north of Cornelius Drive and south of Pamela Drive. The subject property is 45' wide and 110' deep. The home is improved with a single-family home built on the north property line. A ten-foot utility easement is located on the south side of the home, establishing



**1125 Rader Run. Driveway Variance**

a ten-foot setback between 1125 and 1123 Rader Run. Rader Run is a 30' wide, local road with parking on both sides. The road is constructed within 60' of dedicated public right-of-way. Public sidewalk is located on both sides of the street. The home has a two-car garage and 18' wide driveway.

On July 6, 2020 the applicant applied for a permit to pour a concrete parking pad in the side yard of the property adjacent to the home. The permit application is attached to this report. The original site plan illustrated a flared drive that gradually enlarged from the 18' wide driveway at the sidewalk to 33' at the parking pad; the proposed improvements complied with city code. The permit application was reviewed and approved but never issued because the city never received payment for the permit.



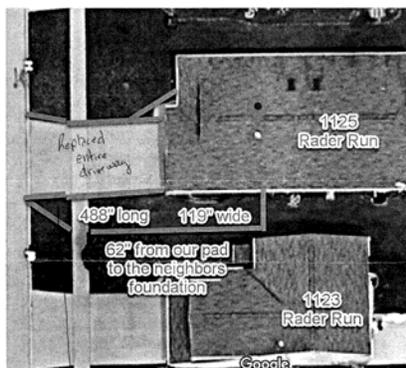
Above: Site Plan provided with Application #51502. Site plan illustrates compliance with city code.  
Source: City

**PROJECT DESCRIPTION**



**Petitioner's request:**

The driveway constructed deviates from the previously reviewed site plan. Staff received a complaint regarding the enlarged driveway. The constructed driveway widens the driveway apron (the portion of the driveway in the parkway) and the portion of the driveway that connects to the sidewalk beyond the 24ft maximum allowed by the code. The applicant is requesting a variance to allow the driveway to stay as built.



The petitioner is requesting a variance from the zoning code to allow the part of the driveway behind the sidewalk to exceed 24' in width. The built driveway is approximately 27' wide.

Top: 1125 Rader Road taken after driveway construction.  
Source: City  
Bottom: Revised Site Plan  
Source: Applicant

## FINDINGS OF FACT

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

1. **that the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult, and** the subject property is rectangular and reasonably flat. It is consistent with adjacent lots and poses no identifiable physical characteristics that create unreasonable challenges for adhering to city code. **The standard is not met.**
2. **that the variances would be the minimum action necessary to afford relief to the applicant; and** the driveway could be constructed in compliance with the city code and without necessitating a variance. The code allows a flared driveway that is 24' wide at the back of the sidewalk. **The standard is not met.**
3. **That the special conditions and circumstances were not created by any action of the applicant; and** there are no physical characteristics or unique circumstances associated with this property. The need for the variance is related to the work completed by the contractor. **The standard is not met.**
4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** Properties north on Pamala Drive have flared driveways that provide an additional off-street parking space. These driveways are flared correctly and comply with city code. 3416 Cornelius appears to have a flared driveway wider than 24' behind the sidewalk, however staff cannot find documentation of a variance for this expansion. **The standard is not met.**
5. **That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** Although the neighborhood is not a planned unit development, the smaller lots and zero-lot line setbacks accommodate a specific housing type that establishes a neighborhood character. No other properties in the immediate surrounding neighborhood have driveways exceeding 24' maximum requirement. The proposed variance could establish precedence in the neighborhood which would change the neighborhood character. **The standard is not met.**

## ***STAFF RECOMMENDATION:***

Staff finds that the application does not meet the standards for a variance. Staff is recommending denial of the requested variance.

Respectfully submitted,  
Katie Simpson

**1125 Rader Run. Driveway Variance**

**Attachments:**

- Variance Application and supplemental documents from applicant
- Site Plan
- Application #51502
- Zoning Map
- Aerial Map
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

APPLICATION TO ZONING BOARD OF APPEALS

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

Site Address: 1125 Rader Run

Site Address: Bloomington, IL 61704

Petitioner: William Shelton Phone: [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: [REDACTED]

City, State, Zip Code: [REDACTED]

Contractual interest in the property 0 yes          no

Signature of Applicant [REDACTED]

Brief Project Description:

*Residential Driveway replacement and expansion*

Code Requirements Involved:

*Ch. 38, Sec 123 / Ch 10, Section 108.2  
ord. no 2008-45(b)*

*Ch. 45, Section 106*

Variances(s) Requested:

*The width of the driveway from the curb to the side walk be allowed,  
resubmit permit*

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

*The work was completed by registered contractor / Complaint was filed prior to work being completed / A city employee came, took pictures of the frame work and approved on site.  
City employee was in marked city vehicle*

**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

*None*

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

*yes      The work was already completed  
prior to newest complaint*

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

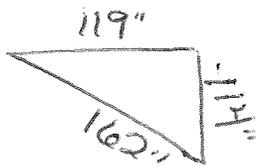
*Contractors work did not match submitted  
permit*

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

*Houses in adjacent subdivision have driveway flare  
similar to ours*

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.

*Correct. All other property measurements are within  
city standards/ordinances*



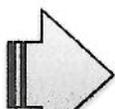
### Miscellaneous Permit Application

Site Address: <u>1125 Rader Run</u>		Office Use Only:	
Unit #:		Application Number	
Scope of Work: <u>Concrete driveway / Parking Pad</u>		Permit Issued:	
		Permit Number:	
		Permit Ready to Issue:	
		Permit Fee:	
		Contacted: Phone Email	
		Application Date: <u>6/15/20</u>	
TOTAL COST OF WORK: <u>\$ 7800<sup>00</sup></u>		Anticipated Start: <u>6/9/20</u>	
Is this part of a larger project? YES <input type="radio"/> NO <input checked="" type="radio"/>		Anticipated End Date: <u>6/11/20</u>	
If Yes, What is the project? _____			
Applicant (check one)	INFORMATION REQUIRED IF APPLICABLE		
Owner of Property	Name: <u>Dawn Shelton</u>	Email: [REDACTED]	
	Address: [REDACTED]	Phone: [REDACTED]	
General Contractor	Name: <u>Concrete Concepts</u>	Email: <u>dennyfirkins@yahoo.com</u>	
	Address: <u>24419 Payton Place Hodson</u>	Phone: <u>309-275-9132</u>	

#### REQUIRED ITEMS TO BE SUBMITTED BY APPLICANT IF APPLICABLE

	Site Plan showing the location of home, parking and other structures Must have Dimensions and be drawn to scale.
<u>n/a</u>	Building Plans (Foundation, Framing, Elevations)
Yes <input type="radio"/> No <input checked="" type="radio"/>	Located on a Corner Lot
Yes <input type="radio"/> No <input checked="" type="radio"/>	Located in a Mobile Home Park If Yes, Park Approval and Signature is required
Yes <input type="radio"/> No <input checked="" type="radio"/>	Located in a Historical S-4 Area If Yes, Certificate of Appropriateness Needed

Contractor/Applicant Signature: [REDACTED]



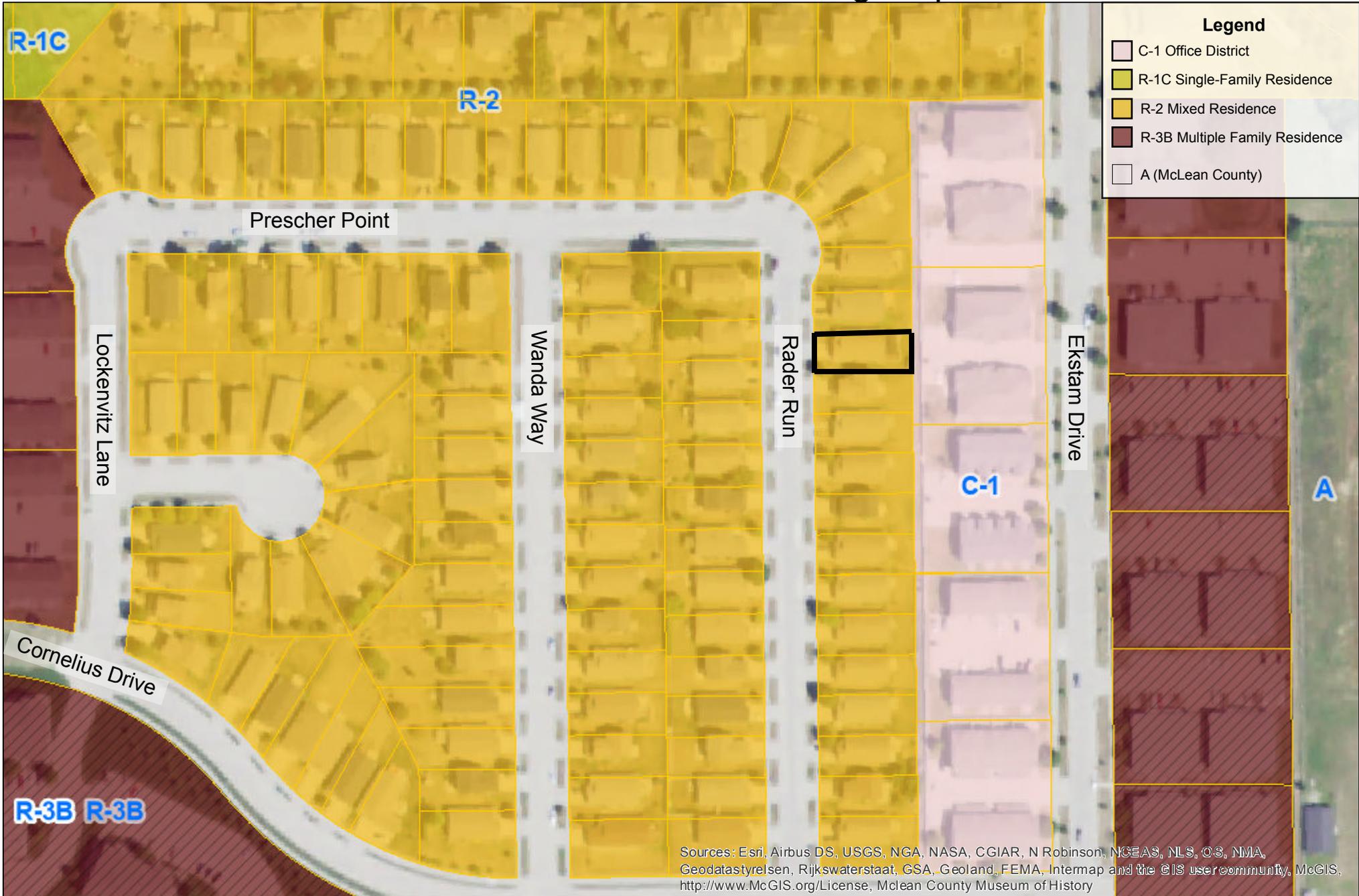
- PLEASE ATTACH PLANS / SKETCHES TO THIS APPLICATION.
- **NOTE: PERMITS MUST BE OBTAINED BEFORE WORK BEGINS.**
- SUBMISSION OF THIS FORM DOES NOT GUARANTEE OR GRANT APPROVAL TO START WORK.
- ACCEPTANCE OF PAYMENT DOES NOT CONSTITUTE A PERMIT



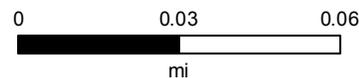
1125 Rader Run

Rader Run

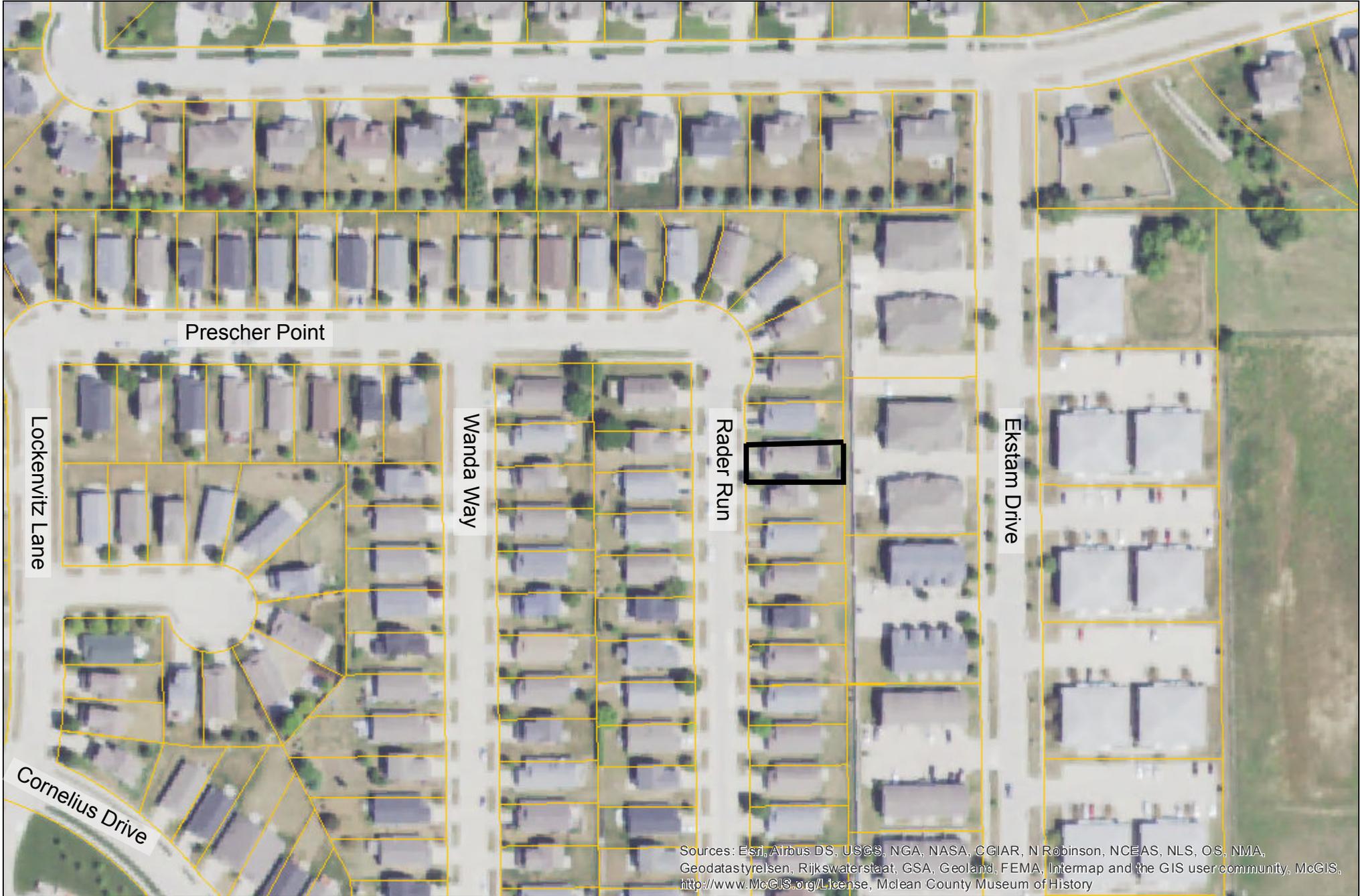
# 1125 Rader Run Zoning Map



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.



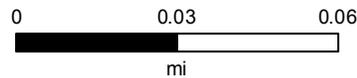
# 1125 Rader Run Aerial Map



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



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



Legal Inside

95360  
HEARING NOTICE

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

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

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

Published: Monday, November 30, 2020



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

December 1, 2020

Dear Property Owner or Occupant:

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

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

The applicant is requesting approval of a variance to allow expansion of the driveway apron and approach to exceed 24' (Chapter 44.404C2b2) at 1125 Rader Run Bloomington, IL 61704. The Subject Property is legally described as: RESUB OF MCGRAW PARK SUB LOT 29. PIN: 15-31-401-020.

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

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

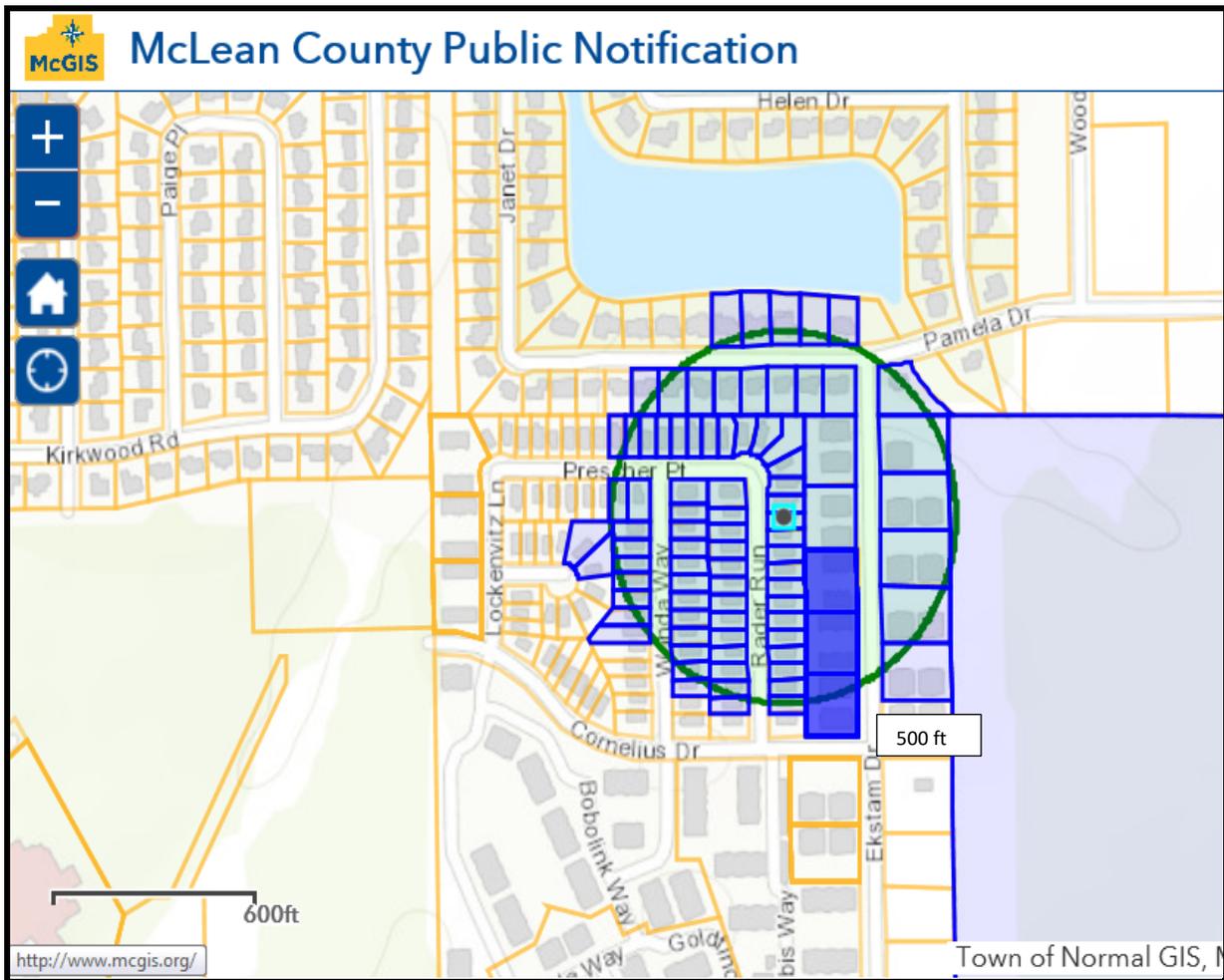
If you desire more information regarding the proposed petition or have any questions, you may email [planning@cityblm.org](mailto:planning@cityblm.org) or call (309)434-2226.

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

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property



SAZZAD MOHAMMED  
1119 RADER RUN  
BLOOMINGTON, IL 61704

FRANKLIN & NICOLE WEST  
3419 PRESCHER POINTE  
BLOOMINGTON, IL 61704

SHAY BROWN  
1127 WANDA WAY  
BLOOMINGTON, IL 61704

GERALD & MARCIA KNAPP  
10 E RIDGE DR  
LEXINGTON, IL 61753

FLORENCE SMILEY  
3418 PRESCHER POINT  
BLOOMINGTON, IL 61704

SUDHEER KUMAR VEMPATI  
1103 RADER RUN  
BLOOMINGTON, IL 61704

LACEY & JAY LOWERS  
1104 RADER RUN  
BLOOMINGTON, IL 61704

SATISH GURRALA  
1117 RADER RUN  
BLOOMINGTON, IL 61704

SRIM LLC  
104 WEXFORD CT  
NORMAL, IL 61761

ANH NGUYEN  
1127 RADER RUN  
BLOOMINGTON, IL 61704

DEV MANDHYAN  
2807 ALANA WAY  
BLOOMINGTON, IL 61704

LINDA BROWN  
3506 PRESCHER PT  
BLOOMINGTON, IL 61704

SATISH IYER  
1123 RADER RUN  
BLOOMINGTON, IL 61704

GREGORY REIMER & DAVID OAKLEY G  
& D INVESTMENTS  
1400 W LAMBERT RD STE E  
BREA, CA 92821

PAUL SCHLENKER  
1126 RADER RUN  
BLOOMINGTON, IL 61704

WILLIAM & DAWN SHELTON  
1125 RADER RUN  
BLOOMINGTON, IL 61704

BRITTNEY LOWE  
1125 WANDA WAY  
BLOOMINGTON, IL 61704

TIMOTHY & CHRISTIE TRUNNELL  
3417 PRESCHER PT  
BLOOMINGTON, IL 61704

KATHRYN RHODES  
1111 RADER RUN  
BLOOMINGTON, IL 61704

ERIC BAXTER  
3510 PRESCHER POINT  
BLOOMINGTON, IL 61704

RONNIE & HEATHER JIA  
2207 BIASI BLVD  
BLOOMINGTON, IL 61704

JOHNIE & CAROL EASTER  
1109 RADER RUN  
BLOOMINGTON, IL 61704

ASHISH & GARGI SONI  
1105 RADER RUN  
BLOOMINGTON, IL 61704

LOUISE JOHNSON  
1113 RADER RUN  
BLOOMINGTON, IL 61704

SRIM LLC  
104 WEXFORD CT  
NORMAL, IL 61761

CALEB CARLSON  
1111 WANDA WAY  
BLOOMINGTON, IL 61704

KRISHNA KIRAN & KRISHNA BHARGAVI  
VELAGALETI  
1117 WANDA WAY  
BLOOMINGTON, IL 61704

PAVEL SELIMOV  
1119 WANDA WAY  
BLOOMINGTON, IL 61704

DAVID MARQUARDT  
542 CLARK ST  
HINCKLEY, IL 60520

ANBALAGAN & KALAISELVI  
RANGASAMY MANI  
1105 WANDA WAY  
BLOOMINGTON, IL 61704

RAJA REDDY & RAVI NANGUNOORI  
LAVANUR  
1120 RADER RUN  
BLOOMINGTON, IL 61704

BEVERLY OLSON  
1116 WANDA WAY  
BLOOMINGTON, IL 61704

JACOB & CHELSEY NEWMAN  
1116 RADER RUN  
BLOOMINGTON, IL 61704

James Maginel  
1129 Rader Run  
BLOOMINGTON, IL 61704

GLORIA JOHNSON  
1120 WANDA WAY  
BLOOMINGTON, IL 61704

OSCAR WITHERSPOON  
1112 RADER RUN  
BLOOMINGTON, IL 61704

DOUG & SARAH WEST  
1107 RADER RUN  
BLOOMINGTON, IL 61704

DANIEL DONATH  
3713 GINA DR  
BLOOMINGTON, IL 61704

TYLER TARMANN  
3502 PRESCHER PT  
BLOOMINGTON, IL 61704

MADHU & SUBARTHA RAMAKRISHNAN  
NAIR  
3621 PAMELA DR  
BLOOMINGTON, IL 61704

TRACY FLYNN  
1112 WANDA WAY  
BLOOMINGTON, IL 61704

ANIL KUMAR SAGGU RENUKA  
GEETA KUMARI BISHWANATH 1114  
RADER RUN  
BLOOMINGTON, IL 61704

KELLY TALTY  
1118 RADER RUN  
BLOOMINGTON, IL 61704

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

THOMAS & ELIZABETH BANASIK  
1124 WANDA WAY  
BLOOMINGTON, IL 61704

ROBERT & KELLEY MURPHY  
1115 RADER RUN  
BLOOMINGTON, IL 61704

SRIM LLC  
104 WEXFORD CT  
NORMAL, IL 61761

LESA STEARNS  
1115 WANDA WAY  
BLOOMINGTON, IL 61704

BRIAN BISSEY  
3420 PRESCHER PT  
BLOOMINGTON, IL 61704

SRINIVAS RAO & SUNANDA  
RAMASETTI  
3619 PAMELA DR  
BLOOMINGTON, IL 61704

SWAPNA & RAVI NANGUNOORI  
SRIRANGAM  
1114 WANDA WAY  
BLOOMINGTON, IL 61704

LYNETTE BANKS  
1106 RADER RUN  
BLOOMINGTON, IL 61704

COLIN & AMANDA FERGUSON  
1110 RADER RUN  
BLOOMINGTON, IL 61704

VENKATA KOPPULA  
1109 WANDA WAY  
BLOOMINGTON, IL 61704

LISA PATTON  
1123 WANDA WAY  
BLOOMINGTON, IL 61704

GREGORY & TAMMY FINLEY  
2 LONDON CT  
BLOOMINGTON, IL 61704

TREVIS & SHERILYN PHILLIPS  
3617 PAMELA DR  
BLOOMINGTON, IL 61704

RICHARD & JENNIFER WILCOX  
3624 PAMELA DR  
BLOOMINGTON, IL 61704

SANDEEP BOSE  
3623 PAMELA DR  
BLOOMINGTON, IL 61704

ROOPALI & CHANDRAJEET BENADIKAR  
3625 PAMELA DR  
BLOOMINGTON, IL 61704

JOHN HUMMEL  
3615 PAMELA DR  
BLOOMINGTON, IL 61704

JASON HAWORTH  
1133 Rader Run  
Bloomington, IL 61704

JOHN WILLIAMS  
1122 RADER RUN  
BLOOMINGTON, IL 61704

RODRIGO GUZMAN  
3504 PRESCHER PT  
BLOOMINGTON, IL 61704

VANKATA SRI SATYA KARTHIK GOTETI  
1121 WANDA WAY  
BLOOMINGTON, IL 61704

JACOB & PAULA MCDANIEL HIESER  
12 ZAVITZ CT  
BLOOMINGTON, IL 61704

DEAKON & SARAH PROVOST  
3616 PAMELA DR  
BLOOMINGTON, IL 61704

BLOOMINGTON-NORMAL AIRPORT  
AUTHORITY  
3201 CIRA DR STE 200  
BLOOMINGTON, IL 61704

BRANTLEY & RENARDA DUMAS  
1102 EKSTAM DRIVE # 1  
BLOOMINGTON, IL 61704

HEMACHANDRAN SUNDARAMURTHY  
1104 EKSTAM DR APT 1  
BLOOMINGTON, IL 61704

JOHN & G JANE BOWMAN  
3611 Pamela Dr  
Bloomington, IL 61704

DYLAN GROVE  
1108 RADER RUN  
BLOOMINGTON, IL 61704

RITA FENELON  
1122 WANDA WAY  
BLOOMINGTON, IL 61704

ERLINDA & ANGELICA SEBASTIAN  
MORENO  
3512 PRESCHER POINTE  
BLOOMINGTON, IL 61704

SWETHA & VINNU ARIGE GORLA  
1124 RADER RUN  
BLOOMINGTON, IL 61704

RAVICHANDRAN & ALAGESHWARI  
NATARAJAN  
2628 FLAGSTONE CIR  
NAPERVILLE, IL 605649479

JOSEPH HARRISON  
20926 E 1300 NORTH RD  
BLOOMINGTON, IL 61705

SRI SAI SYSTEMS LLC  
1230 DUCK HORN DR  
NORMAL, IL 61761

MESSIAH DHAS CHRISTU DAS  
1102 EKSTAM DR APT 2  
BLOOMINGTON, IL 61704

HENRY WALKER  
1104-2 EKSTAM DR  
BLOOMINGTON, IL 61704

MATHEW & KERRY LUDWIG  
3514 PRESCHER PT  
BLOOMINGTON, IL 61704

MARIECHEN HOELYFIELD  
1118 WANDA WAY  
BLOOMINGTON, IL 61704

ADAM & JAMIE MULLINS  
1107 WANDA WAY  
BLOOMINGTON, IL 61704

MICHAEL OGOREK  
3613 PAMELA DR  
BLOOMINGTON, IL 61704

CARL & JOSELYN WATSON  
10 ZAVITZ CT  
BLOOMINGTON, IL 61704

JAMES WOLFINGER  
3618 PAMELA DR  
BLOOMINGTON, IL 61704

BRIAN & BETH EBLE  
3620 Pamela Dr  
Bloomington, IL 61704

JILL KNAPPENBERGER  
407 W UNIVERSITY AVENUE  
CHAMPAIGN, IL 61820

RAMESH RAMAMURTHY  
1102 EKSTAM DR APT 3  
BLOOMINGTON, IL 61704

CURT CAPPER  
1104 EKSTAM DR APT 3  
BLOOMINGTON, IL 61704

ROBERT BANKS  
1104 Ekstam Dr Apt 4  
Bloomington, IL 61704

KATE HARTMAN  
1102 EKSTAM DR APT 4  
BLOOMINGTON, IL 61704

SHAIENDRA SINGH  
3612 BALDOCCHI DR  
BLOOMINGTON, IL 61704

RAVI & MANJUSHRI KISHORE  
3132 OLD JAMESTOWN RD  
BLOOMINGTON, IL 61704

SHAIENDRA SINGH  
3612 BALDOCCHI DR  
BLOOMINGTON, IL 61704

RIZWAN MALIK  
1112 EKSTAM DR APT 3  
BLOOMINGTON, IL 61704

SAMARTH BHASKAR  
206 ADELPHI ST #1  
BROOKLYN, NY 11205

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

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
Z-27-20	Fence variance	Variance	Caitlin Kelly, Assistant City Planner

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

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



Figure 1: An aerial view of the subject property, 2821 Chesapeake Lane (outlined in black)

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the Pantagraph on Monday, November 30, 2020. Courtesy notices were mailed to 68 property owners within 500 feet of the subject property.

**GENERAL INFORMATION**

Owner and Applicant: Michael Hudelson

Legal Description: EAGLE CREST NORTH SUB LOT 33

**PROPERTY INFORMATION**

Existing Zoning: R-1C Single-Family Residence District  
Existing Land Use: Single-Family Housing  
Property Size: 0.25 acres / 10,890 sq ft  
PIN: 15-30-129-001

**SURROUNDING ZONING AND LAND USES**

Zoning	Land Uses
North: A (McLean County)	North: Agricultural
South: R-1C Single-Family Residence District	South: Single-Family Residential
East: R-1C Single-Family Residence District	East: Single-Family Residential
West: R-1C Single-Family Residence District	West: Single-Family Residential

**ANALYSIS**

Submittals

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

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



**Figure 2: The existing fence at the subject property**

**BACKGROUND**

The subject property is a corner lot located just to the south of Fort Jesse Road, to the northeast of the City’s municipal limits and diagonal to the neighborhood’s northern entrance. The lot measures approximately 10,890 sq ft in area. It and most surrounding properties are zoned for primarily single-family residential use; the most immediate exception is agricultural land under the jurisdiction of McLean County, on the north side of Fort Jesse Road. The corner lot has two front yards, each requiring

a minimum setback of 25'. The side yard of a lot can be considered to begin beyond that setback, often in line with structures on the lot, Fences up to 6' in height are permitted in side yards.

The applicant was the subject of a zoning enforcement case after installing a 6' front yard fence along Summerview Lane without an approved permit or variance. They are now requesting a variance that would allow the non-conforming fence to remain in place. Were the fence to be set back in line with structures on the lot, it would be considered a side yard fence and thus could be built up to 6' tall by right (see Figure 3). This would, however, require a large tree lying in the path of the side yard line to be removed. The property owner could construct a 4' fence by right in the front yard. Additionally, the applicant can install additional landscaping on the property.

No other property in the neighborhood appears to have a front yard fence measuring more than four feet in height. A nearby lot, 2802 Longmeadow Lane, presents the most direct comparison; a corner lot situated toward the neighborhood's south entrance, this property features a 6' tall side yard fence facing Pepper Tree Lane (Figure 4). The fence presented in Figure 4 is compliant with city code and does not require a variance.

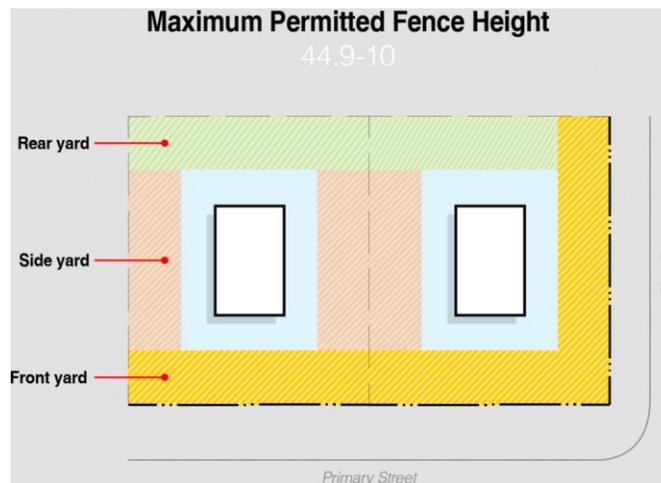


Figure 3: A diagram featured in the Zoning Ordinance illustrating yard lines



Figure 4: The side yard fence of 2802 Longmeadow Lane

**FINDINGS OF FACT**

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

1. **that the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult;** A 6' tall fence would be permitted by right as a side yard fence were it to be set back 25' from the lot line. A large tree would need to be removed in order to facilitate the installation of a side yard fence, but other measures could be taken (such as supplementary landscaping) in order to create additional screening. Further, the ordinance permits a 4' fence in the required front yard. **The standard is not met.**
2. **that the variances would be the minimum action necessary to afford relief to the applicant;** Alternate courses of action would require the tree intersecting the side yard line to be removed, additional landscaping to be installed, and the presently installed fence to be shortened or removed altogether. **The standard is met.**
3. **That the special conditions and circumstances were not created by any action of the applicant;** The variance request is in part related to concerns regarding the applicant's dog, but the tree preventing simple installation of a side yard fence was reportedly planted by a prior occupant. The request is also intended to legitimize the installation of the existing non-conforming fence. **The standard is not met.**
4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code;** Similar variance requests have received mixed responses from the Zoning Board of Appeals. In recent years, these responses have tended toward denials, given concerns about establishing a precedent for the neighborhood and for corner lots more generally. One other corner lot in this neighborhood has a 6' tall fence, but it has been set back at least 25' feet, qualifying it as a side yard fence. Other corner lots along Summerview Lane have employed measures that may generate additional degrees of privacy for their occupants, including larger setbacks or denser landscaping. As has been stated in previous cases, granting the fence height variance without identifiable hardship could establish a precedent. **The standard is not met.**
5. **That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** The fence as built creates an anomalous visual barrier within the neighborhood. Were the variance to be granted, it would establish a precedent, potentially leading to more fences of this sort to be constructed, altering the character of the neighborhood and presenting challenges to visibility. **The standard is not met.**

**STAFF RECOMMENDATION**

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

Respectfully submitted,  
Caitlin Kelly  
Assistant City Planner

Attachments:

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

**APPLICATION TO ZONING BOARD OF APPEALS**

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

Site Address: 2821 Chesapeake Ln

Site Address: Bloomington, IL 61704

Petitioner: Michael Hudelson 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:

Remove existing 4 foot fence (this fence is old and needs replaced)  
Install 6 foot fence

Code Requirements Involved:

44.9 - 10

Variances(s) Requested:

6 foot fence in 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.

We live on a street close to the north entrance to the neighborhood. We have more vehicular traffic and a lot of pedestrian traffic by our house. We would like a 6 foot fence for privacy and security. We also own a dog who can jump to the top of a 4 foot fence and would like additional height for safety.

**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

A 6 foot fence that was in line with the front of the garage would run through a large tree. There are two additional trees behind it with large roots as well

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

Removal of the tree to install a 6 foot fence would be expensive and detrimental to the property

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

The trees were planted by a previous owner

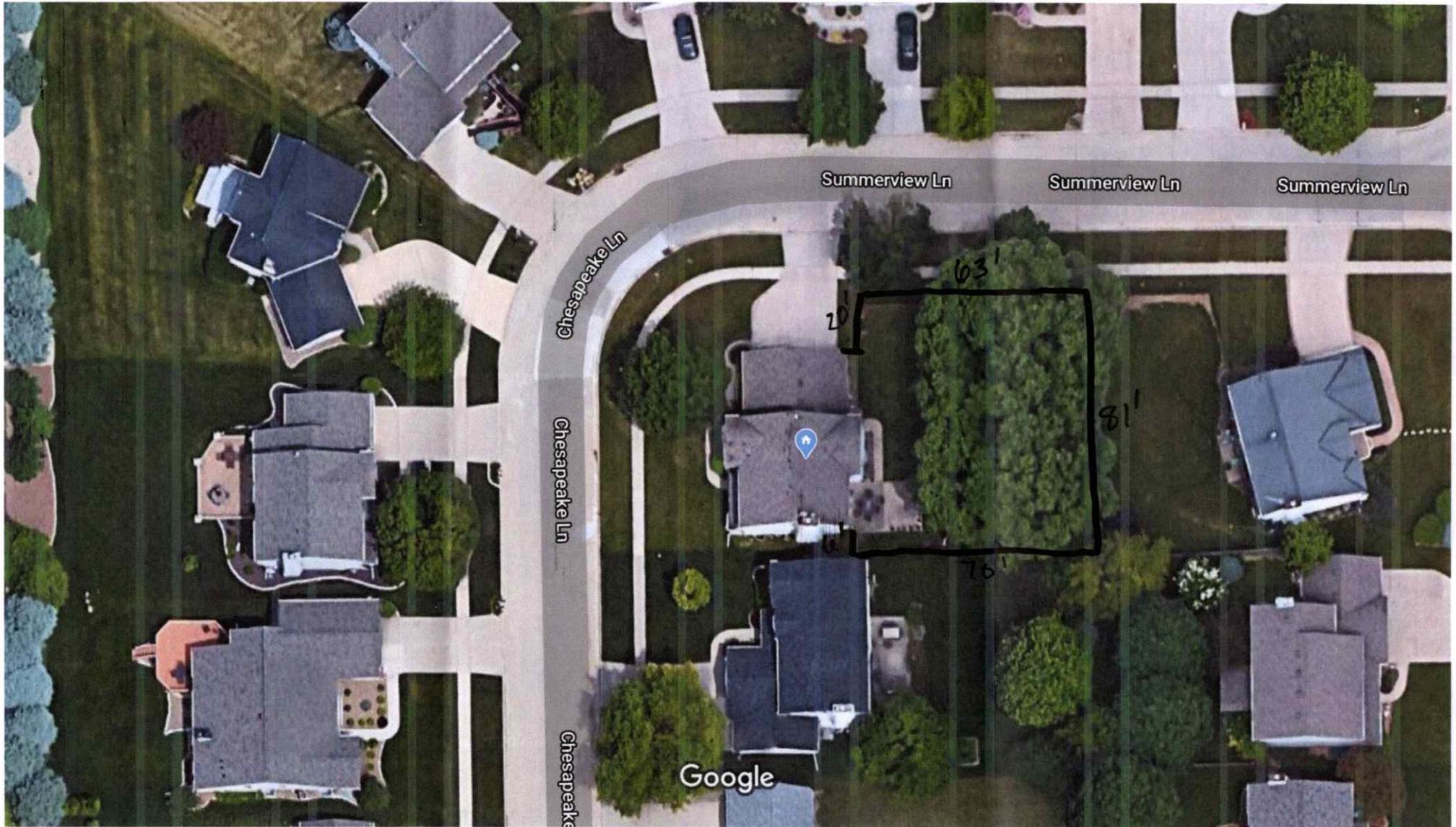
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and

The code allows for 6 foot fences except in front yards. Since it is impractical to put a 6 foot fence on the line parallel to the garage, the variance would not give a special privilege

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

There are other houses in the neighborhood with 6 foot fences in corner lot front yards. Public welfare would not be impacted by the fence. Use of adjoining properties would not be impacted

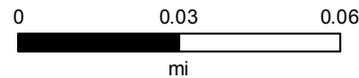
2821 Chesapeake Ln



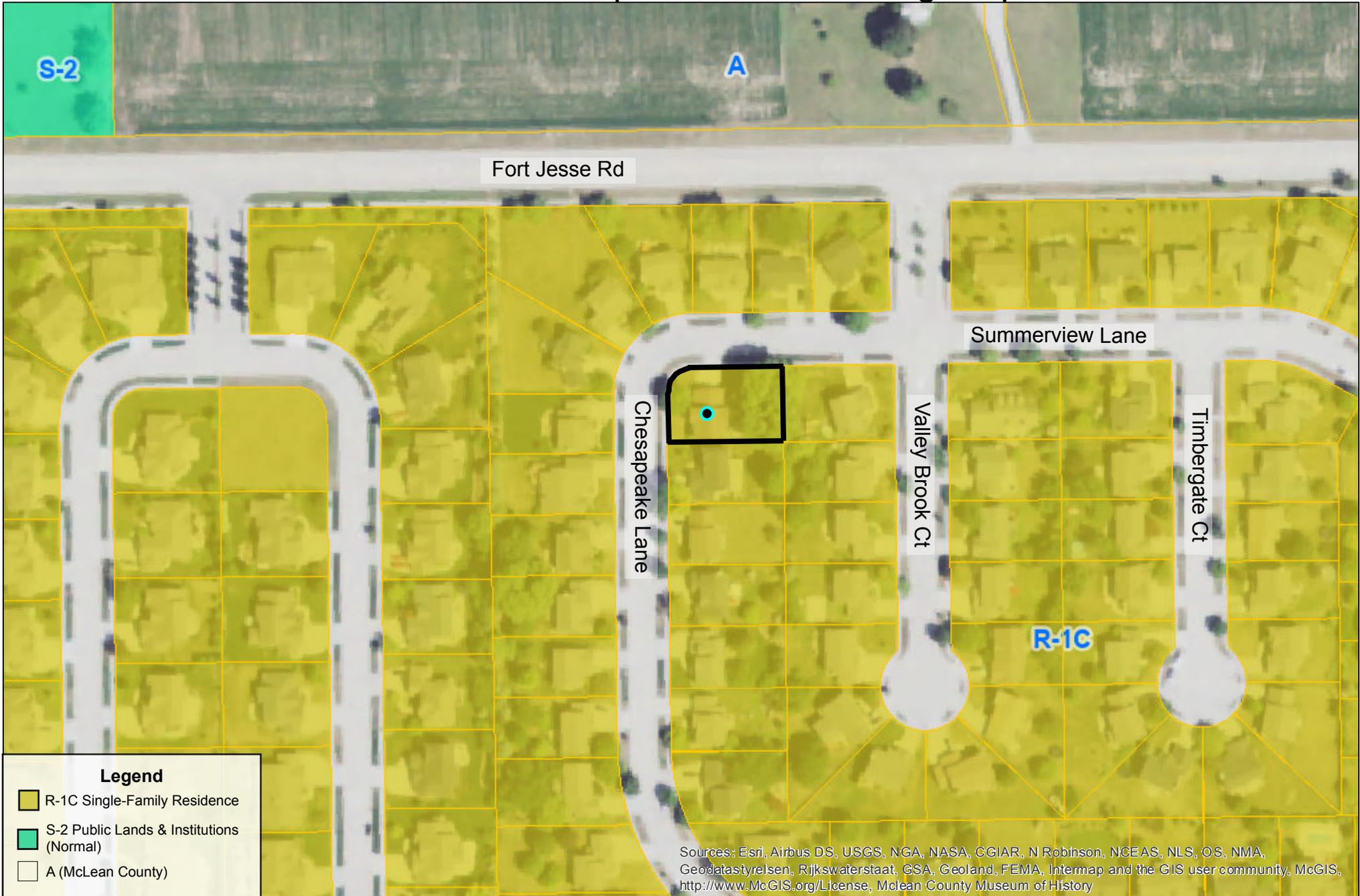
# 2821 Chesapeake Lane Aerial Map



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.



# 2821 Chesapeake Lane Zoning Map



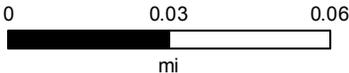
**Legend**

- R-1C Single-Family Residence
- S-2 Public Lands & Institutions (Normal)
- A (McLean County)

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



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



Legal Inside

95360  
HEARING NOTICE

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

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

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

Published: Monday, November 30, 2020



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

December 1, 2020

Dear Property Owner or Occupant:

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

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

The applicant is requesting approval of a variance to allow a 6' fence in front yard (Chapter 44.910C) at 2821 Chesapeake Lane Bloomington, IL 61704. The Subject Property is legally described as: EAGLE CREST NORTH SUB LOT 33. PIN: 15-30-129-001.

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

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

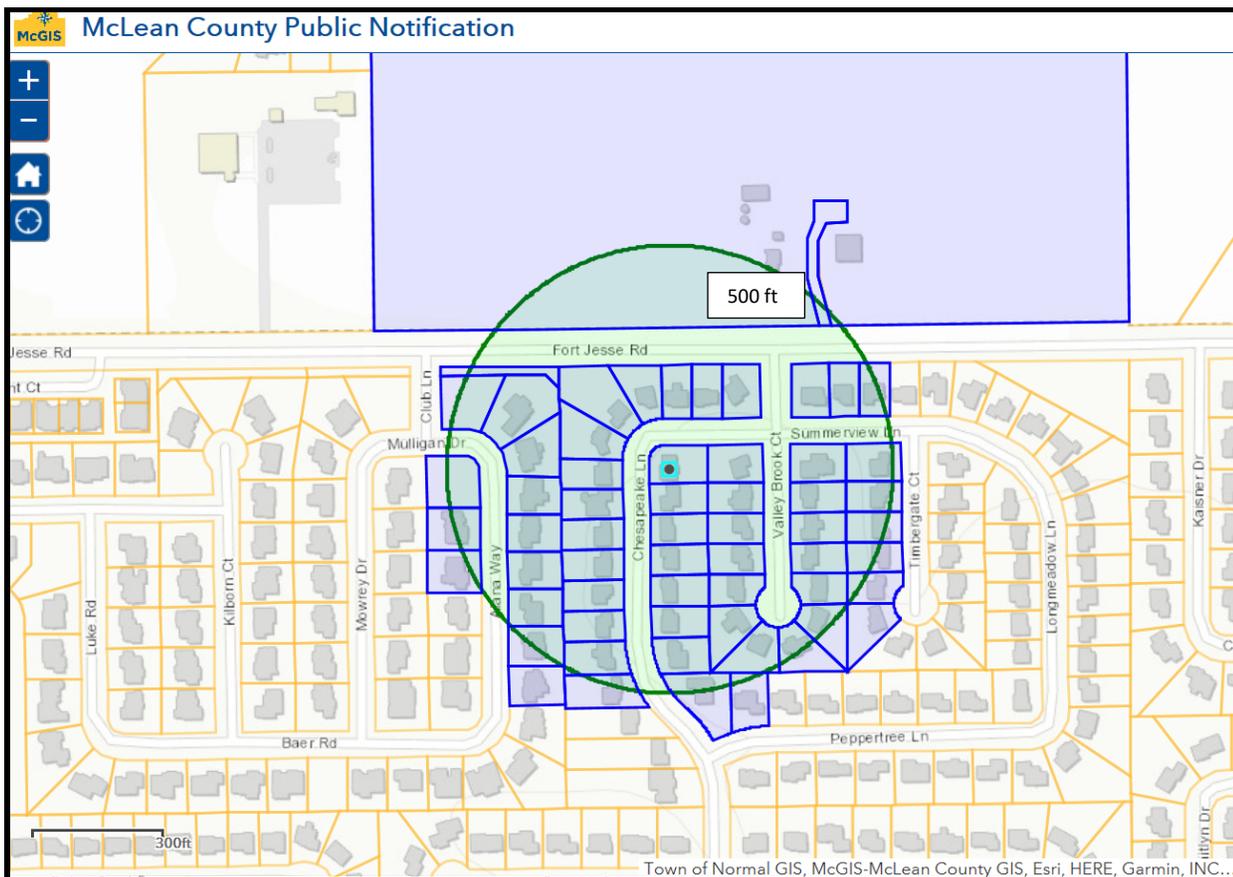
If you desire more information regarding the proposed petition or have any questions, you may email [planning@cityblm.org](mailto:planning@cityblm.org) or call (309)434-2226.

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

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property



Andrew & Jennifer McCoskey  
10 Timbergate Ct  
BLOOMINGTON, IL 61704

KATHERINE DIAZ  
2817 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

TYLER & CASEY ZIMMERMAN  
14 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

FRED & KATHRYN KNAPP  
2813 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

WILLIAM DOWELL  
4 TIMBERGATE CT  
BLOOMINGTON, IL 61704

ADAM & JENNI BRENDEL  
3304 SUMMerview LN  
BLOOMINGTON, IL 61704

STEVEN & ERIN KENNEDY  
3314 Summerview Ln  
BLOOMINGTON, IL 61704

DOLORES BIGGS  
3311 SUMMerview LN  
BLOOMINGTON, IL 61704

SANDRA WILLIAMSON  
12 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

CHRIS & VALERIE KOSTOGIANNES  
6 TIMBERGATE CT  
BLOOMINGTON, IL 61704

CHUONG TRAN  
8226 WHISPER POINT DR  
HOUSTON, TX 77040

JASON ZOGG  
1 VALLEYBROOK CT  
BLOOMINGTON, IL 61704

Michael & Nicole Hudelson  
2821 Chesapeake Ln  
BLOOMINGTON, IL 61704

SILAS REX & GAIL TRIMPE-MORROW  
MORROW  
2819 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

KIP DORONILA  
3508 SUMMerview  
BLOOMINGTON, IL 61704

DEREK & BRITNEY VADAS ROETZER  
3302 SUMMerview LN  
BLOOMINGTON, IL 61704

PAUL & BETH FRILING  
104 STAR RIM DR  
EAST PEORIA, IL 61611

Mike Bender  
6 Valley Brook Ct  
BLOOMINGTON, IL 61704

JONATHAN ERIC & JENNIFER  
ARMSTRONG  
2809 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

MANI RAJAGOPAL  
5 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

DENISE CRAIG-DEROECK  
10 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

JAMES BROWNLEE  
2 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

STEFAN G & ELIZABETH E HARRIS  
11 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

KEVIN BUTLER  
3 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

ROBERT KOSACK  
3306 SOMMerview LN  
BLOOMINGTON, IL 61704

RANDAL MARCOOT  
3304 PEPPERTREE  
BLOOMINGTON, IL 61704

JAIRON WILLS  
14 TIMBERGATE CT  
BLOOMINGTON, IL 61704

MICHAEL SCHWARTZ  
8 TIMBERGATE COURT  
BLOOMINGTON, IL 61704

CAN & LAN TRAN HA  
2816 CHESAPEAKE LAND  
BLOOMINGTON, IL 61704

AL & KATRINA SHARIF  
6242 FLAGFISH CT  
LAKEWOOD RANCH, FL 34202

DANIEL & CHRISTINE ROSSITER  
2815 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

LAKSHMI VALIVARTHI  
4 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

PEGGY ARBUCKLE  
2811 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

STEVEN COAN  
3316 SUMMerview LN  
BLOOMINGTON, IL 61704

LARRY & DEBRA QUANSTROM  
12 TIMBERGATE CT  
BLOOMINGTON, IL 61704

EILEEN CLIFTON  
7 VALLEY BROOK CT  
BLOOMINGTON, IL 61704

TERRY LUCE  
2824 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

DAVID & KRISTIN MCCLURE  
2806 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

HENRY MICHAEL TODD  
2808 CHESAPEAKE LANE  
BLOOMINGTON, IL 61704

RYAN E CLARK  
2810 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

ROYAL LINKS HOMEOWNERS ASSOC  
3116 FIONA WAY  
BLOOMINGTON, IL 61704

SHEILA MELZER  
2814 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

GARY BECK  
2813 ALANA WAY  
BLOOMINGTON, IL 61704

SCOTT & KELCEY BRADLEY  
2811 ALANA WAY  
BLOOMINGTON, IL 61704

JOE MCLEAN  
2820 CHESAPEAKE  
BLOOMINGTON, IL 61704

RASHEED MERRITT  
2803 ALANA WAY  
BLOOMINGTON, IL 61704

BRIAN SHUNG  
2808 ALANA WAY  
BLOOMINGTON, IL 61704

NOLAN & CATHY BROUSSARD  
2810 ALANA WAY  
BLOOMINGTON, IL 61704

JAMES & JULIE BERGMANN  
2805 ALANA WAY  
BLOOMINGTON, IL 61704

DEV MANDHYAN  
2807 ALANA WAY  
BLOOMINGTON, IL 61704

PETER & CHRISTINE STEWART LAUBE  
2801 CHESAPEAKE LANE  
BLOOMINGTON, IL 61704

RYAN & MEGHAN QUINN  
2809 ALANA WAY  
BLOOMINGTON, IL 61704

REBECCA SHORT  
2822 CHESAPEAKE LANE  
BLOOMINGTON, IL 61704

KRISTIN FRITZ  
2812 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

RONALD SCHWEINBERG  
2818 CHESAPEAKE LN  
BLOOMINGTON, IL 61704

MICHAEL & TARA MCCULLOUGH  
3208 MULLIGAN DR  
BLOOMINGTON, IL 61704

WILLARD STOVER & MIRANDA HELENA  
H NOYES  
3210 MULLIGAN DR  
BLOOMINGTON, IL 61704

TIMOTHY SPADER  
2815 ALANA WAY  
BLOOMINGTON, IL 61704

TRUNK BAY CONSTRUCTION  
304 N HERSHEY RD  
BLOOMINGTON, IL 61704

SBA TOWERS VIII LLC  
ATTN TAX DEPT 8051 CONGRESS AVE  
BOCA RATON, FL 33487

WEBER FARMS  
4203 E RAAB RD  
NORMAL, IL 61761

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

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

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

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



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

**NOTICE**

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

**GENERAL INFORMATION**

Owner and Applicant: Brooke Hermanowicz

LEGAL DESCRIPTION: PARRITT'S 2<sup>ND</sup> ADDN LOT 23

**PROPERTY INFORMATION**

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

Existing Land Use: Single-Family Housing

Property Size: 0.14 acres / 6,098 sq ft

PIN: 21-03-382-012

**SURROUNDING ZONING AND LAND USES**

Zoning

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

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

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

*West:* R-1C Single-Family Residence District

Land Uses

*North:* Single-family residential, apartment complexes

*South:* Single-family residential, elementary school

*East:* Single-family residential, children's home

*West:* Single-family residential

**ANALYSIS**

Submittals

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

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

**BACKGROUND**

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

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

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

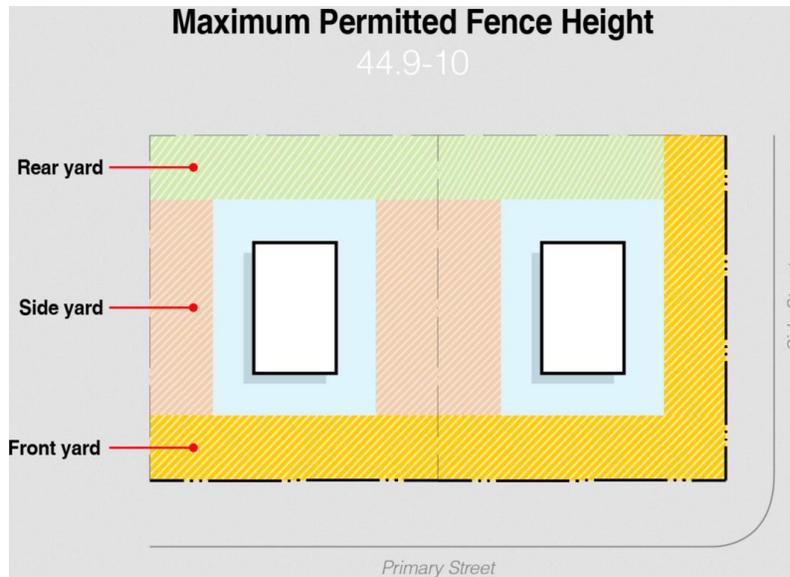


Figure 2: A diagram featured in the Zoning Ordinance illustrating yard lines



Figure 3: A side view of the subject property

**FINDINGS OF FACT**

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

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

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

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



Figure 4

**STAFF RECOMMENDATION**

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

Respectfully submitted,  
Caitlin Kelly  
Assistant City Planner

Attachments:

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

**APPLICATION TO ZONING BOARD OF APPEALS**

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

Site Address: 220 Willard Ave

Site Address: \_\_\_\_\_

Petitioner: Brooke Hermanowicz Phone: [REDACTED]

Petitioner's Email Address: [REDACTED]

Petitioner's Mailing Address Street: [REDACTED]

City, State, Zip Code: [REDACTED]

Contractual interest in the property  yes  no

Signature of Applicant [REDACTED]

Brief Project Description:

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

Code Requirements Involved:

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

Variances(s) Requested:

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

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

Please see following letter.

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

Chapter 44, Section 9.40(d)

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

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and  
Our physical location's proximity to abundant foot traffic poses unreasonable challenges for our home privacy and security. The sidewalk is within close distance to our fence, which also demonstrates an unreasonable challenge in the security and safety of pedestrians/dog walkers due to our
2. That the variance would be the minimum action necessary to afford relief to the applicant; and would help in alleviating additional, expensive costs especially since there has already been cost and time involved in replacing the prior fence. With it being an added measure of security, it also helps to afford relief in having to acquire additional home safety or monitoring devices  
dog's ability to jump a shorter fence.
3. That the special conditions and circumstances were not created by any action of the applicant; and the prior fences bad condition. Although one of the appealing aspects of this neighborhood is pedestrian friendly sidewalks, it also deducts from privacy and security to homes directly on busy paths.
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and it is to the betterment of our home and family without devaluing our home. While walking in our neighborhood, I have observed several homes on corner lots with 6' fences. I began to take notice after receiving the compliance order; however, like our request, it does not evoke special privilege.
5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.  
We have been commended by our neighbors in the efforts that we have put forth in repairing and upgrading our home. We are proud to maintain our property to high expectations in Founder's Grove and have enjoyed adding value to it.





**Compliance Order**

October 16, 2020

**OWNER INFORMATION:**

Hermanowicz, Brooke A  
220 Willard Ave  
Bloomington, IL 61701

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

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

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

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

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

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

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

**REPAIRS ORDERED BY THIS NOTICE:**

**NO PERMIT - COMPLY BY: 11/02/2020**

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

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

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

105.1 Required, IRC, as adopted.

**International Building Code 105.1**

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

**David Silver**

Code Enforcement Inspector

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

**APPEAL REQUIREMENTS**

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

**TRANSFER OF OWNERSHIP REQUIREMENTS**

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

- Regular mail
- Certified/Return Receipt
- Posted on address
- Personal service

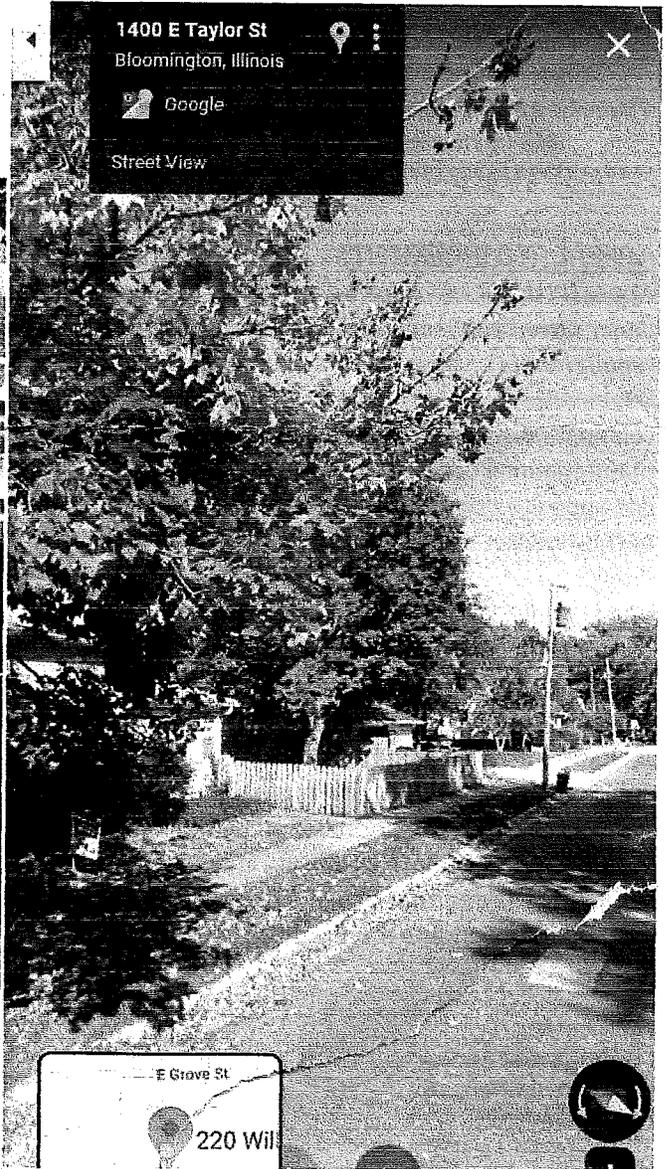
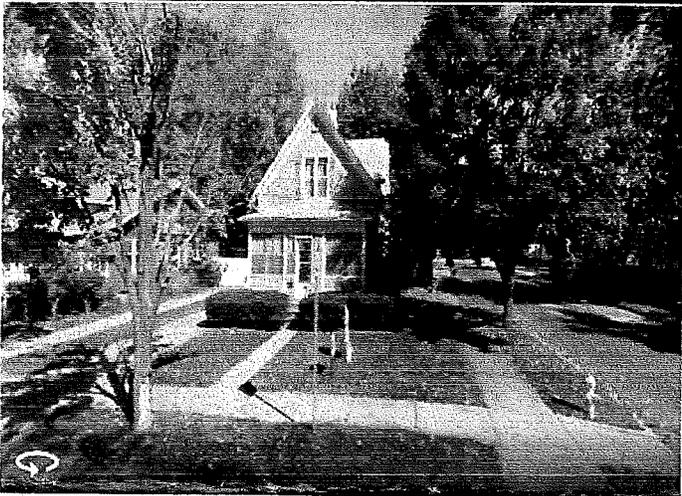
Before:



220 Willard Ave

All

Street View & 360°

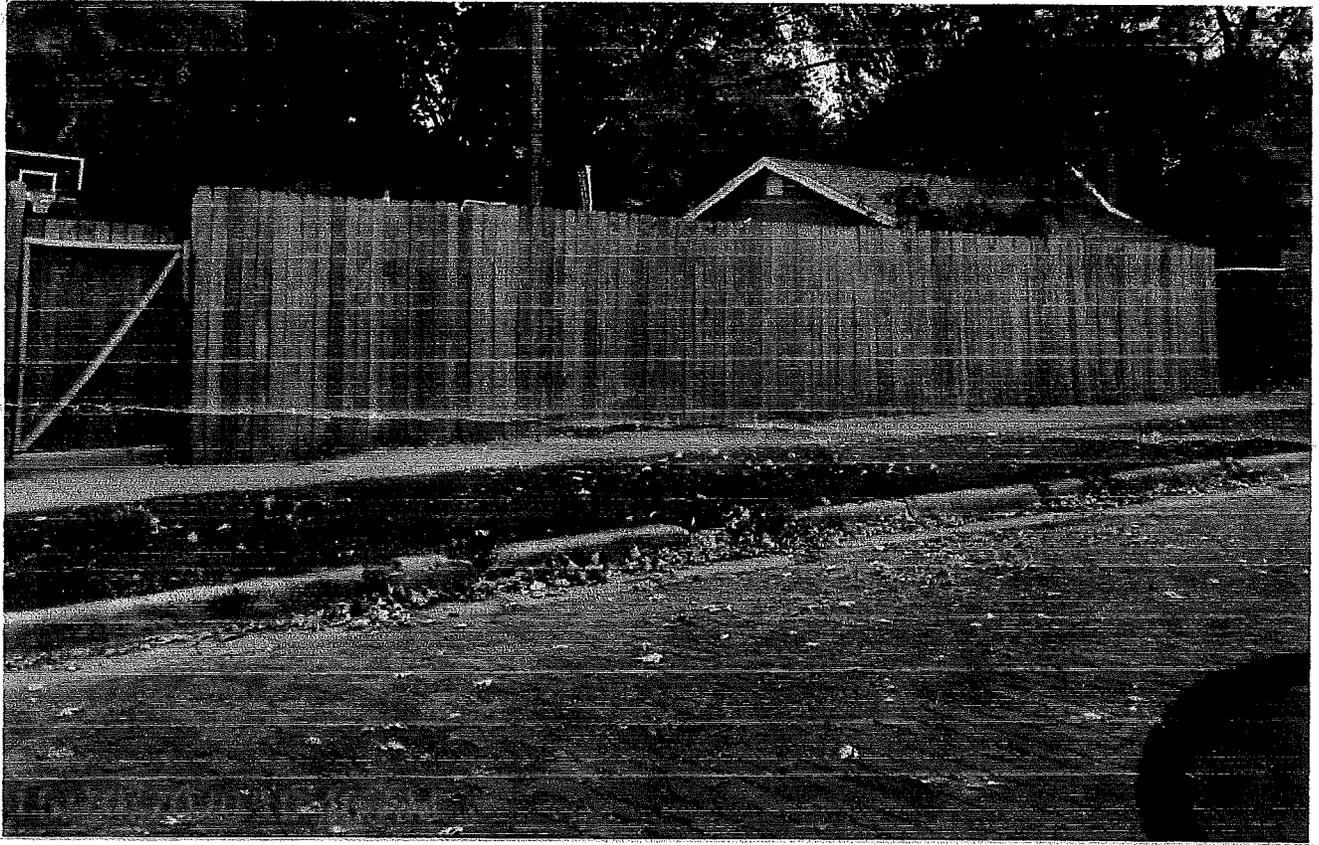


1400 E Taylor St  
Bloomington, Illinois

Google

Street View

Current:



*[Handwritten signature]*

11/16/20

Dear Members of the Zoning Board of Appeals,

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

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

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

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

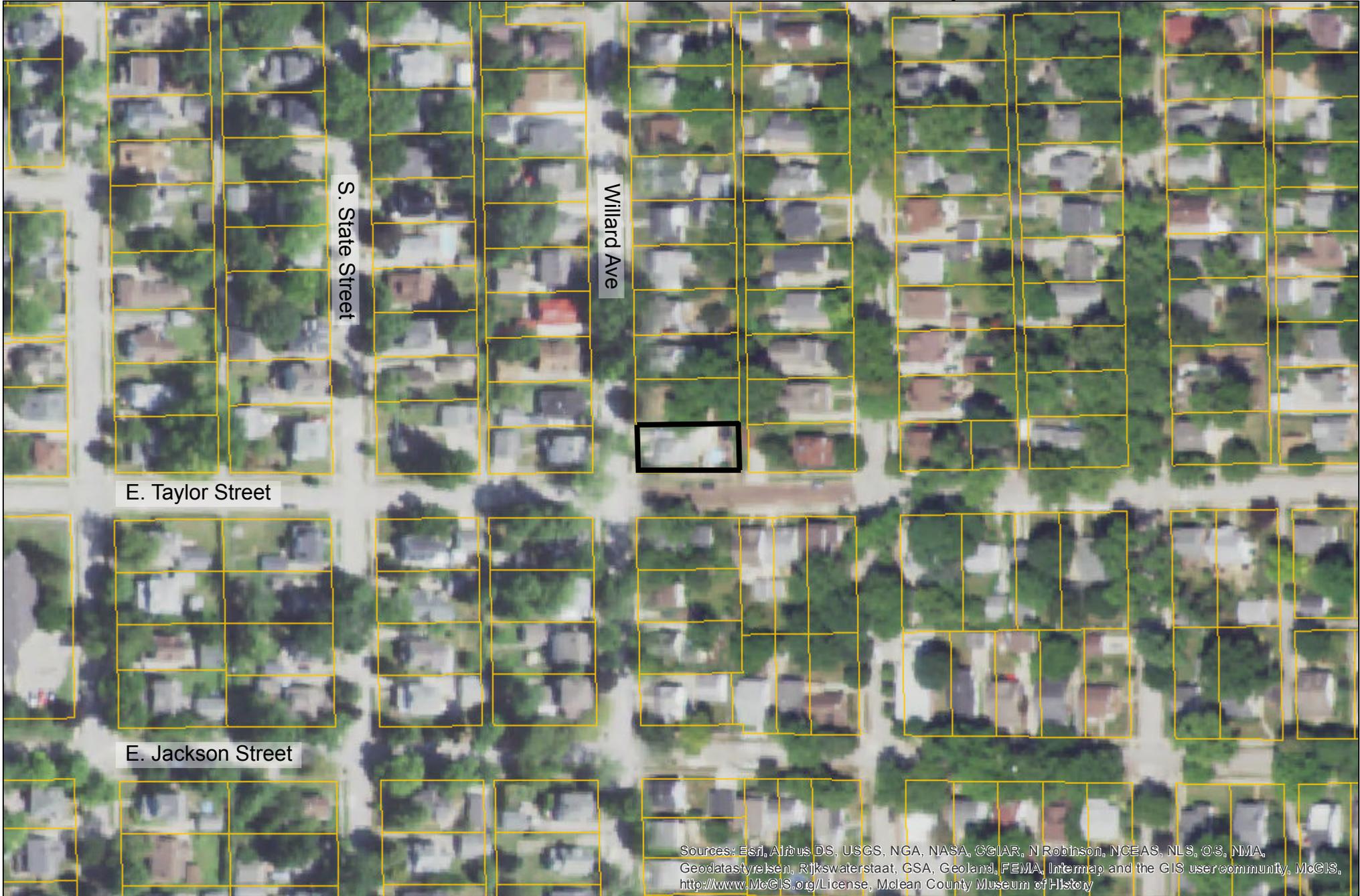
I have good relationships with our neighbors, including those at 219 Krietzner, who are most directly exposed to our fence. They have all been very supportive of our home improvement efforts.

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

Thank you again for your time and consideration,

Brooke Hermanowicz

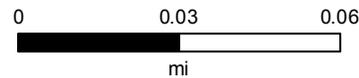
# 220 Willard Avenue Aerial Map



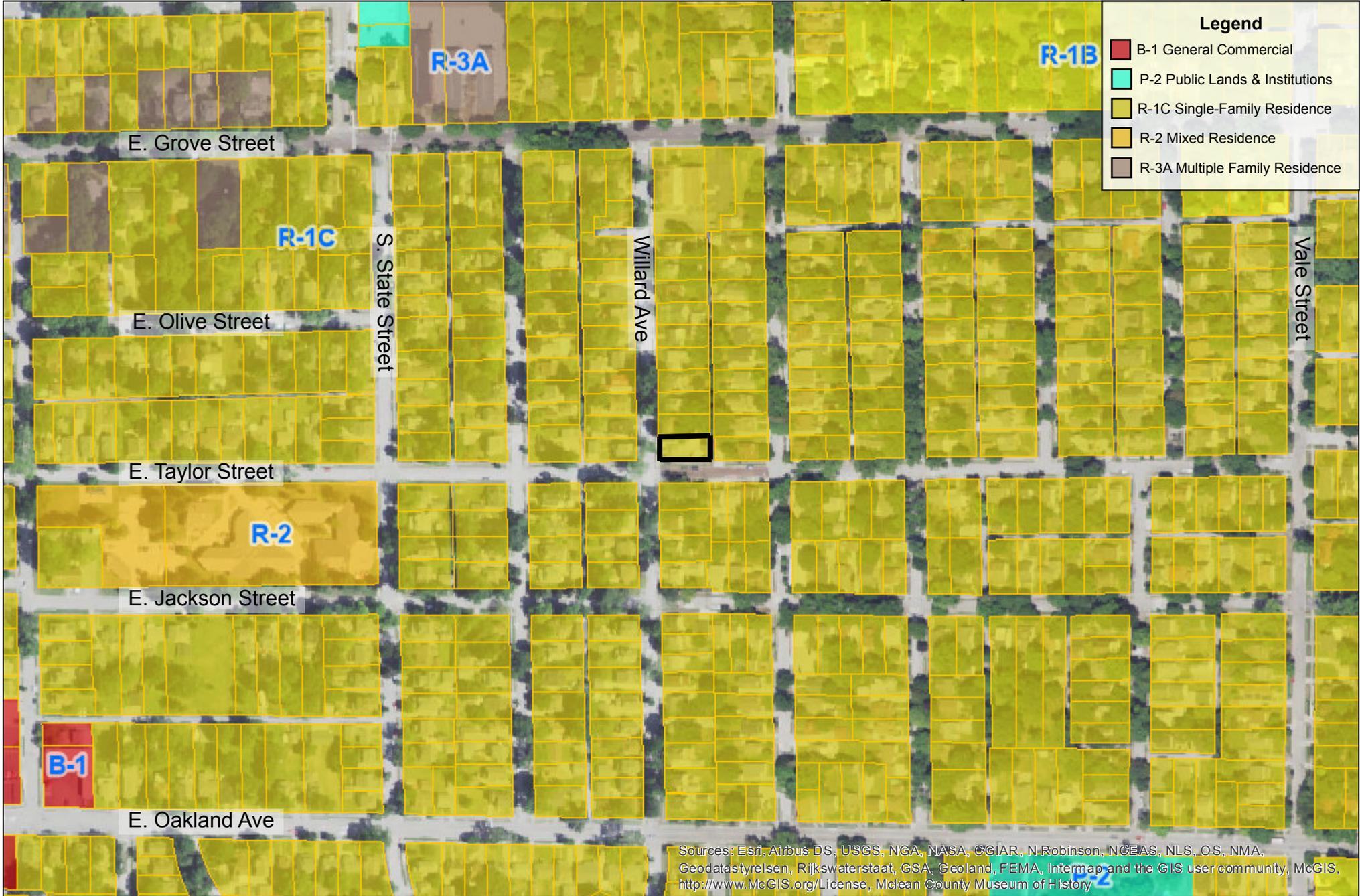
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGLAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, McGIS, <http://www.McGIS.org/License>, Mclean County Museum of History



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



# 220 Willard Avenue Zoning Map



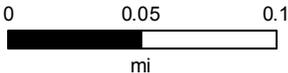
**Legend**

- B-1 General Commercial
- P-2 Public Lands & Institutions
- R-1C Single-Family Residence
- R-2 Mixed Residence
- R-3A Multiple Family Residence

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



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Legal Inside

95360  
HEARING NOTICE

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

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

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

Published: Monday, November 30, 2020



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

December 1, 2020

Dear Property Owner or Occupant:

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

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

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

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

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

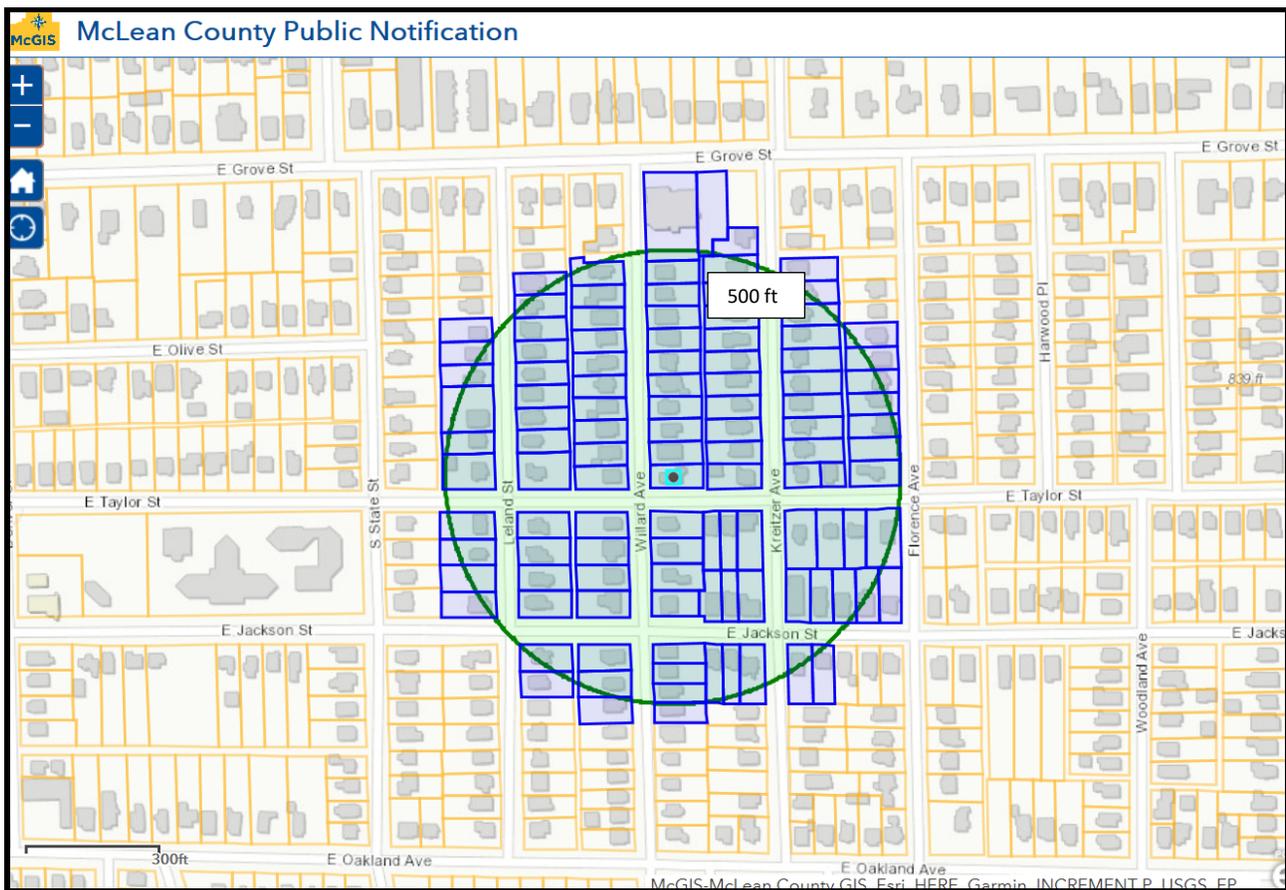
If you desire more information regarding the proposed petition or have any questions, you may email [planning@cityblm.org](mailto:planning@cityblm.org) or call (309)434-2226.

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

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property



DALE PERRY  
208 LELAND ST  
BLOOMINGTON, IL 61701

DAVID HALL  
3109 YORKSHIRE CT  
BLOOMINGTON, IL 61704

JANET MOORE  
1501 E TAYLOR ST  
BLOOMINGTON, IL 61701

NANCY ANN REED  
404 LELAND ST  
BLOOMINGTON, IL 61701

HARLAN SHOULTZ  
211 S FLORENCE AVE  
BLOOMINGTON, IL 61701

MICHAEL & REBECCA WILLIAMS  
214 LELAND  
BLOOMINGTON, IL 61701

RANDY & DEBRA HYDE  
407 MADISON ST  
WASHINGTON, IL 61571

RICHARD HILL  
225 LELAND ST  
BLOOMINGTON, IL 61701

MARK ANDERSON  
1508 E JACKSON  
BLOOMINGTON, IL 61701

GERI HEISSLER  
209 KREITZER AVE  
BLOOMINGTON, IL 61701

SHERYL SMITH  
216 KREITZER AVE  
BLOOMINGTON, IL 61701

JAMES WATSON  
1510 E TAYLOR ST  
BLOOMINGTON, IL 61701

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

DONALD HEAFER  
1503 E TAYLOR ST  
BLOOMINGTON, IL 61701

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

ANDREW DUSTMAN  
2810 VROOMAN CT  
BLOOMINGTON, IL 61704

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

THOMAS LUCEY  
301 WILLARD AVE  
BLOOMINGTON, IL 61701

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

STEPHEN JOHNSON  
302 LELAND ST  
BLOOMINGTON, IL 61701

ANDREW COE  
304 LELAND ST  
BLOOMINGTON, IL 61701

JERROD KILEY  
215 WILLARD AVE  
BLOOMINGTON, IL 61701

PNC BANK N A  
3232 NEWMARK DR  
MIAMISBURG, OH 45342

EMILY GOAD  
215 KREITZER AVE  
BLOOMINGTON, IL 61701

BRETT LITWILLER  
213 LELAND ST  
BLOOMINGTON, IL 61701

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

KARON WALKER  
1405 E TAYLOR ST  
BLOOMINGTON, IL 61701

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

MARSHA PUYEAR  
217 S FLORENCE AVE  
BLOOMINGTON, IL 61701

Michael & Kathleen Bowen  
404 Willard Ave  
BLOOMINGTON, IL 61701

JOSEPH & ERIN NORRIS  
210 LELAND ST  
BLOOMINGTON, IL 61701

WANDA GRAVES  
1510 E JACKSON ST  
BLOOMINGTON, IL 61701

SUSAN STEINBACH  
205 KREITZER AVE  
BLOOMINGTON, IL 61701

KAY STULTS  
401 KREITZER AVE  
BLOOMINGTON, IL 61701

KIM ANDERSON  
209 LELAND ST  
BLOOMINGTON, IL 61701

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

RANDALL ROBERTS  
201 KREITZER AVE  
BLOOMINGTON, IL 61701

GABRIEL SPALDING  
302 WILLARD  
BLOOMINGTON, IL 61701

DON & DAWN CARLSON  
208 KREITZER AVE  
BLOOMINGTON, IL 61701

CENTENNIAL CHRISTIAN CH  
1219 E GROVE ST  
BLOOMINGTON, IL 61701

JOANNE ALEXANDER  
203 Willard Ave  
BLOOMINGTON, IL 61701

MEGAN AMES  
211 LELAND ST  
BLOOMINGTON, IL 61701

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

BRETT & MARY HOLLYWOOD  
204 KREITZER  
BLOOMINGTON, IL 61701

SHAWN KIRKWOOD  
405 WILLARD AVE  
BLOOMINGTON, IL 61701

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

JAMES CONNOLLY  
220 LELAND ST  
BLOOMINGTON, IL 61701

KENNETH & ANGELA CLEM  
2510 BUNN ST  
BLOOMINGTON, IL 61704

JOHN & LAUREN CONKLIN  
206 LELAND STREET  
BLOOMINGTON, IL 61701

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

CATHERINE STONE  
224 LELAND ST  
BLOOMINGTON, IL 61701

ASHLEE SNODGRASS  
210 KREITZER AVE  
BLOOMINGTON, IL 61701

BRYAN HANNER  
401 WILLARD AVE  
BLOOMINGTON, IL 61701

PHILLIP WINANS  
406 Willard Ave  
BLOOMINGTON, IL 61701

WILLIAM CHARLES NELSON  
202 KREITZER AVE  
BLOOMINGTON, IL 61701

JENNIFER & DARREN SAWYER  
2711 RIDGE RD  
BLOOMINGTON, IL 61704

HAROLD HOLLOWAY  
1507 E TAYLOR ST  
BLOOMINGTON, IL 61701

JULIE WINKLER  
218 KREITZER AVE  
BLOOMINGTON, IL 61701

JOSHUA CUNNINGHAM  
213 S FLORENCE AVE  
BLOOMINGTON, IL 61701

BROOKE HERMANOWICZ  
220 WILLARD AVE  
BLOOMINGTON, IL 61701

GROVE RENTALS LLC  
1318 E GROVE ST  
BLOOMINGTON, IL 61701

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

HOLLY LARSEN  
1401 E JACKSON ST  
BLOOMINGTON, IL 61701

ROBERT WEBB  
201A KREITZER AVE  
BLOOMINGTON, IL 617015637

BRYAN FULTON  
223 LELAND ST  
BLOOMINGTON, IL 61701

AUDREY HARP  
1504 E JACKSON ST  
BLOOMINGTON, IL 61701

KELLY GARLISCH  
217 Willard Ave  
BLOOMINGTON, IL 61701

JOSEPH CORCORAN  
222 LELAND ST  
BLOOMINGTON, IL 61701

LAWRENCE STARKEY  
210 WILLARD AVE  
BLOOMINGTON, IL 61701

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

JOSEPH & DEBRA HANCHETT  
222 KREITZER AVE  
BLOOMINGTON, IL 61701

VICENTE ADAME  
1111 E GROVE ST  
BLOOMINGTON, IL 61701

HAROLD STREBE  
1403 E JACKSON  
BLOOMINGTON, IL 61701

JEROME BURKETT  
207 KREITZER AVE  
BLOOMINGTON, IL 61701

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