

**AGENDA**  
**BLOOMINGTON ZONING BOARD OF APPEALS**  
**REGULAR MEETING - 4:00 P.M.**  
**WEDNESDAY, JUNE 15 2016**  
**COUNCIL CHAMBERS, CITY HALL**  
**109 EAST OLIVE STREET**  
**BLOOMINGTON, ILLINOIS**

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

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

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

- 5. MINUTES:** Consideration, review and approval of Minutes from the May 18, 2016 meeting.
- 6. REGULAR AGENDA**
  - A. Z-20-16** Consideration, review and approval of the petition submitted by Kris Spalding for a Variance to allow for a rear yard setback of 13 feet in lieu of the required 25 feet (44.6-40B) for the property located at 52 Yukon Circle in the R-2, Mixed Residential District (**Ward 9**).
  - B. Z-21-16** Consideration, review and approval of the petition submitted by Meio Lin for a Variance to allow 8 parking spaces in lieu of the required 12 spaces (44.7-2H(4)(b)) for six multifamily dwelling units for the property located at 514 E. Douglas Street in the R-2, Mixed Residential District (**Ward 4**).

- C. **Z-22-16** Consideration, review and approval of the petition submitted by Stephen and Nancy Snyder for a Variance to allow for a front yard setback of 20 feet in lieu of the required 25 feet (44.6-40A) for property located at 25 Buckhurst Circle in the R-1C, Single Family Residential District (**Ward 8**).
  
- D. **Z-23-16** Consideration, review and approval of the petition submitted by Jack and Jean Snyder for a Variance to allow for a rear yard setback of 20 feet in lieu of the required 25 feet for the property located at 19 Barley Circle in the R-1C, Single Family Residential District (**Ward 8**).

**7. OTHER BUSINESS**

**8. NEW BUSINESS**

**9. ADJOURNMENT**

**DRAFT MINUTES**  
**ZONING BOARD OF APPEALS**  
**REGULAR MEETING**  
**Wednesday, May 18, 2016, 4:03 P.M.**  
**Council Chambers, City Hall**  
**109 East Olive Street, Bloomington, Illinois**

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

Members absent: Mr. Kearney

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

Mr. Dabareiner opened the meeting at 4:03 p.m. and called the roll. With five members in attendance, a quorum was present. Ms. Meek arrived at 4:10 p.m.

PUBLIC COMMENT: None

The Board reviewed the minutes from March 16, 2016 and the minutes were **approved** unanimously.

Chairman Briggs explained the meeting procedures and introduced the staff present. Mr. Dabareiner stated all items were properly published.

**REGULAR AGENDA:**

**Z-12-16 Consideration, review and approval of the petition submitted by Mark Bowers for a Variance to allow for 50 parking spaces in lieu of the required 160 spaces/20 per court (44.7-2) for the property located at 4101 Wicker Road in the B-1, Highway Business District.**

Don Adams, Farnsworth Group, was sworn in. He indicated he was representing the applicant on this matter. Mr. Farnsworth distributed new drawings for the proposed indoor tennis facility, containing six indoor courts. He noted that the Bloomington zoning ordinance requires more parking than is needed for his facility, requiring 120 spaces when Mr. Adams believes 50 spaces should suffice. There is room to expand the number of parking spaces to 83 if needed. Mr. Adams noted that he examined parking demand at another tennis facility with several more courts, but it includes only 58 spaces. He is requesting a variance for the required parking.

Chairman Briggs asked about the type of structure; Mr. Adams described the inflatable structure and noted nearby communities. Chairman Briggs asked whether the airport has been contacted yet given the proximity of the structure to the airport; Mr. Adams indicated that the design will include the required lights at each of the four corners and that the FAA has no problem with the structure. Chairman Briggs asked if the building could be converted to another sport, thereby

requiring more parking; Mr. Adams indicated that while this is possible, the amount of playing space would be reduced for basketball courts. Volleyball courts could present an issue, but that is not an intended use.

Ms. Simpson provided the staff report, noting the 50 spaces being provided instead of 120 spaces. She provided the location and zoning for the property. She indicated staff believes the 50 spaces should be sufficient and that staff believes the standards for granting a variance were met. Chairman Briggs asked if staff was concerned about the use's conversion to a higher intensity sports use such as volleyball. Mr. Dabareiner indicated the City can look to code enforcement if parking demand gets out of hand, and that staff believes any successful business business would like to provide convenient parking for their customers so would more likely be proactive should a change in sport occur.

Mr. Bullington asked whether parking is allowed on Wicker Road; Ms. Simpson responded that she did not believe on street parking was allowed. Mr. Ireland corrected a scrivener's error in the written report which carried the wrong case number.

Chairman Briggs requested a roll call vote on Case Z-12-16, which was **approved** by a 6-0 vote as follows: Mr. Ireland—aye; Mr. Bullington—aye; Mr. Simeone—aye; Mr. Brown—aye; Ms. Meek—aye; Chairman Briggs—aye.

**Z-13-16 Consideration, review and approval of the petition submitted by Prairie Signs Inc. for a Variance to allow for two signs greater than 300 square feet for property located at 1500 E Empire in the C-3, Community/Regional Shopping District.**

**Z-14-16 Consideration, review and approval of the petition submitted by Prairie Signs Inc for a Variance to allow two signs greater than 30 feet tall for the property located at 1500 E Empire in the C-3, Community/Regional Shopping District.**

Chairman Briggs suggested combining Case Z-13-16 with Z-14-16 for presentation purposes because, while two different variances, the cases were about the same proposed signage. There being no objection, the discussion on the two cases were combined.

Diana Bubevik, Prairie Signs, 1215 Warner, in Normal, was sworn in and presented her request. Ms. Bubevik noted that the request concerns two existing signs serving the Colonial Plaza Shopping Center. Both signs are more than 45 feet tall and over 300 square feet in area, she said, and indicated variances for height and area had previously been obtained. She added that the signs are falling apart and need to be rebuilt, so need a new pair of variances covering height and area.

Barry Dodd, 305 Robin Hood, was sworn in. He asked if the signs would be digital signs. Ms. Bubevik stated the signs are not digital or changeable, but are lit internally with LED lighting.

Ms. Simpson presented the staff report, noting that staff is supporting the requests for both variances. She described the location and surrounding uses. She described the physical hardships met, related to distance from the primary roadways. She noted the proposed signs were similar in height and area. She repeated that the new variances are required because the existing signs to be taken down and rebuilt.

Chairman Briggs requested a roll call vote on Case Z-13-16 and Z-14-16, which was **approved** by a 6-0 vote as follows: Mr. Ireland—aye; Mr. Bullington—aye; Mr. Simeone—aye; Mr. Brown—aye; Ms. Meek—aye; Chairman Briggs—aye.

**Z-15-16 Consideration, review and approval of the petition submitted by James A Shirk for a Variance to allow for a transitional front yard setback of 16 feet in lieu of the required 25 feet for the property located at 921 E Washington Street in the B-1, Highway Business District.**

Mr. Bullington and Mr. Simeone left the room, having indicated a potential conflict of interest given their ownership or other interests in the subject property.

Kyle Glandon, architect for the project and representing the petitioner, was sworn in. Mr. Glandon noted that this is not the 2013 project, which was mixed use; instead a multi-use building which includes Green Top Grocery will be built. He added the building location will be pulled closer to Washington Street with parking in the rear, making it more easily accessible to pedestrians and bicyclists. Mr. Glandon summarized his request as the result of an effort to achieve walkability, open space requirements and other design interests a variance is being requested for the transitional front yard along the east side of the structure.

Ms. Simpson indicated staff supports the variance request to reduce the transitional yard because of the unique physical characteristics of the site and relationship to the neighboring uses, which she described. The pedestrian friendly nature of the development is supported by the Comprehensive Plan, she added. Ms. Simpson reviewed the location of the bike trail and the design requirements for the structure, which forces the building to be offset compared with similar properties. She stated that some transitional yard would still be provided and she believed it would be satisfactory.

Chairman Briggs requested a roll call vote on Case Z-15-16, which was **approved** by a 4-0 vote as follows: Mr. Ireland—aye; Mr. Brown—aye; Ms. Meek—aye; Chairman Briggs—aye. Mr. Simeone and Mr. Bullington were invited back to the council chambers after the vote.

**Z-16-16 Consideration, review and approval of the petition submitted by Sandra and Donald McAuley for a Variance to allow for a side yard setback less than the required 6 feet for property located at 1508 Tralee Lane in the R-1C, Single-Family Residential District.**

Sandra McAuley, 1508 Tralee Lane, was sworn in. Ms. McAuley indicated she wanted to put in a side yard parking area for a business vehicle that must park there. Mr. Bullington asked the petitioner what the benefit was for the public; Ms. McAuley stated that cars would not be double-parked which could obstruct views of the sidewalk. She added that off street parking is difficult because of the location of her property in relation to the intersection and a fire hydrant, so she does not enjoy the same parking privileges as neighboring properties have.

Ms. Meek clarified where the pad would be located; Ms. McAuley responded that it goes to the side. Mr. Ireland clarified if there was parking in the driveway for two spots; Ms. McAuley confirmed there was.

Ms. Simpson presented the staff report and recommend in favor of the variance. She showed an aerial photo of the location and one of the neighborhood, which showed the fire hydrant location and the difficulty caused by the adjacent T-intersection, which serve as hardships. She stated there were no easements or utilities along the affected side yard. She added that many in the neighborhood have three car garages. A three-foot setback would still be provided, she added.

Chairman Briggs requested a roll call vote on Case Z-16-16, which was **approved** by a 5-1 vote as follows: Mr. Ireland—no; Mr. Bullington—aye; Mr. Simeone—aye; Mr. Brown—aye; Ms. Meek—aye; Chairman Briggs—aye.

**SP-03-16 Consideration, review and approval of the petition submitted by Shawn Pawley for a Special Use for an acupuncture clinic for property located at 1617 E Oakland in the R-1C, High Density Single-Family Residential District.**

Chairman Briggs introduced the case, noting that because it is a special use request the ZBA provides a recommendation to the City Council, rather than a final decision.

Michelle Pawley, 401 Vale Street, was sworn in. Ms. Pawley explained she is a licensed acupuncturist in Illinois and lives near the building which she wishes to turn into an acupuncture clinic. She added they would keep the current residential tenant, but would replace the realtor with her business. She stated there would be sufficient parking, with four spaces.

Mr. Simeone clarified where the clients would park; Ms. Pawley indicated it would be in one of three available spaces in the back of the building, as one of the four total spaces available is assigned to the residential tenant. Mr. Simeone also asked about the ADA improvements proposed; Ms. Pawley stated they must bring the building up to code because they will be making significant changes inside the clinic area.

Dan Gentry, 1619 Oakland, was sworn in. Mr. Gentry indicated he and his family moved next door to the subject property on April 1, 2016. He stated he is not against the proposal, but believes that there is more parking available than the four indicated and noted his concern that if the business grows it will get noisier and busier. He asked the ZBA to limit hours of operation and require a fence to separate the two properties. Ms. Meek clarified if the driveway abutted his property or the school's property on the other side; Mr. Gentry confirmed it was the other side.

Ms. Pawley stated she will be working daytime only, restricted initially to Friday mornings and limited Saturday hours. Ms. Pawley added that she had the space to add employees, but it would likely be one office manager sometime in the future. She stated that retail products would be sold only to her clients, so would not attract outside customers. Mr. Simeone asked if Ms. Pawley would accept a daytime limitation to her operating hours, which she agreed to within an 8:00AM to 8:00PM range.

In response to whether a fence should be constructed, Mr. Dabareiner explained that there is no requirement for a fence because the zoning is residential and not changing.

Ms. Simpson introduced the proposal and the existing zoning of R-1C. She stated that the code allows replacing one nonconforming use with another less-nonconforming use, which is the case in question today. Ms. Simpson stated staff's belief that the acupuncture clinic would be a less

nonconforming use. She described the neighborhood and the parking restrictions along Oakland. She showed an aerial which included the existing parking, along with ground level photos of the building and the parking. Ms. Simpson noted that the parking and the building cannot be expanded because it is nonconforming. She reviewed the special use standards to determine whether it is a lesser nonconforming use and concluded, as proposed, it meets the standards and staff recommends in favor of the proposal. She repeated Mr. Dabareiner's conclusion that a fence is not required and added that the neighbor may want to add a fence.

Mr. Bullington asked whether limitations can be placed on the number of employees; Mr. Boyle concluded there could be, by agreement, a maximum number of employees. Mr. Bullington explained that if too many employees are added, this use becomes more nonconforming rather than less nonconforming. Mr. Ireland reminded the Commission that the tenant may have guests or potentially a second residential tenant in the residential unit; he added that so much real estate is done online these days that the realtor was very low impact.

Mr. Bullington asked if Ms. Pawley would agree to a limit of one acupuncturist and one other employee; Ms. Pawley indicated in the affirmative. Mr. Simeone asked if she agrees with the 8:00AM to 8:00PM limitation, Sunday through Saturday; Ms. Pawley agreed but indicated she would not working on Sundays.

Mr. Simeone motioned to limit operations to 8:00AM to 8:00PM. Mr. Bullington requested a friendly amendment to reduce the limitation to six days from seven days per week, excluding Sunday. A vote was taken on the amendment to the motion which was **approved** by a 4-2 vote as follows: Mr. Simeone—yes; Mr. Bullington—yes; Mr. Ireland—yes; Mr. Brown—no; Ms. Meek—no; Chairman Briggs—yes.

Mr. Simeone moved that a condition be added to any approval that would limit the operations to 8:00AM to 8:00PM, Monday through Saturday, seconded by Mr. Bullington; which was **approved** by a 4-2 vote as follows: Mr. Simeone—yes; Mr. Bullington—yes; Mr. Ireland—yes; Mr. Brown—no; Ms. Meek—no; Chairman Briggs—yes.

Mr. Bullington moved to limit the maximum number of employees to two; seconded by Mr. Simeone. Mr. Brown and Ms. Meek both expressed concerns about how these restrictions may affect her ability to conduct a business. Mr. Bullington stated the restrictions are to assure it remains a less nonconforming use, which is the overriding standard under consideration. Ms. Simpson confirmed the less nonconforming finding was based on two employees. Mr. Ireland indicated his concern was forcing parking on the street. Chairman Briggs called for a vote which was **approved** by a 4-2 vote as follows: Mr. Bullington—yes; Mr. Simeone—yes; Mr. Ireland—yes; Mr. Brown—no; Ms. Meek—no; Chairman Briggs—yes.

Chairman Briggs requested a roll call vote on Case Z-17-16 to include the two conditions approved earlier, which was **approved** by a 6-0 vote as follows: Mr. Ireland—yes; Mr. Bullington—aye; Mr. Simeone—aye; Mr. Brown—aye; Ms. Meek—aye; Chairman Briggs—aye.

OLD BUSINESS

None

NEW BUSINESS:

Chairman Briggs indicated he would be serving on a grand jury which may affect his attendance over the next couple months.

Chairman Briggs asked for a description of the proposal to combine the Planning Commission with the Zoning Board of Appeals into a new Planning and Zoning Commission. Mr. Dabareiner explained how the proposal is part of the One Stop Shop effort in the City to make it easier for a builder, property owner or developer to marshal projects through the approval process. He described several of the components of the One Stop Shop, including the use of project managers, consolidating the application locations, and combining the ZBA and Planning Commission. He noted that the Planning Commission will need to consider and vote on these changes because they are within Chapter 44 of the Municipal Code. Chairman Briggs provided several thoughts in support of keeping the two bodies separate, acknowledging possible benefits to the petitioners, but felt the additional work may be burdensome on a new commission. He did not believe there was much savings to be gained by avoiding the need for petitioning both bodies today because it happens infrequently.

There being no further discussion or business, a vote to adjourn was unanimously approved by voice vote.

ADJOURNMENT: 5:37PM

Respectfully,

Tom Dabareiner AICP



**CITY OF BLOOMINGTON  
REPORT FOR THE BOARD OF ZONING APPEALS  
JUNE 15, 2016**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-20-16 52 Yukon Circle	Variance to allow for a rear yard setback of 13 feet in lieu of the required 25 feet (44.6-40B) in the R-2, Mixed Residential District	Katie Simpson City Planner

**REQUEST**

The petitioner is seeking a Variance to allow for a rear yard setback of 13 feet in lieu of the required 25 feet (44.6-40B) in the R-2, Mixed Residential District. The subject property is commonly located at 52 Yukon Circle.

**NOTICE**

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

**GENERAL INFORMATION**

Owner and Applicant: Kris Spalding

**PROPERTY INFORMATION**

Existing Zoning: R-2, Mixed Residential District  
 Existing Land Use: Duplex—zero lot line, single family (attached) residence  
 Property Size: Approximately 4998 square feet  
 PIN: 15-29-355-004

**Surrounding Zoning and Land Uses**

Zoning

North: R-2 Mixed Residential District  
 South: R-2 Mixed Residential District  
 East: R-2 Mixed Residential District;  
 West: R-2 Mixed Residential District

Land Uses

North: Duplex—zero lot line, single family (attached) residence  
 South: Duplex—zero lot line, single family (attached) residence  
 East: Duplex—zero lot line, single family (attached) residence  
 West: Duplex—zero lot line, single family (attached) residence

**Analysis**

Submittals

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

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

**PROJECT DESCRIPTION**

The subject site is commonly known as 52 Yukon Circle and is part of the Eagle View South zero lot line, cluster subdivision located at north of General Electric Road east of Towanda Barnes Road. The property is currently used as a duplex. The petitioner proposes to enclose the existing 12 ft by 12 ft deck into a three-season room. The property is zoned R-2, Mixed Residential District, and is regulated by the bulk requirements in Section 44.6-40B of Chapter 44.

Under Chapter 44, open decks are considered permitted obstructions in rear yards (44.4-5G.4). The petitioner is proposing to enclose the existing deck which will result in the expansion of current house’s footprint reducing the rear yard to thirteen (13) feet. Therefore, to allow for a smaller rear yard, the petitioner is seeking a variance.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Section 44.6-40B

Type of Variance	Request	Required	Variance
Rear Yard Setback	13 ft	25 ft	decrease by 12 ft

**Analysis**

**Variations from Zoning Ordinance**

The petitioner proposes to enclose the existing deck and add a six (6) foot deck onto the west side of the new enclosure resulting in the addition of a new three season room. The addition will require expanding the roof line and therefore expanding the property’s footprint into the rear yard.

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

**FINDINGS OF FACT**

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

**That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and** the lot is 120 feet long. In keeping with the aesthetics of the neighborhood, the house is positioned farther back on the lot with a front yard setback larger than required. The house is currently positioned with a twenty five (25) foot rear

yard setback and limits the petitioner's ability to expand the footprint of the house. An eight (8) foot utility easement runs along the southern property line. Both the lot and structure meet Code. The standard is not met.

**That the variances would be the minimum action necessary to afford relief to the applicant; and** the petitioner proposes to work within the existing framework of the deck. To change the size could create an undue hardship. The standard is met.

**That the special conditions and circumstances were not created by any action of the applicant; and** the house is existing and was positioned on the lot directly abutting the rear setback. The proposed sunroom is attached and expands the footprint of the house. Accessory structures are permitted. The standard is not met.

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** other houses in the neighborhood encroach into the rear yard setback, some having yards of approximately 11 feet, however these houses are built on corner lots and required to have two front yards or are angled differently where maintaining a front yard consistent with the neighborhood is challenging. A house to the south has an attached three season room but is still able to maintain the required setback. The standard is not met.

**That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** Other properties with enclosed three season rooms still maintain the required rear yard setback. The proposed three season room will not be constructed over the rear or side easements. The functions of the Code's bulk requirements are to maintain open areas, building densities and green spaces. The public welfare is served by maintaining these requirements. The standard is not met.

**STAFF RECOMMENDATION:**

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-20-16.

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Legal Description
- Location Map and Aerial Map
- Zoning Map

## **Agenda Item 6.A**

- List of notified property owners within a 500 ft radius of property

#24034

**ZONING BOARD OF APPEALS  
INSTRUCTIONS FOR SUBMISSION OF VARIANCE(S) REQUESTS**

**The Zoning Board of Appeals meets every third Wednesday of each month, at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois.**

In order for your petition for variance requests(s) to be placed on the agenda you **MUST** complete and submit the following items to the Planning and Code Enforcement Department by the submission deadline, in the attached schedule:

1. A \$125.00 filing fee for a specified hearing date for one variance petition. For each additional request thereafter the fee is \$25.00 per request.
2. Both the attached application and statement of Findings of Fact filled out by the Petitioner. Only persons with a contractual interest in the property shall submit an application.
3. A site plan, **TO SCALE IN BLACK INK**, depicting your lot, location of all buildings, structures, driveways, parking areas and other improvements, you must show all dimensions. If you submit a site plan on paper larger than 8 ½" x 11", you must submit 12 copies.

You must call (309) 434-2341 to set up an appointment with the City Planner to discuss this petition. The site plan must be reviewed with the City Planner at your appointment, before the final submission deadline.

Notice of the variance request will be published in the Legal Section of The Pantagraph approximately 15 days before the scheduled meeting. Courtesy notices will be mailed to adjacent property owners and other interested parties.

You must be the owner of the property subject to the variance petition. You or your representative **MUST** attend the Zoning Board of Appeals meeting. You will be sworn in and you may offer additional testimony at the meeting.

It takes four concurring votes for your petition to be approved. If your petition is denied by a vote of less than five (5) members, you may appeal the decision to City Council. You must file with the City Clerk a "Notice of Appeal" within 10 days of the ruling.

If your petition is approved, you must obtain all the necessary building permits with regards to your project.

A variance is good for one (1) year and must be acted upon within this time frame or it will be void.

Note: it is unlawful to call or have contact with any member of the Zoning Board of Appeals prior to the meeting.

MAY 24 2015



*Zoning Board of Appeals Submission and Hearing Dates for 2015*

<b>Submission Deadline</b>	<b>Hearing Date</b>
12/17/14	1/21/15
1/23/15	2/18/15
2/20/15	3/18/15
3/20/15	4/15/15
4/24/15	5/20/15
5/21/15	6/17/15
6/19/15	7/15/15
7/24/15	8/19/15
8/21/15	9/16/15
9/25/15	10/21/15
10/23/14	11/18/15
11/18/15	12/16/15
12/16/15	1/20/16

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: 52 Yukon Circle

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

Petitioner: Kris Spaulding Phone: 309-295-0134

Petitioner's Email Address: KSCIE@MCHSI.COM

Petitioner's Mailing Address Street: 14162 Jean Trace

City, State, Zip Code: Bloomington IL 61705

Contractual interest in the property  yes  no

Signature of Applicant Kris Spaulding

Brief Project Description:

MAKE EXISTING 12X12 DECK INTO A 3 SEASON ROOM,

Code Requirements Involved: 446-403 Back yard for single family dwelling in R2. 25 feet Required setback.

Variances(s) Requested: ENCRACH INTO 25 FOOT REAR YARD SETBACK,

Reasons to Justify Approval by the Zoning Board of Appeals: Your justifications for approval must also be provided in the statement of Findings of Fact. WITH RISING CONCERNS OF INSECT BORN VIRUSES, PEOPLE ARE WANTING TO ADD ON 3 SEASON/SCREEN ROOMS. THIS ALLOWS THEM TO SIT OUTSIDE AND ENJOY THE WEATHER WITHOUT HAVING TO CONTEND WITH THE BUGS + INSECTS. UNFORTUNATELY AS WE TRY TO MAXIMIZE BUILDINGS ON LOTS, WE ARE RUNNING OUT OF AREA FOR SUCH STRUCTURES TO FIT WITHIN SETBACK LIMITS.

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

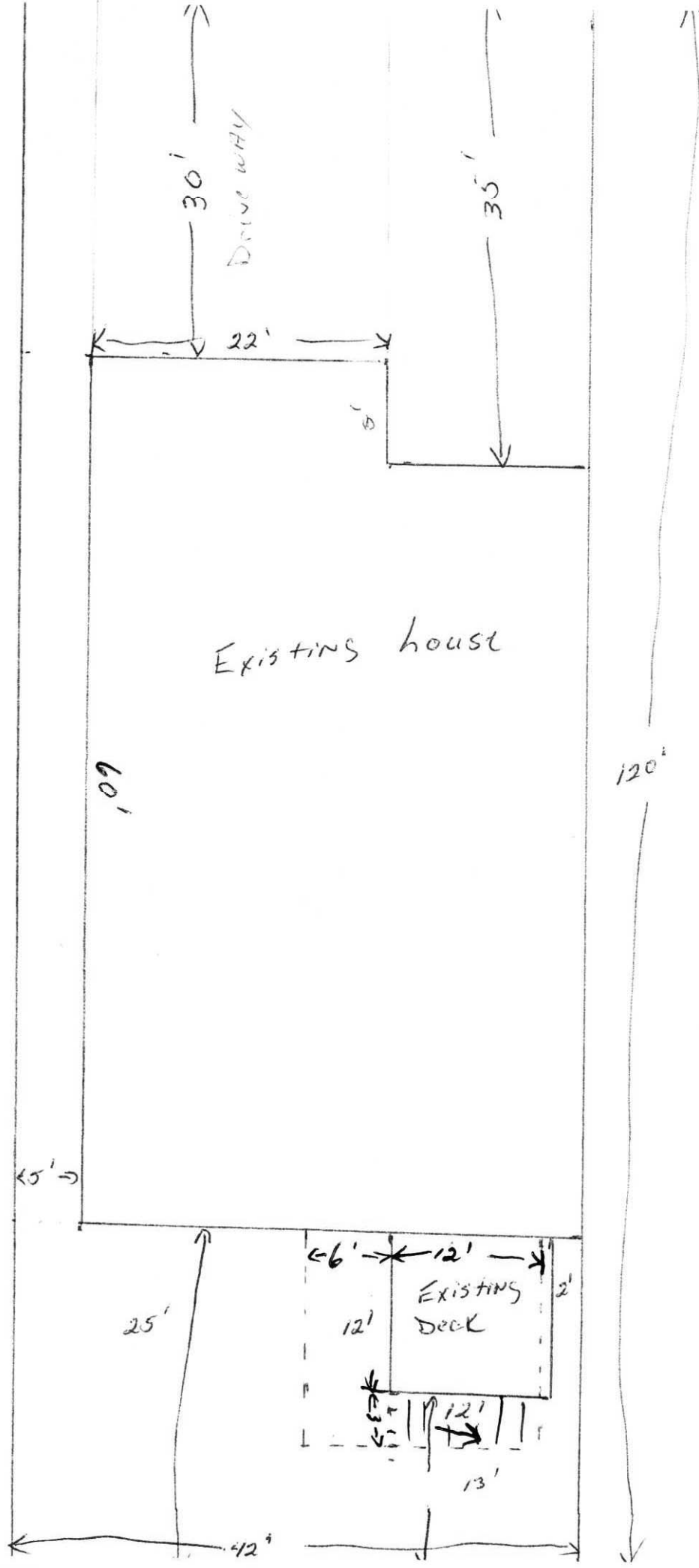
Chapter 44, Section 9.40(d)

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

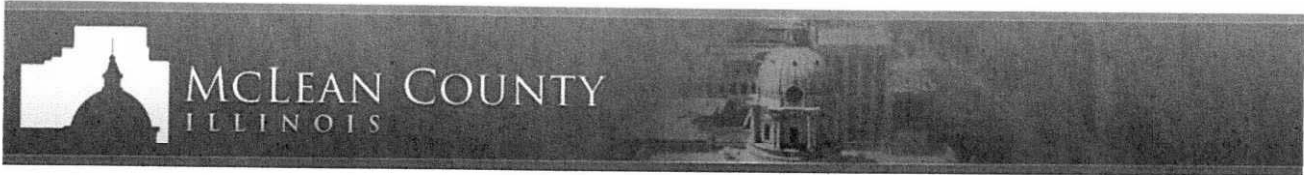
1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and  
*the depth of the property doesn't allow for anything with a roof to meet the code setbacks*
2. That the variance would be the minimum action necessary to afford relief to the applicant; and  
*we will be working close to the existing dimensions deck to convert to a 3 season room.*
3. That the special conditions and circumstances were not created by any action of the applicant; and  
*the conditions were created by the developer/builder when they built the house right up to the property setback line*
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and  
*this variance will allow the homeowners to enjoy their property like all others who have the needed space.*
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 will be working, essentially, within the footprint of the existing deck. The 3 season room will match the home just like the neighbors. This has also been approved by the neighborhood H.O.A. and it's Architecture Committee.*



Edge to Edge is  
property line  
3/32" = 1" scale



Adjacent  
Duplex



**Information for Parcel 15-29-355-004, Tax Year 2015**

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**Property Information**

**Tax Year**  
2015  
**Township**  
CITY OF BLOOMINGTON  
**Property Class**  
0040-Improved Lots  
**Tax Status**  
Taxable  
**Net Taxable Value**  
65,673  
**Total Tax**  
\$5,437.64

**Tax Code**  
4008  
**Neighborhood**  
  
**Land Use**

**Lot Size**  
  
**Tax Rate**  
8.279870  
**Site Address**  
52 YUKON CR  
BLOOMINGTON, IL 61705

**Owner Name and Address**  
FLYNN, LAWRENCE J  
52 YUKON CIR  
BLOOMINGTON, IL

**Mailing Name and Address**  
FLYNN, LAWRENCE J  
52 YUKON CIR  
BLOOMINGTON, IL

**Legal Description**  
VILLAS AT EAGLE VIEW SOUTH SUB LT 117

**Legal Descriptions**

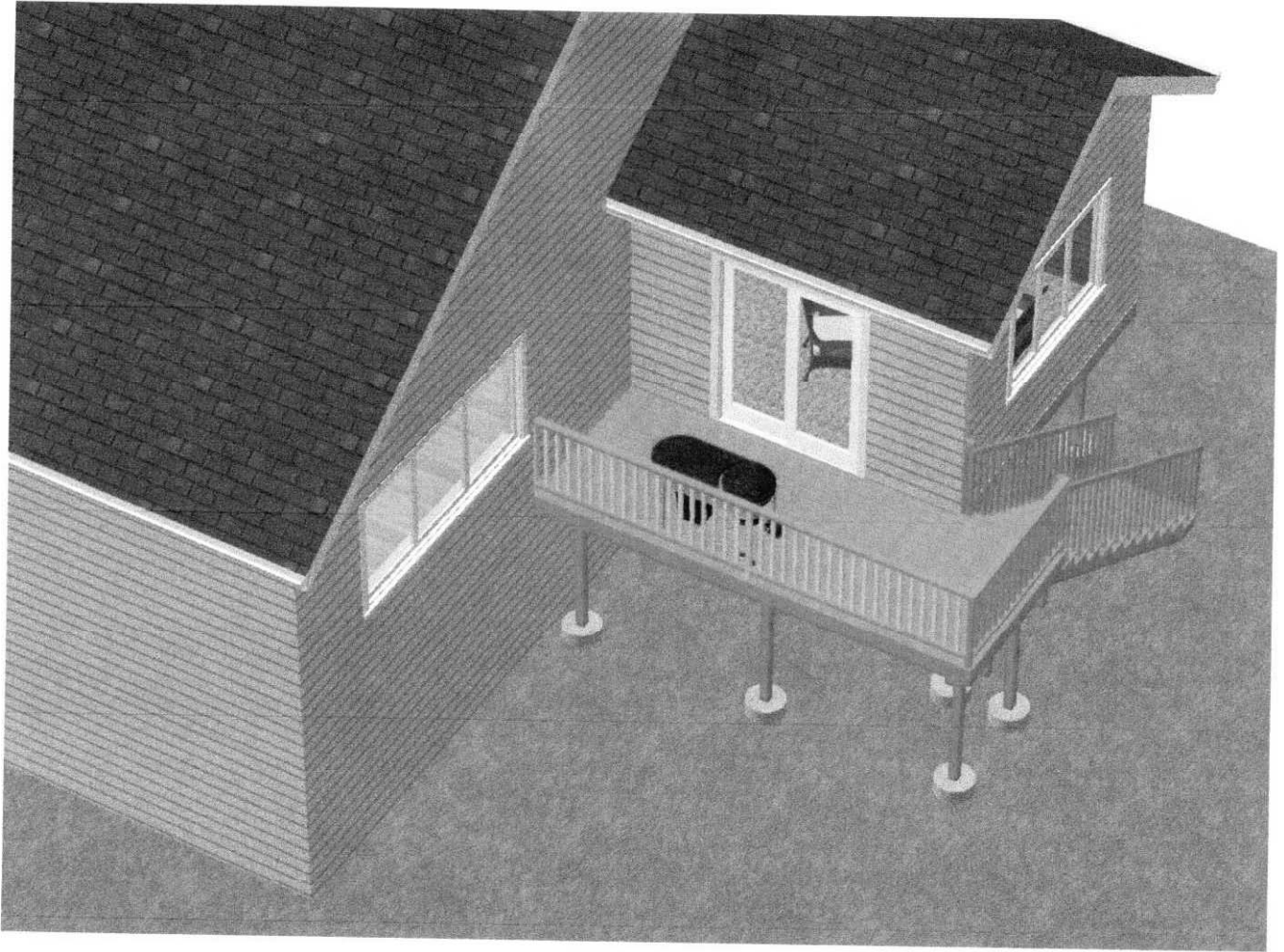
**Legal Description**  
VILLAS AT EAGLE VIEW SOUTH SUB LT 117

**Section/Township/Range**

**Document**

**Images**

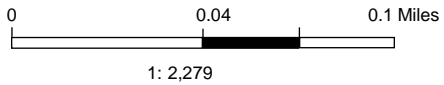
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*Dim, caucea pãint.*



# Aerial View for 52 Yukon Circle



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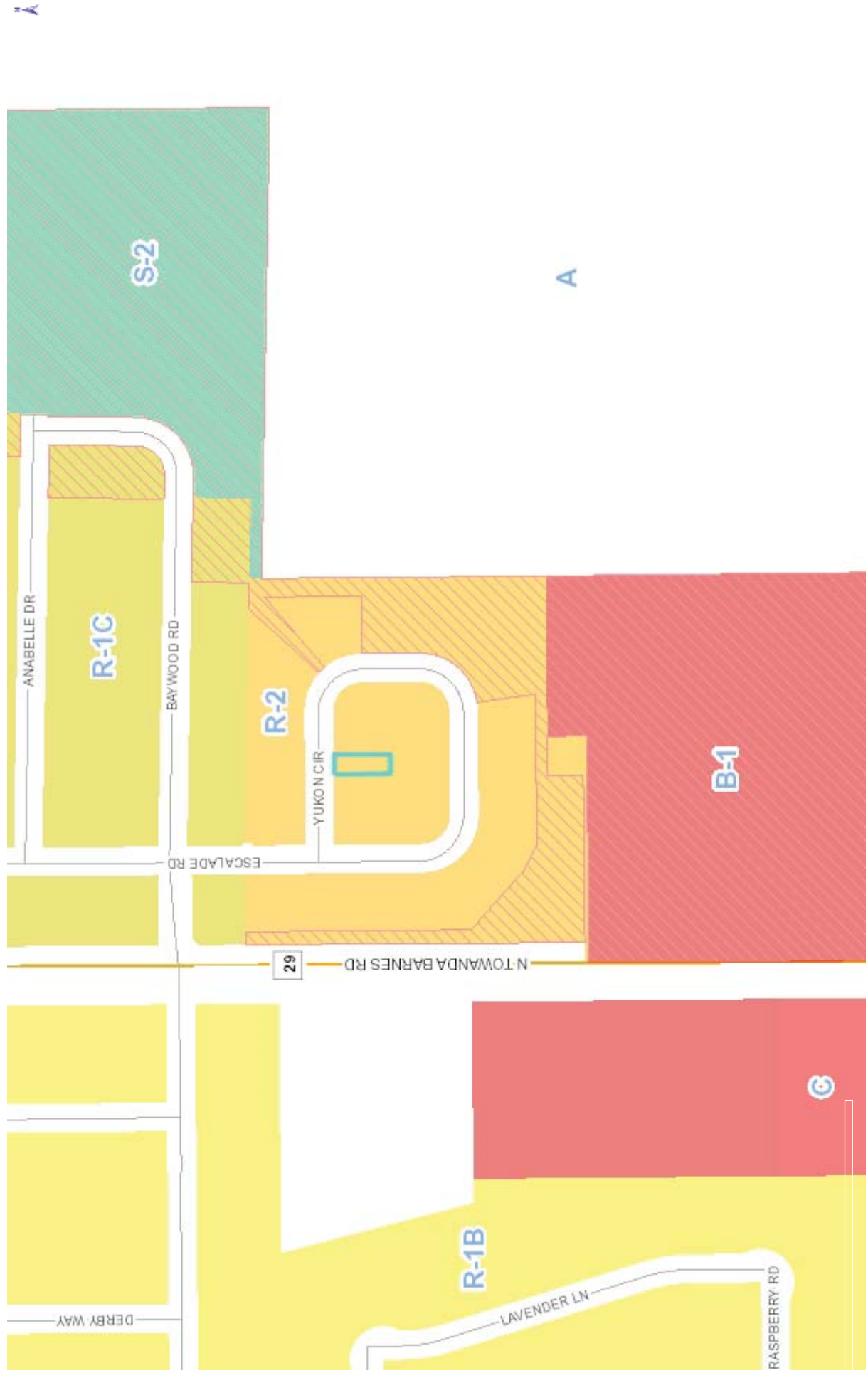
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### Notes

R-2 Zero Lot Line Zoning



# Zoning Map for 52 Yukon Circle



0 0.07 0.1 Miles

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### Notes

R-2 Zero Lot Line Zoning

1: 4,495

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AARON YOKLEY  
3906 BAYWOOD  
BLOOMINGTON IL 61704

ALICE KAY LAMBERT  
2014 ESCALADE RD  
BLOOMINGTON IL 617058826

ARK VI LLC  
202 N PROSPECT STE 202  
BLOOMINGTON IL 61704

ARMSTRONG BUILDERS INC  
1701 TULLAMORE SUITE A  
BLOOMINGTON IL 61704

BRIAN A & KHARLA ABAMONT  
3911 BAYWOOD RD  
BLOOMINGTON IL 61704

CHANDRA & CHANDANA NARNE  
BABBURI  
3913 BAYWOOD RD  
BLOOMINGTON IL 617052826

CHARLES RAY JOHNSON  
23 Yukon Cir  
Bloomington IL 617058824

CHRIS & KRISTIN BOOTH  
3901 ANABELLE DR  
BLOOMINGTON IL 617058823

CINDY GIBSON  
33 Yukon Cir  
Bloomington IL 617058824

COREY & NATALIE M DOLLINGER  
LEACH  
3915 BAYWOOD RD  
BLOOMINGTON IL 617052826

CYNTHIA K NORTON  
2012 ESCALADE RD  
BLOOMINGTON IL 617058826

DAN & SARA MITCHELL  
3905 ANABELLE DR  
BLOOMINGTON IL 617058823

DAN STAGGS  
3904 Baywood Rd  
Bloomington IL 617052824

DAVID J & DEANNA S WARNER  
35 YUKON CIR  
BLOOMINGTON IL 617058824

DEE ANN KRIEG  
2020 ESCALADE RD  
BLOOMINGTON IL 617058826

DONNA L TORRICELLI  
58 YUKON CIR  
BLOOMINGTON IL 617058825

DORIS & GARY NOLDER  
2016 ESCALADE RD  
BLOOMINGTON IL 617058826

DWAYNE & DONNA HARRIS  
17 YUKON CIR  
BLOOMINGTON IL 617058824

EMERY E & ELAINE I JOHNSON  
47 YUKON CIR  
BLOOMINGTON IL 617058824

EVA HOA  
17 YUKON CIR  
BLOOMINGTON IL 617058824

GARY RAPP  
3703 BAYWOOD RD  
BLOOMINGTON IL 617042805

GERALD D GRANDON  
3910 BAYWOOD  
BLOOMINGTON IL 61705

GERI KOCH  
49 YUKON CIR  
BLOOMINGTON IL 617058824

HARVEY D WALTER  
21 Yukon Cir  
Bloomington IL 617058824

HITCHINS LIVING TRUST  
2022 ESCALADE RD  
BLOOMINGTON IL 617058826

IRIS E CAINES TRUSTEE  
31 Yukon Cir  
Bloomington IL 617058824

JAMES A OBRIEN  
3902 BAYWOOD RD  
BLOOMINGTON IL 61705

JAMES B & BEVERLY S OCONNOR  
2024 ESCALADE RD  
BLOOMINGTON IL 617058826

JAMES HAAS  
10 Yukon Cir  
Bloomington IL 617058825

JASON BECKMAN  
3908 BAYWOOD RD  
BLOOMINGTON IL 61704

JEAN DENNIS REVOCABLE TRUST  
14 YUKON CIR  
BLOOMINGTON IL 617058825

JEANETTE CARNEY  
2018 ESCALADE RD  
BLOOMINGTON IL 617058826

JEFFREY A ANCELET  
55 Yukon Cir  
Bloomington IL 617058824

JOHN & DEBRA FOSTER  
9 YUKON CIR  
BLOOMINGTON IL 617058824

JOHN BARRETSMITH  
3909 BAYWOOD ROAD  
BLOOMINGTON IL 61705

JOHN P SPRINKER  
13 Yukon Cir  
Bloomington IL 617058824

JOLYN GUY  
46 YUKON CIR  
BLOOMINGTON IL 617058825

JORJA L HANNA  
59 YUKON  
BLOOMINGTON IL 61704

KATHERINE A& JEAN M THILMANY  
19 YUKON CIRCLE  
BLOOMINGTON IL 61704

KATHLEEN M COX TRUSTEE  
3906 RAVE ROAD  
BLOOMINGTON IL 61704

KATHLEEN PAGANA  
5 YUKON CIR  
BLOOMINGTON IL 617058824

KELLI HELLER  
11 YUKON CIR  
BLOOMINGTON IL 617058824

KENDALL J & SUZANNE M SHEETS  
8 YUKON CIRCLE  
BLOOMINGTON IL 61705

KENNETH & ROSE FRIZZELL KELLER  
2 YUKON CIR  
BLOOMINGTON IL 617058825

KRAFT FARMS LLC  
426 S 5TH ST  
SPRINGFIELD IL 627011820

KRISHNA KUMAR & BINA TODI  
3912 Baywood Rd  
Bloomington IL 61704

KURT W SIEVERS  
15 Yukon Cir  
Bloomington IL 617058824

KYLE O RAVE  
13 THOMAS DR  
NORMAL IL 61761

LARRY & TERESA BRUELLMAN  
25 YUKON CIR  
BLOOMINGTON IL 617058824

LAURA M KANT  
27 YUKON CIRCLE  
BLOOMINGTON IL 61705

LAWRENCE J FLYNN  
52 YUKON CIR  
BLOOMINGTON IL 617058825

LINDA ANN UMBRIGHT  
50 YUKON CIR  
BLOOMINGTON IL 617058825

MICHAEL & JOANNE MEJIA  
56 YUKON CIR  
BLOOMINGTON IL 617058825

MICHAEL B & EVANNA R HILFRINK  
45 YUKON CIR  
BLOOMINGTON IL 617058824

MICHAEL KILEY  
29 Yukon Cir  
Bloomington IL 617058824

MICHELLE K MARSH  
28 INGLEWOOD LN  
BLOOMINGTON IL 617048522

NANCY SHARP  
2006 ESCALADE RD  
BLOOMINGTON IL 617058826

PAUL A & ANGELA K RIEKEN  
3907 Baywood Rd  
Bloomington IL 617052826

PREETHAM & MOUNA ALLALA  
KOMMULA  
3903 BAYWOOD RD  
BLOOMINGTON IL 617052826

RICHARD D LONG  
37 Yukon Cir  
Bloomington IL 617058824

ROBERT & LINDA BALL  
3 YUKON CIR  
BLOOMINGTON IL 617058824

ROBERT D GALLOWAY  
6 YUKON CIRCLE  
BLOOMINGTON IL 61705

RONALD & LINDA KINDER  
1 Yukon Cir  
Bloomington IL 617058824

RYAN BEVERS  
3905 Baywood Rd  
Bloomington IL 61704

SAIRAM & SUDHA RACHURI  
2102 ESCALADE RD  
BLOOMINGTON IL 617058827

SAMUEL M DOUGLASS  
12 YUKON CIR  
BLOOMINGTON IL 617058825

SANDEEP S PATEL  
3907 Anabelle Dr  
Bloomington IL 617058823

SCOTT & EMILY BECKMAN  
3901 BAYWOOD RD  
BLOOMINGTON IL 617052826

SCOTT & MARY HARRISON  
41 YUKON CIR  
BLOOMINGTON IL 617058824

SHARON MCCAIIA  
51 YUKON CIR  
BLOOMINGTON IL 61704

SIDDHARTH & INDIRA BHOWMICK  
PANDEY  
7 YUKON CIR  
BLOOMINGTON IL 617058824

STEPHEN KINDRED  
2004 N TOWANDA BARNES RD  
BLOOMINGTON IL 617052800

SUSAN A GILBERT  
2008 ESCALADE RD  
BLOOMINGTON IL 617058826

SUSAN FISCHER  
53 Yukon Cir  
Bloomington IL 617058824

TIMOTHY S & DIANA J VAN HYNING  
2010 ESCALADE RD  
BLOOMINGTON IL 617058826

VICKIE REYNOLDS  
54 Yukon Cir  
Bloomington IL 617058825

WAYNE & MARCIA LUTZ  
2030 ESCALADE RD  
BLOOMINGTON IL 617058826

WILLARD & ELEANOR WOODWARD  
2004 ESCALADE RD  
BLOOMINGTON IL 617058826

WILLIAM & DIANA DUCETT  
55 YUKON CIR  
BLOOMINGTON IL 617058824

WILLIAM M RUDOLPH  
4 Yukon Cir  
Bloomington IL 617058825

Willis Berry  
48 Yukon Cir  
Bloomington IL 617058825

ZAFAR 8 & AZRA Z AWAN  
3903 ANABELLE DR  
BLOOMINGTON IL 617058823



**CITY OF BLOOMINGTON  
REPORT FOR THE BOARD OF ZONING APPEALS  
JUNE 15, 2016**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-21-16 514 E. Douglas Street	Variance to allow 8 parking spaces in lieu of the required 12 spaces (44.7-2H(4)(b)) for six multifamily dwelling units in the R-2, Mixed Residential District	Katie Simpson City Planner

**REQUEST**

The petitioner is seeking a Variance to allow 8 parking spaces in lieu of the required 12 spaces (44.7-2H(4)(b)) for six multifamily dwelling units in the R-2, Mixed Residential District. The subject property is commonly located at 514 E. Douglas Street.

**NOTICE**

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

**GENERAL INFORMATION**

Owner and Applicant: Meio Lin

**PROPERTY INFORMATION**

Existing Zoning: R-2, Mixed Residential District  
 Existing Land Use: Multifamily—six (6) apartments  
 Property Size: Approximately 12,348 feet (136 X 92).  
 PIN: 21-04-256-010

**Surrounding Zoning and Land Uses**

Zoning

North: R-2, Mixed Residential District  
 South: R-2, Mixed Residential District  
 East: R-2, Mixed Residential District  
 West: R-2, Mixed Residential District

Land Uses

North: Church  
 South: Single, two, and multifamily homes  
 East: Single family home  
 West: Single, two, and multifamily homes

**Analysis**

Submittals

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

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

**PROJECT DESCRIPTION**

The subject site is commonly known as 514 E Douglas, located on the corner of Evans Street and Douglas Street. The property is approximately 12, 348 square feet (136’ X 92’). For the past decade the property has been used as a multifamily rental with six (6) apartment units. The property was recently purchased by the petitioner. The petitioner is renovating the interior and bringing the property into compliance with the Code. Section 44.7-2H(4)(b) requires two (2) parking spaces per dwelling unit for a multifamily use, requiring the petitioner to provide 12 spaces. The petitioner is requesting a variance to provide eight (8) in lieu of the required twelve (12).

The property is a corner lot with front yards along Douglas Street and Evans Street. Parking is prohibited in the front yard in the residential district, unless occurring on a paved driveway. All parking spaces provided would need to be located in the rear and/or side yard. The petitioner is proposing to provide eight (8) onsite parking spaces at a 90 degree angle. As per city code, parking spaces parked at 90 degrees must be nineteen (19) feet long, nine (9) feet wide and have an aisle of twenty five (25) feet.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Section 44.7-2H(4)(b)

Type of Variance	Request	Required	Variance
Multifamily Parking	8	12 (2/unit)	decreased by 4 spaces

**Analysis**

**Variations from Zoning Ordinance**

Section 44.7-2H(4)(b) of the zoning ordinance requires 2 parking spaces per apartment. The petitioner is proposing six apartments requiring twelve (12) spaces. The petitioner is proposing to accommodate eight (8) on-site spaces.

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

**FINDINGS OF FACT**

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

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

The property is located on a corner lot and does not allow parking in the front yard. The rear yard width is approximately 72 feet and could accommodate eight (8) spaces at a 90 degree angle, 9 feet wide and 19 feet long with a 25 foot wide parking aisle. It could not accommodate twelve (12) in the rear yard. The standard is met.

**That the variances would be the minimum action necessary to afford relief to the applicant; and** the property could not accommodate twelve (12) spaces in the rear yard but could accommodate eight (8) and possibly could accommodate a few, angled parking spaces along the east side of the house (behind the porch roof line) where parking previously existed. The standard is not met.

**That the special conditions and circumstances were not created by any action of the applicant; and** the petitioner wishes to maintain the number of existing apartments in this building and the building does not currently provide twelve spaces for tenants. The standard is met.

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** other apartments in the area rely on on-street parking. The standard is met.

**That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** The provision of off-street parking are required to increase safety and lesson congestion on the street. It is challenging to accommodate twelve spaces on the existing lot. The proposed eight (8) spaces would still decrease congestion and improve safety. The standard is met.

**STAFF RECOMMENDATION:**

Staff finds that the petition has met the Zoning Ordinance's standards required to allow a variance. Staff recommends **approval** of a variance from Section 44.7-2H(4)b of Chapter 44 to allow less than twelve (12) parking spaces in Case Z-23-16 under the condition that the petitioner accommodate the proposed eight spaces in the rear yard of the property and a few additional spaces along the east side of the property.

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Legal Description
- Location Map and Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property

#24035

**ZONING BOARD OF APPEALS  
INSTRUCTIONS FOR SUBMISSION OF VARIANCE(S) REQUESTS**

**The Zoning Board of Appeals meets every third Wednesday of each month, at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois.**

In order for your petition for variance requests(s) to be placed on the agenda you **MUST** complete and submit the following items to the Planning and Code Enforcement Department by the submission deadline, in the attached schedule:

1. A \$125.00 filing fee for a specified hearing date for one variance petition. For each additional request thereafter the fee is \$25.00 per request.
2. Both the attached application and statement of Findings of Fact filled out by the Petitioner. Only persons with a contractual interest in the property shall submit an application.
3. A site plan, **TO SCALE IN BLACK INK**, depicting your lot, location of all buildings, structures, driveways, parking areas and other improvements, you must show all dimensions. If you submit a site plan on paper larger than 8 ½" x 11", you must submit 12 copies.

You must call (309) 434-2341 to set up an appointment with the City Planner to discuss this petition. The site plan must be reviewed with the City Planner at your appointment, before the final submission deadline.

Notice of the variance request will be published in the Legal Section of The Pantagraph approximately 15 days before the scheduled meeting. Courtesy notices will be mailed to adjacent property owners and other interested parties.

You must be the owner of the property subject to the variance petition. You or your representative **MUST** attend the Zoning Board of Appeals meeting. You will be sworn in and you may offer additional testimony at the meeting.

It takes four concurring votes for your petition to be approved. If your petition is denied by a vote of less than five (5) members, you may appeal the decision to City Council. You must file with the City Clerk a "Notice of Appeal" within 10 days of the ruling.

If your petition is approved, you must obtain all the necessary building permits with regards to your project.

A variance is good for one (1) year and must be acted upon within this time frame or it will be void.

Note: it is unlawful to call or have contact with any member of the Zoning Board of Appeals prior to the meeting.

**MAY 24 2016**

*Zoning Board of Appeals Submission and Hearing Dates for 2015*

Submission Deadline	Hearing Date
12/17/14	1/21/15
1/23/15	2/18/15
2/20/15	3/18/15
3/20/15	4/15/15
4/24/15	5/20/15
5/21/15	6/17/15
6/19/15	7/15/15
7/24/15	8/19/15
8/21/15	9/16/15
9/25/15	10/21/15
10/23/14	11/18/15
11/18/15	12/16/15
12/16/15	1/20/16

**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

*SEE ATTACHED DOCUMENT*

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

*" "*

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

*" "*

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

*" "*

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.

*" "*

**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: 514 E DOUGLAS BLOOMINGTON

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


Petitioner: MELO LIN Phone: 3095327025

Petitioner's Email Address: billycatno1@hotmail.com

Petitioner's Mailing Address Street: 1408 HANSON DR NORMAL IL 61761

City, State, Zip Code: \_\_\_\_\_

Contractual interest in the property?  yes  no WE OWN IT

Signature of Applicant 

Brief Project Description:

ADJUST PARKING TO ACCOMODATE 8 SPACES.

Code Requirements Involved:

2 PARKING SPACES PER APARTMENT.

Variances(s) Requested:

TO ALLOW 8 SPACES TOTAL AS SPACE #15 LIMITED PURCHASED PROPERTY (6 UNITS) WHICH ONLY USED 6 SPACES.

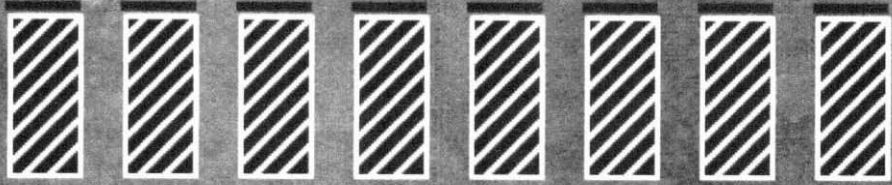
Reasons to Justify Approval by the Zoning Board of Appeals: Your justifications for approval must also be provided in the statement of Findings of Fact.

1. Due to the size of the property and the limitations of accommodating 2 parking spaces per one bedroom unit, we are able to supply up to 8 spaces in the rear of 514 Douglas and not impact vehicles entering or exiting the property. This would also make sure no one parks in the front of home as it was done before.
2. We only request that we be granted the ability to maximize our current space to the fullest while maintaining a safe 8 space parking area for future tenants. We are prepared to write into our lease's no vehicle larger than a SUV can be parked on the street so as to not impact our neighbor's ability to access their homes comfortably.
3. 514 Douglas was purchased with only 6 parking spaces (parking blocks). We would only be adding to the number of spaces and also moving the spaces away from the front of the property to adhere to additional code requirements. No construction of any kind has been done to reduce or limit the amount of spaces to be used for parking.
4. We ask for the variance not in any attempt to profit from nor take away from anyone else's ability to access their home. Only to allow us to continue renovating the home and allowing for addition parking spaces the property can accommodate safely.
5. We require nor request any variance that would take away or impact our neighbors.

Note: Our goal is to resurrect the rental property to code, remodel to today's standards with visual appeal while protecting historical features of the home, make the property safe for our tenants and neighbors near us, and have a property our neighbors are happy to be near.

We purchased the home with significant remodeling needs and only 6 parking spaces. Though we feel confident 8 can be sustained safely, we plead for the City of Bloomington to grant us this variance so we can continue remodeling the home to its fullest potential.





PROPOSED LAYOUT

514

*6 unit  
without pave  
less than 12  
spaces*



**Douglas St**

Douglas St



514



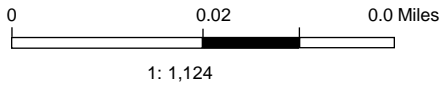
CURRENT LAYOUT



Legal Description for 514 E Douglas Street  
KH FELS 2<sup>ND</sup> ADD LOT 1 & E1/2 LOT 2 BLK 1



# Aerial View for 514 Douglas Street



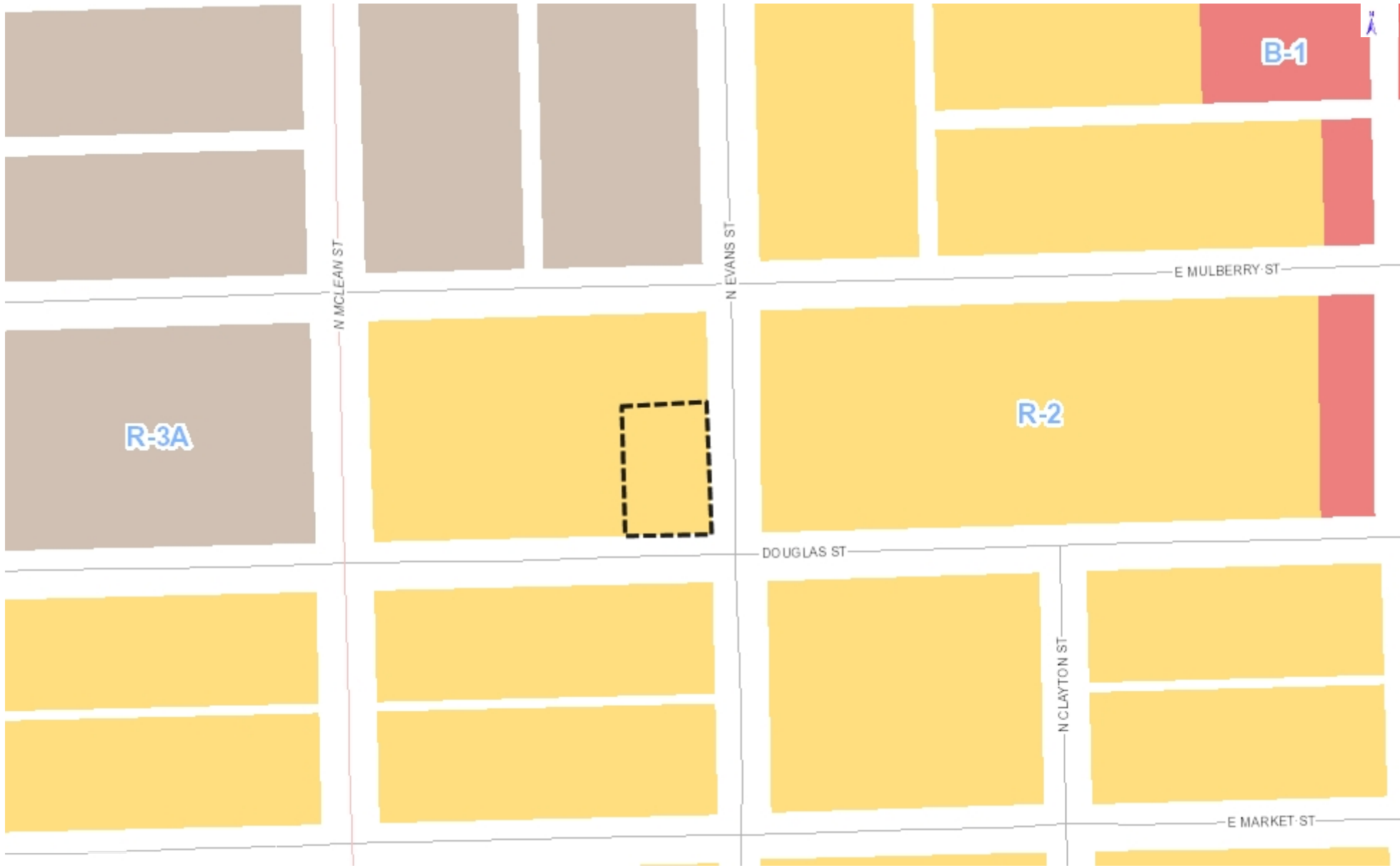
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Notes  
R-2 Zoning



# Zoning Map for 514 Douglas Street



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Notes  
R-2 Zoning

% JAMES MODINE MODINE, INC.  
17437 E 2475 NORTH RD  
HUDSON IL 617489232

AARON AND BETH VOGEL  
2810 DEGARMO DR  
BLOOMINGTON IL 61704

ALLIED PROPERTIES  
323 E LOCUST ST APT 2  
BLOOMINGTON IL 617013187

ANDRAE & MELISSA GRAVES WILLIAMS  
501 E LOCUST  
BLOOMINGTON IL 61701

ANGELA M WILHELM  
409 DOUGLAS ST APT 1  
BLOOMINGTON IL 617018445

ANNETTA O MILLER TRUSTEE  
32 COUNTRY CLUB PL  
BLOOMINGTON IL 617013402

ANTHONY MALONE  
408 DOUGLAS ST  
BLOOMINGTON IL 617013104

ANTONIO L SCARZO III  
510 E CHESTNUT ST  
BLOOMINGTON IL 617013226

B & B PROPERTY GROUP LLC  
P O BOX 3231  
BLOOMINGTON IL 61702

BERT OTTO  
321 E MULBERRY  
BLOOMINGTON IL 61701

BILLY BURDEN  
410 E LOCUST ST APT B  
BLOOMINGTON IL 617018461

BRAD BUTZIRUS  
14225 N 900 EAST RD  
BLOOMINGTON IL 617046973

BRIAN FABIAN  
611 E MARKET ST  
BLOOMINGTON IL 617013215

BRIANNA PRESSLEY  
705 N EVANS  
BLOOMINGTON IL 61701

BROOKE E KLETZ  
503 N MCLEAN ST  
BLOOMINGTON IL 617013117

CALVIN & PAMELA SNELLING  
704 N EVANS ST  
BLOOMINGTON IL 617013112

CARL L ANDERSON JR  
1105 HOLLYRIDGE CIR  
BLOOMINGTON IL 617046223

CATHY LYNN DUTZ  
608 N MCLEAN ST  
BLOOMINGTON IL 617013120

CHAD & MICAH JESSEN  
PO BOX 3561  
BLOOMINGTON IL 617023561

CHASE CAVALERA  
1406 W WOOD ST  
BLOOMINGTON IL 617016366

CHASTITY MAST  
604 Douglas St  
Bloomington IL 617013208

CHERYL A FROELICH  
612 E MARKET ST  
BLOOMINGTON IL 617013216

CHRIS & SHANNON GROVER BECK  
509 E MULBERRY ST  
BLOOMINGTON IL 617013221

CHRISTOPHER MORGAN  
513 E MULBERRY  
BLOOMINGTON IL 61701

CORY & KATHERINE PATTERSON  
2104 HACKBERRY RD  
BLOOMINGTON IL 617042788

CORY NUSSBAUM  
603 E MARKET  
BLOOMINGTON IL 61701

DAN MINER INC  
5316 W BLOOMINGTON RD  
CHAMPAIGN IL 618229510

DANIEL & MAUREEN SVENSON  
401 CHESTNUT STREET  
SAN CARLOS CA 94070

DANIEL W HARMS  
P O BOX 5502  
BLOOMINGTON IL 61702

DARRYL BROWN  
610 N MCLEAN ST  
BLOOMINGTON IL 617013120

DAVID C SCHULZ  
512 E MULBERRY ST  
BLOOMINGTON IL 617013222

DON TEXEIRA  
206 S CLINTON ST  
BLOOMINGTON IL 617015410

DONALD L ALDRIDGE  
703 N McLean St  
Bloomington IL 617013121

EDWARD BEASLEY  
PO BOX 1732  
DECATUR IL 625251732

ERNEST M & BETTY M SWARTZ  
508 E MARKET ST  
BLOOMINGTON IL 617014132

FRANK TOM  
PO BOX 5976  
BLOOMINGTON IL 617025976

GARY M & CONNIE K RAPP  
3703 BAYWOOD RD  
BLOOMINGTON IL 617042805

GERARD F & KAREN J KINSELLA  
BERTHEL  
409 E LOCUST ST  
BLOOMINGTON IL 617018471

ILLINOIS NATIONAL BANK  
322 E CAPITOL AVE  
SPRINGFIELD IL 627011710

JASON M FEHR  
1217 E GROVE ST  
BLOOMINGTON IL 617014253

DENNIS COTTIER  
1109 N COLLEGE AVE  
NORMAL IL 61761

DONALD & SHARON MADDEN  
504 N MCLEAN  
BLOOMINGTON IL 61701

DONALD MARKEY  
702 DOUGLAS ST  
BLOOMINGTON IL 617013210

ELIZABETH FULTON  
% CRAIG FAMILY TRUST 510 W  
STEWART ST  
BLOOMINGTON IL 61701

FERNANDO CARRANZA  
507 E MARKET  
BLOOMINGTON IL 61701

GARRY L DEVINE  
517 E MULBERRY  
BLOOMINGTON IL 61701

GENE & JOANNE AGNEW  
RR 1 BOX 141  
TOWANDA IL 617769742

HAROLD BOYD  
313 N MAIN ST  
BLOOMINGTON IL 617013913

JAMES SPINKS  
703 E DOUGLAS ST  
BLOOMINGTON IL 61701

JEFF MARVEL  
508 E MULBERRY ST  
BLOOMINGTON IL 617013222

DLH2 LLC  
1608 E WASHINGTON ST  
BLOOMINGTON IL 617014247

DONALD JACKSON JR  
509 E MARKET ST  
BLOOMINGTON IL 61701

DREAMHABBERS LLC  
428 COUNTY ROAD 2450 E  
CARLOCK IL 617259003

ERIKA S JEFFERY  
503 E MULBERRY ST  
BLOOMINGTON IL 617013221

FRANK & SARA NEWBURN  
510 E Monroe St  
Bloomington IL 617014126

GARY E & LINDA L SHELTON  
1304 TOWNLEY DR  
BLOOMINGTON IL 617042308

GERALD L & STEPHANIE PURKEY  
409 N MCLEAN ST  
BLOOMINGTON IL 617014045

HILARIE HAMBLIN  
512 E MONROE ST  
BLOOMINGTON IL 617014126

JANE ELLEN LIVINGSTON  
502 DOUGLAS ST  
BLOOMINGTON IL 617013106

JENNIFER LYNN  
604 E MONROE ST  
BLOOMINGTON IL 617014134

JODI BLOOMINGTON SF LLC  
1716 R T DUNN DR STE 4  
BLOOMINGTON IL 617018730

JOHN D BIGGERSTAFF  
606 DOUGLAS ST  
BLOOMINGTON IL 617013208

JOHN W & CAROLYN J ANDERSON  
P O BOX 56  
LEXINGTON IL 61753

JOSHUA HUTSON  
609 E MARKET ST  
BLOOMINGTON IL 617013215

JOSHUA L BRANHAM  
610 E MARKET  
BLOOMINGTON IL 61701

JUDITH STEARNS  
306 E LOCUST ST APT 5  
BLOOMINGTON IL 617018425

JUSTIN & AMANDA CORDAY  
DAMBACHER  
701 DOUGLAS ST  
BLOOMINGTON IL 617013209

KAREN MCWHORTER  
612 DOUGLAS ST  
BLOOMINGTON IL 617013208

KARLA J. & TIM R. FENTON  
611 Douglas St  
Bloomington IL 617013207

KATHLEEN CASE DBA CASE & CASE  
506 E MULBERRY  
BLOOMINGTON IL 61701

KELLY L UPP  
503 N EVANS ST  
BLOOMINGTON IL 61701

KENNETH L BENTLEY  
609 DOUGLAS ST  
BLOOMINGTON IL 617013207

KRISTA REICHERT  
405 E MULBERRY ST  
BLOOMINGTON IL 617013125

KRISTIENCE GIBBONS  
1310 IRONWOOD CC DR  
NORMAL IL 617615228

LARRY WILLIAM ORRIS  
405 N McLean St  
Bloomington IL 617014045

LAWRENCE D & TERESA J STUBBS  
407 E MULBERRY ST  
BLOOMINGTON IL 617013125

LEWIS F STEINBACH  
511 E MARKET ST  
BLOOMINGTON IL 61701

LIVING WORD MINISTRIES  
411 E Mulberry St  
Bloomington IL 617013125

LIVING WORD MINISTRIES  
411 E Mulberry St  
Bloomington IL 617013125

LIVING WORD MINISTRIES  
411 E Mulberry St  
Bloomington IL 617013125

LULA M THOMASON  
PO BOX 585  
NORTH CHICAGO IL 600640585

MARK FRYER  
504 E MULBERRY  
BLOOMINGTON IL 61701

MARK PARKER  
1101 E MONROE ST  
BLOOMINGTON IL 617013328

MARTHA CARLTON  
506 DOUGLAS ST  
BLOOMINGTON IL 617013106

MARTIN W CASE  
1925 E OAKLAND AVE  
BLOOMINGTON IL 617015754

MATTHEW AUGSBURGER  
6041/2 E DOUGLAS  
BLOOMINGTON IL 61701

MATTHEW OLDENBURG  
15817 OLD ORCHARD RD  
BLOOMINGTON IL 617045524

MCLEAN COUNTY TRUSTEE  
PO BOX 96  
EDWARDSVILLE IL 62025

MCLT LV 21  
1716 R T DUNN DR STE 4  
BLOOMINGTON IL 617018730

MICHAEL G MYERS  
151 REEF RD  
SOUTH DAYTONA FL 321192226



MODINE INC  
PO BOX 1692  
BLOOMINGTON IL 617021692

NICHOLAS CROSS  
328 E MULBERRY ST  
BLOOMINGTON IL 617013124

PATRICIA A SMITH  
504 N EVANS ST  
BLOOMINGTON IL 617013108

PAUL RAWSON  
19574 DEVONSHIRE DR  
DOWNS IL 617369340

PHYLLIS S FEENEY  
1507 E WASHINGTON ST  
BLOOMINGTON IL 617014252

REBECCA BOGARDUS  
2560 CACHE DR  
COLORADO SPRINGS CO 80923

RICK R REYNOLDS  
505 E MULBERRY ST  
BLOOMINGTON IL 617013221

ROBIN L KINNEY  
412 E LOCUST ST  
BLOOMINGTON IL 617013116

RONALD D BLAKENEY  
2816 CAPEN DRIVE  
BLOOMINGTON IL 61704

SANDRA L BUMPUS  
403 E MULBERRY  
BLOOMINGTON IL 61701

MORTGAGE COMPANY NATION WIDE  
ADVANTAGE  
P.O. BOX 91900  
DES MOINES IA 503919000

NORMAN A HISER  
102 N MORGAN ST  
LEXINGTON IL 617531143

PATRICK & KRISTA MCALERNEY  
607 E DOUGLAS  
BLOOMINGTON IL 61701

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

RAYMUNDO & MARIA V HERNANDEZ  
514 E MULBERRY  
BLOOMINGTON IL 61701

REID & KARA YOUNG  
608 E MARKET  
BLOOMINGTON IL 61701

ROBERT REWERTS  
2405 E EMPIRE ST  
BLOOMINGTON IL 617048200

RODNEY L KLINGENBERG  
411 N MCLEAN ST  
BLOOMINGTON IL 617014045

RYAN SCRITCHLOW  
1005 MAPLE ST  
BLOOMINGTON IL 617016948

SCOTT & NICOLE WOLF  
5802 LAKE POINT DR  
PLAINFIELD IL 60586

NATHAN & KIMBERLY JACKSON  
1256 SILVER OAK CIR  
NORMAL IL 617619401

PARKER & COUILLARD LLC  
712 N ROOSEVELT AVENUE  
BLOOMINGTON IL 61701

PATRICK & SCOTT BROWN HENSON  
2308 TIMBER VIEW DR  
BLOOMINGTON IL 617017831

PHILLIP & MARY BOWERS  
322 E MULBERRY ST  
BLOOMINGTON IL 617013124

REBECCA & RAMONA POZZI  
515 E MARKET  
BLOOMINGTON IL 61701

RICHARD L FASIG  
610 DOUGLAS ST  
BLOOMINGTON IL 617013208

ROBERT SWALLOW  
505 W Mill St  
Bloomington IL 617015145

ROGER L NINNESS  
PO BOX 191  
BLOOMINGTON IL 617020191

SABRINA ZREKAT  
408 N MCLEAN ST  
BLOOMINGTON IL 617014046

SHEILA E TAYLOR  
9130 POLARIS DRIVE  
BLOOMINGTON IL 61705

SMITH AFFILIATES, LLC  
1308 CROSS CREEK RD  
MAHOMET IL 618533724

STEVE HINCH  
1958 100TH AVE  
NEW HOLLAND IL 626716001

STEVEN FAST  
510 E MARKET  
BLOOMINGTON IL 61701

STEVEN G MORKEN  
36956 N STANTON POINT RD  
INGLESIDE IL 600418413

SUZANNE J VALENTINE  
505 1/2 N EVANS ST  
BLOOMINGTON IL 61701

THOMAS F JONES  
20 EDGEWOOD CT  
BLOOMINGTON IL 617017833

TIM COUGHLAN  
515 E MULBERRY  
BLOOMINGTON IL 61701

TONY S ADEKOYA M/M  
3 HANEY CT  
BLOOMINGTON IL 617014983

TYLER HOLLOWAY  
2509 KARA XING  
BLOOMINGTON IL 61704

TYSON SCHULTZ  
504 E DOUGLAS  
BLOOMINGTON IL 61701

ULYSSES SUAREZ  
702 E MARKET ST  
BLOOMINGTON IL 617013218

VALORIE G CASSON  
604 E MARKET  
BLOOMINGTON IL 61704

WANDA GABRIEL  
2566 HAYESVILLE AVE  
HENDERSON NV 890526501

WAYNE PELHANK  
2625 Day Lily Run  
The Villages FL 321622050

WILLIAM FITZGERALD  
2001 E OAKLAND AVE  
BLOOMINGTON IL 617015756

**CITY OF BLOOMINGTON  
REPORT FOR THE BOARD OF ZONING APPEALS  
JUNE 15, 2016**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-22-16 25 Buckhurst Circle	Variance to allow for a front yard setback of 20 feet in lieu of the required 25 feet (44.6-40A) in the R-1C, Single Family Residential District	Katie Simpson City Planner

**REQUEST**

The petitioner is seeking a Variance to allow for a front yard setback of 20 feet in lieu of the required 25 feet (44.6-40A) in the R-1C, Single Family Residential District. The subject property is commonly located at 25 Buckhurst Circle.

**NOTICE**

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

**GENERAL INFORMATION**

Owner and Applicant: Stephen and Nancy Snyder

**PROPERTY INFORMATION**

Existing Zoning: R-1C, Single Family Residential District  
 Existing Land Use: Single Family home  
 Property Size: Approximately 15,836 sq ft  
 PIN: 21-11-476-029

**Surrounding Zoning and Land Uses**

Zoning

North: R-2, Mixed Residential  
 South: R-1C, Single family residential  
 East: R-1C, Single family residential  
 West: R-1B, Single family residential

Land Uses

North: Single family homes  
 South: Single family homes  
 East: Single family homes  
 West: Drainage, single family homes

**Analysis**

Submittals

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

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

4. Site visit

**PROJECT DESCRIPTION**

The subject site is commonly known as 25 Buckhurst Circle. The property is located on the curve of Buckhurst Circle and was created by combining two lots in the Second Addition Brookridge Subdivision. The property is approximately 15, 836 square feet (107’ X 148’). The petitioner is proposing to add a front porch onto the east side of the house. The porch would extend five feet beyond the existing bay windows. The site plan shows that the porch will encroach approximately five (5) feet into the front yard. Open terraces, decks and balconies are permitted obstructions in the front yard, porches with a roof are not permitted obstructions. The proposed front porch will be supported by pillars suggesting an extended roof resulting in the expansion of the existing footprint. A variance to allow for a smaller front yard setback is required.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Section 44.6-40A

Type of Variance	Request	Required	Variance
Front yard setback	20ft	25ft	5ft

**Analysis**

**Variations from Zoning Ordinance**

Section 44.6-40A of Chapter 44 requires a front yard setback of 25 feet in the R-1C District. The petitioner is proposing a front porch that will encroach five (5) feet into the existing 25 foot setback. The addition will require expanding the roof line and expanding the property’s footprint into the front yard.

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

**FINDINGS OF FACT**

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

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

The lot was created by combining two lots. It is larger than other lots in the neighborhood. Although the lot has a curved front yard, the house is positioned on the lot to allow for a front yard that currently meets the Code. The standard is not met.

**That the variances would be the minimum action necessary to afford relief to the applicant;** and the petitioner proposes to alter the existing structure by expanding the roof line. Other obstructions that do not require expanding the roof line are permitted in the front yard such as a deck. An open air, uncovered deck would be allowed in the front yard and a similar objective to the porch could be achieved without needing to expand the structure. The standard is not met.

**That the special conditions and circumstances were not created by any action of the applicant;** and the lot and building are existing and currently comply with Code. The petitioner is requesting to expand the building's footprint into the front yard. The standard is not met.

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code;** and neighboring properties comply with the regulations in Section 44.6-40. The standard is not met.

**That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** Other properties with front porches are able to maintain the required setbacks. The functions of the Code's bulk requirements are to maintain open areas, densities and general consistency in appearance. The public welfare is maintained by these requirements. The standard is not met.

**STAFF RECOMMENDATION:**

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-22-16.

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Legal Description
- Location Map and Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property

# 24036

**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: 25 Buckhurst Circle, Bloomington, IL 61704


Petitioner: Stephen & Nancy Snyder Phone: (309) 664-1833

Petitioner's Email Address: ssnyder@thesnydercompanies.com

Petitioner's Mailing Address Street: 25 Buckhurst Circle

City, State, Zip Code: Bloomington, IL 61704

Contractual interest in the property     yes     no

Signature of Applicant 

Brief Project Description: Project will add an open air front porch, suspended by pillars, to the eastern 40 feet of the property. Porch will extend 5 feet beyond the bay windows of the house as currently constructed.

Code Requirements Involved: 44.6-40

Variances(s) Requested: Project requires a 5 foot variance to the required 25 foot frontyard setback on R-1C zoning districts. This will result in a 20 foot frontyard setback running the length of the newly constructed 40 feet of open air porch.

Reasons to Justify Approval by the Zoning Board of Appeals: Project will result in streetscape improvement and increased property value.

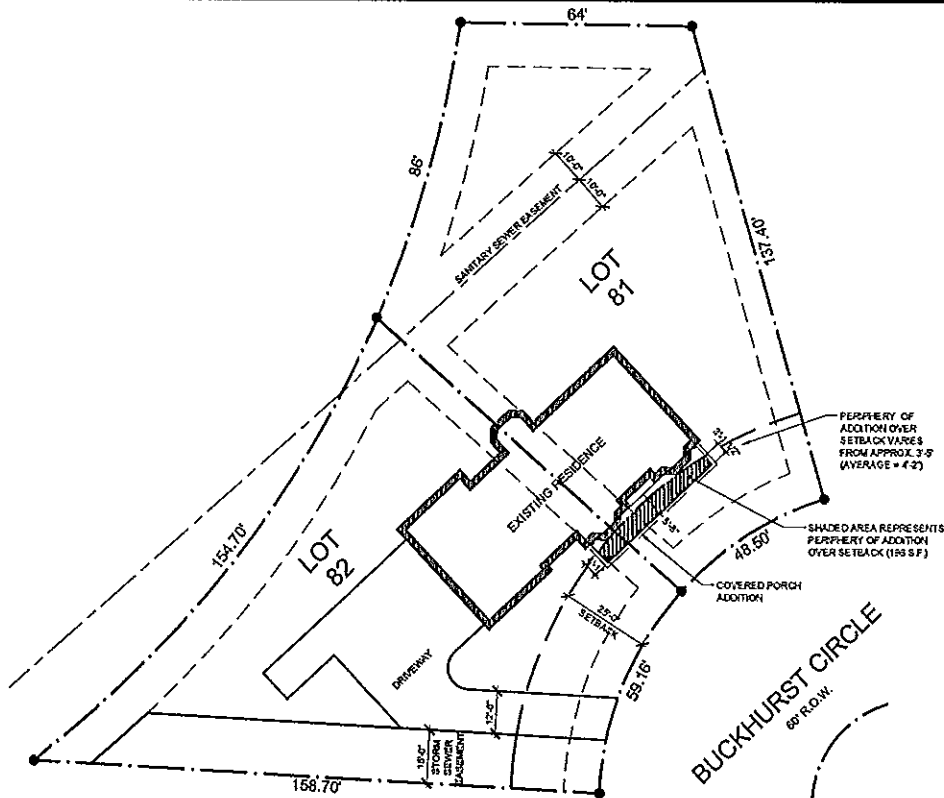


**STATEMENT OF FINDINGS OF FACT**  
**(Must be answered by the Petitioner)**

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. Lot is located in a high density zoned area and corner lot making addition of the front porch impossible without some minimal encroachment on the front yard setback.
  
2. That the variance would be the minimum action necessary to afford relief to the applicant. The variance will allow the petitioner to build the front porch.
  
3. That the special conditions and circumstances were not created by any action of the applicant.
  
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code.
  
5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties. The porch will result in streetscape improvement and value added to the neighborhood.



# SITE LAYOUT PLAN

SCALE: 1" = 40'

THE SITE PLAN INFORMATION PROVIDED ON THIS PROPOSED PLAN HAS BEEN DEVELOPED WITHOUT ACCESS TO COMPLETE SITE SURVEYS OF PROJECT SITE. AS SUCH, THE SITE PLAN INFORMATION SHOWN IS TO BE CONSIDERED AN APPROXIMATION OF LENGTH AND AREA OF SIDEWALKS, DRIVEWAYS, LANDSCAPE MATERIALS, AND SITE IMPROVEMENTS. UTILITIES (WATER, GAS, ELECTRIC AND COMMUNICATION), TOPOGRAPHY, PROPERTY EASEMENTS AND ALL OTHER SITE FEATURES, CONSTRAINTS OR ADDITIONAL INFORMATION THAT SHOULD BE TAKEN INTO CONSIDERATION ARE NOT INDICATED.

PROJECT: S1  
 SHEET: 1 OF 1 SHEETS  
 SITE PLAN  
 APPROVAL: [ ]  
 DATE: [ ]

**SNYDER RESIDENCE**  
 ESTATE AND FAMILY  
 88 BUCKHURST CIRCLE  
 BLOOMINGTON, ILLINOIS

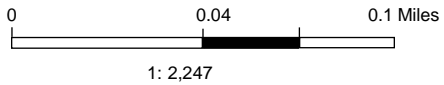
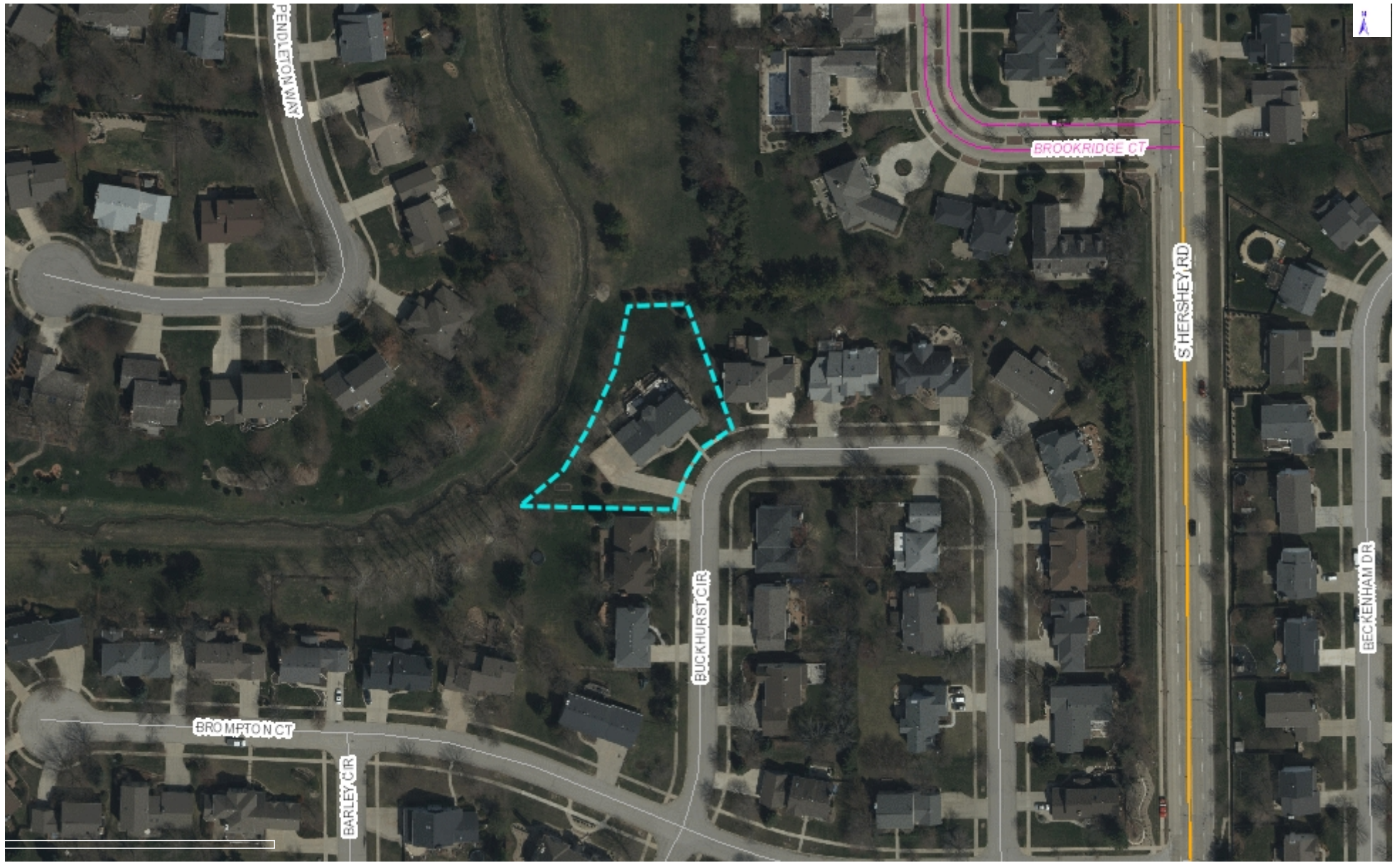
**FRANCOIS ASSOCIATES ARCHITECTS**  
 1111 N. WASHINGTON ST. SUITE 1000  
 CHICAGO, ILLINOIS 60610  
 TEL: 312.467.1111 FAX: 312.467.1112



Legal Description for 19 Barley Circle  
LOTS 81 & 82 BROOKRIDGE SUB 2<sup>nd</sup> ADD



# Aerial View for 52 Buckhurst Circle



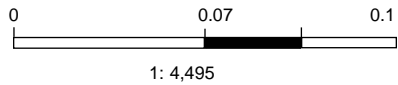
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Notes  
R-1C Zoning



# Zoning View for 52 Buckhurst Circle



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Notes  
R-1C Zoning

%LARRY PHILLIPS CROWN COURT  
HOMEOWNERS ASSOCIATION  
1322 Crown Ct  
Bloomington IL 617048000

ANGELA KING  
5 BROMPTON CT  
BLOOMINGTON IL 617046241

BROOKRIDGE COURT PROPERTY  
OWNERS ASSOCIATION  
9 BROOKRIDGE CT  
BLOOMINGTON IL 61704

CHRISTOPHER & CHARLENE HOMAN  
27 BUCKHURST CIR  
BLOOMINGTON IL 617046291

DAVID BODEN  
21 PENDLETON WAY  
BLOOMINGTON IL 61704

ERIC & JANE RUPPRECHT  
22 BROMPTON CT  
BLOOMINGTON IL 61704

GREGORY WHITE  
12 BROMPTON CT  
BLOOMINGTON IL 617046283

JASON S & AUDREY D DAVIS  
9 BROOKRIDGE CT  
BLOOMINGTON IL 617046293

JOHN D HANSON  
21 BUCKHURST CIR  
BLOOMINGTON IL 617046291

JUSTIN & MARY WURTH  
7 BROOKRIDGE CT  
BLOOMINGTON IL 617046293

ADAM & MARGARET MAURER  
5 PENDLETON WAY  
BLOOMINGTON IL 617046243

ANTHONY A & KELLIE J GUALAZZI  
22 BARLEY CIR  
BLOOMINGTON IL 617046274

CAROL GREENE  
29 BUCKHURST CIRCLE  
BLOOMINGTON IL 61704

DALE & DAWN CONROY  
14 BROMPTON CT  
BLOOMINGTON IL 617046283

DEXTER HEBERT  
28 BUCKHURST CIR  
BLOOMINGTON IL 61704

EUGENE C LORCH  
3 PENDLETON WY  
BLOOMINGTON IL 61704

JARED H HARRISON  
16 BROMPTON COURT  
BLOOMINGTON IL 61704

JEFF ELLIOTT  
8 BROOKRIDGE CT  
BLOOMINGTON IL 617046293

JOHN V & PAMELA J SIMONOVICH  
14 BUCKHURST CIR  
BLOOMINGTON IL 617046289

KELLY E SPENCER  
15 BUCKHURST CIR  
BLOOMINGTON IL 617046224

ADAM VLAHOVICH  
2001 CLEARWATER AVE  
BLOOMINGTON IL 617042360

BLAKE M MIER  
9 PENDLETON WAY  
BLOOMINGTON IL 61701

CATHY EBO  
18 BROMPTON  
BLOOMINGTON IL 61704

DARRELL & SADIE A BROMMER  
7 BROMPTON CT  
BLOOMINGTON IL 617046241

EDWARD A MUELLER  
26 BUCKHURST CR  
BLOOMINGTON IL 61704

F. LEE ARMSTRONG  
17 Pendleton Way  
Bloomington IL 617046243

JASON & JILL SMITH  
2 BROOKRIDGE CT  
BLOOMINGTON IL 617046293

JOHN & AMANDA LANIER  
10 PENDLETON WAY  
BLOOMINGTON IL 617046244

JOSEPH A & FAITH HERBERS  
15 BROMPTON CT  
BLOOMINGTON IL 617046284

KELLY P GARRETT  
19 BUCKHURST CIR  
BLOOMINGTON IL 617046289

**CITY OF BLOOMINGTON  
REPORT FOR THE BOARD OF ZONING APPEALS  
JUNE 15, 2016**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-23-16 19 Barley Circle	Variance to allow for a rear yard setback of 20 feet in lieu of the required 25 feet (44.6-40A) in the R-1C, Single Family Residential District	Katie Simpson City Planner

**REQUEST**

The petitioner is seeking a Variance to allow for a rear yard setback of 20 feet in lieu of the required 25 feet (44.6-40A) in the R-1C, Single Family Residential District .The subject property is commonly located at 25 Buckhurst Circle.

**NOTICE**

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

**GENERAL INFORMATION**

Owner and Applicant: Jack and Jean Snyder

**PROPERTY INFORMATION**

Existing Zoning: R-1C, Single Family Residential District  
 Existing Land Use: Single Family home  
 Property Size: Approximately 14,950 square feet  
 PIN: 21-11-478-005

**Surrounding Zoning and Land Uses**

Zoning

North: R-1C, Single Family Residential District  
 South: R-1C, Single Family Residential District  
 East: R-1C, Single Family Residential District;  
 West: R-1C, Single Family Residential District

Land Uses

North: Single family home  
 South: Single family home  
 East: Single family home  
 West: Single family home

**Analysis**

**Submittals**

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

1. Application for Variation

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

**PROJECT DESCRIPTION**

The subject site is commonly known as 19 Barley Circle and is corner lot located along Barley Circle. The lot is zoned R-1C and is approximately 14,950 (115’ X 130’) square feet. The petitioner proposes to convert the existing deck into an enclosed sun room by adding a 132 square foot addition to the deck. The proposed sun room will extend five (5) additional feet into the rear yard of the property. Additionally, it the roof will be extended over the sunroom, enlarging the footprint of the house and encroaching into the rear yard setback.

The following is a summary of the requested variations:

**Applicable Code Sections:**

Section 44.6-40A

Type of Variance	Request	Required	Variance
Rear Yard Setback	20ft	25ft	decrease by 5ft

**Analysis**

**Variations from Zoning Ordinance**

The petitioner proposes to enclose the existing deck with a 132 sq ft addition onto the east side of house. The addition will require expanding the roof line and therefore expanding the property’s footprint into the rear yard. As per the Bulk Requirements outlined in Section 44.6-40A of the Bloomington City Code, the R-1C district requires a rear yard of twenty five (25) feet. A variance is needed to allow this addition.

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

**FINDINGS OF FACT**

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

**That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and** the lot is a corner lot and required to have two front yards. The lot is 115 ft by 130 ft. Both the lot and existing structure comply with setbacks and dimensions outlined in the City Code. The current side yard is greater than what is required by the code. Even with the existing deck, which is permitted in the rear yard setback, the house still has a larger rear yard than what is required. The standard is not met.

**That the variances would be the minimum action necessary to afford relief to the applicant; and** if the petitioner proposed to stay within the existing framework of the deck, the required

setback could be maintained. The petitioner proposes to expand beyond the existing framework of the deck. The standard is not met.

**That the special conditions and circumstances were not created by any action of the applicant; and** the proposed sunroom is attached and expands the footprint of the house beyond the required setback. The desire to expand the footprint is triggering the need for the variance. The standard is not met.

**That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and** other houses, and corner lots, in the neighborhood in compliance with the required setbacks of the Code. The standard is not met.

**That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.** The functions of the Code's bulk requirements are to maintain open areas, building densities and green spaces. The public welfare is served by maintaining these requirements. The standard is not met.

**STAFF RECOMMENDATION:**

Staff finds that the petition has not met the Zoning Ordinance's standards required to allow a variance. Staff recommends **denial** of the requested variance in Case Z-23-16.

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Legal Description
- Location Map and Aerial Map
- Zoning Map
- List of notified property owners within a 500 ft radius of property

APPLICATION TO ZONING BOARD OF APPEALS

~~00000000~~  
# 24047

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: 19 Barley Circle, Bloomington, IL 61704

Petitioner: Jack & Jean Snyder Phone: (309) 663-1281

Petitioner's Email Address: jsn202@aol.com

Petitioner's Mailing Address Street: 19 Barley Circle

City, State, Zip Code: Bloomington, IL 61704

Contractual interest in the property     yes    \_\_\_\_\_ no

Signature of Applicant \_\_\_\_\_

Brief Project Description: Project will add an enclosed sun room to the back portion of the house, connecting to the existing back deck and family room located at the back of the house. The sun room will extend an additional 5 feet over the existing backyard, beyond where the current porch ends.

Code Requirements Involved: 44.6-40

Variations Requested: Project requires a 5 foot variance to the required 25 foot backyard setback on R-1C zoning districts. This will result in a 20 foot backyard setback running the length of the newly constructs 20 feet of sunroom.

Reasons to Justify Approval by the Zoning Board of Appeals: Project will increase appeal of backyard as well as property value.



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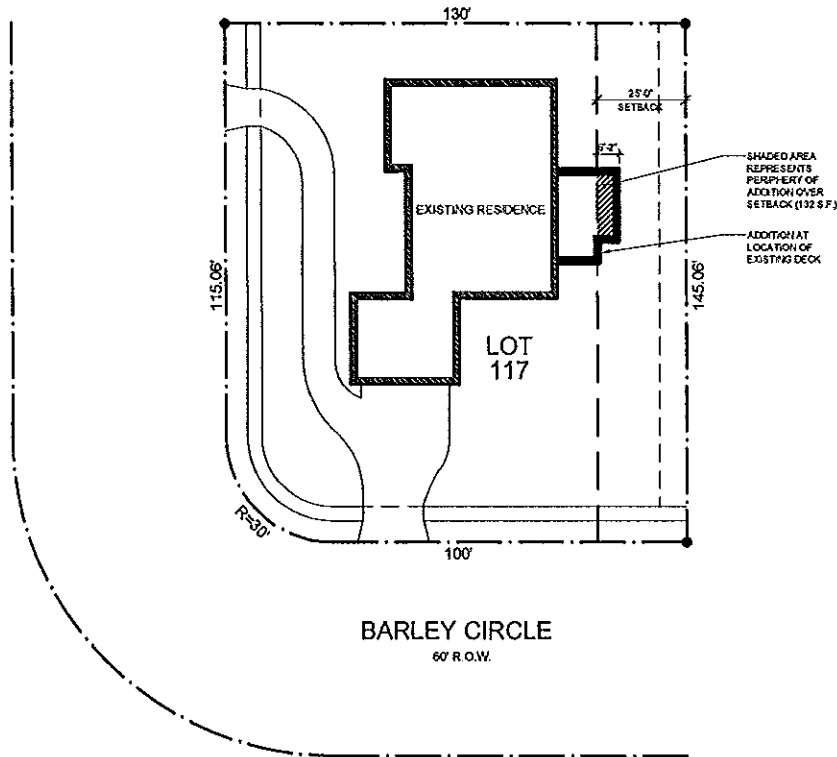


**STATEMENT OF FINDINGS OF FACT**  
**(Must be answered by the Petitioner)**

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. Lot is located in a high density zoned area and corner lot making addition of the sun room impossible without some minimal encroachment on the backyard setback.
  
2. That the variance would be the minimum action necessary to afford relief to the applicant. The variance will allow the petitioner to build the sun room.
  
3. The special conditions and circumstances were not created by any action of the applicant.
  
4. The granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code.
  
5. The granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties. The sun room will result in value added to the neighborhood both aesthetically and in terms of actual property value.



# SITE LAYOUT PLAN

SCALE: 1" = 40'

THE SITE PLAN INFORMATION PROVIDED ON THIS PROPOSED PLAN HAS BEEN DEVELOPED WITHOUT ACCESS TO COMPLETE SITE SURVEYS OF PROJECT SITE. AS SUCH THE SITE PLAN INFORMATION SHOWN IS TO BE CONSIDERED AN APPROXIMATION OF LENGTH AND AREA OF SIDEWALKS, DRIVEWAYS, LANDSCAPE MATERIALS, AND SITE IMPROVEMENTS. UTILITIES (WATER, GAS, ELECTRIC AND COMMUNICATION), TOPOGRAPHY, PROPERTY EASEMENTS AND ALL OTHER SITE FEATURES, CONSTRAINTS OR ADDITIONAL INFORMATION THAT SHOULD BE TAKEN INTO CONSIDERATION ARE NOT INDICATED.



DATE: 08/11/2011  
**S1**  
 SITE PLAN  
 PROPOSED ADDITION  
 SHEET NO. 01 OF 01

**SNYDER RESIDENCE**  
 JACKSON, OHIO  
 BLOOMINGTON, INDIANA  
 8 SNYDER CIRCLE

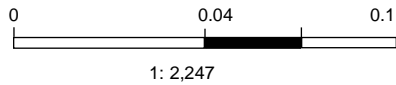
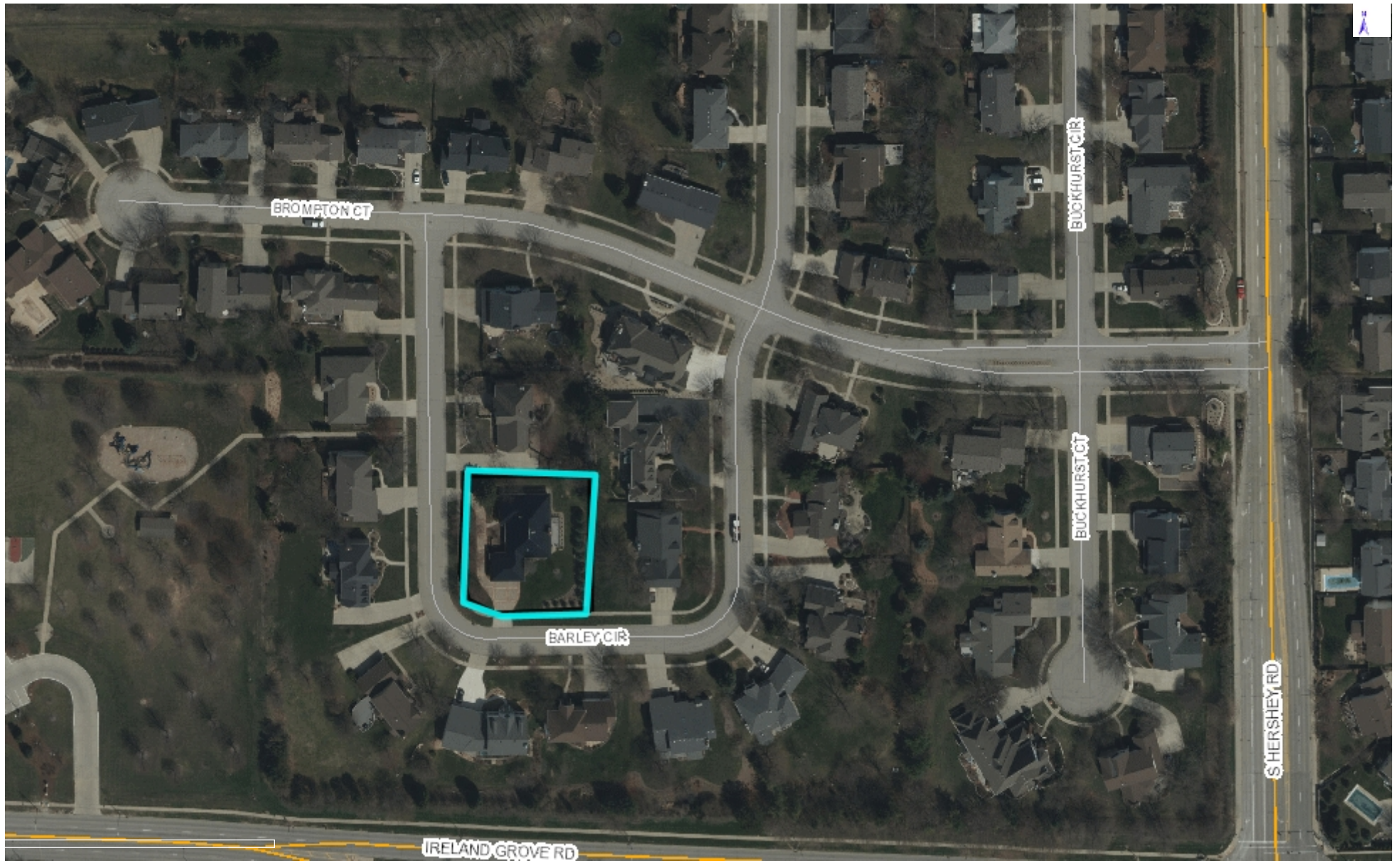
**FRANCOIS ASSOCIATES ARCHITECTS**  
 1111 EAST WASHINGTON STREET, SUITE 100, BLOOMINGTON, INDIANA 47403  
 TEL: 317.344.1111 FAX: 317.344.1112

Legal Description for 19 Barley Circle

BROOKRIDGE SUB 5<sup>th</sup> ADD LOT 117



# Aerial View of 19 Barley Ct



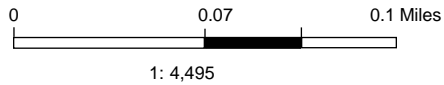
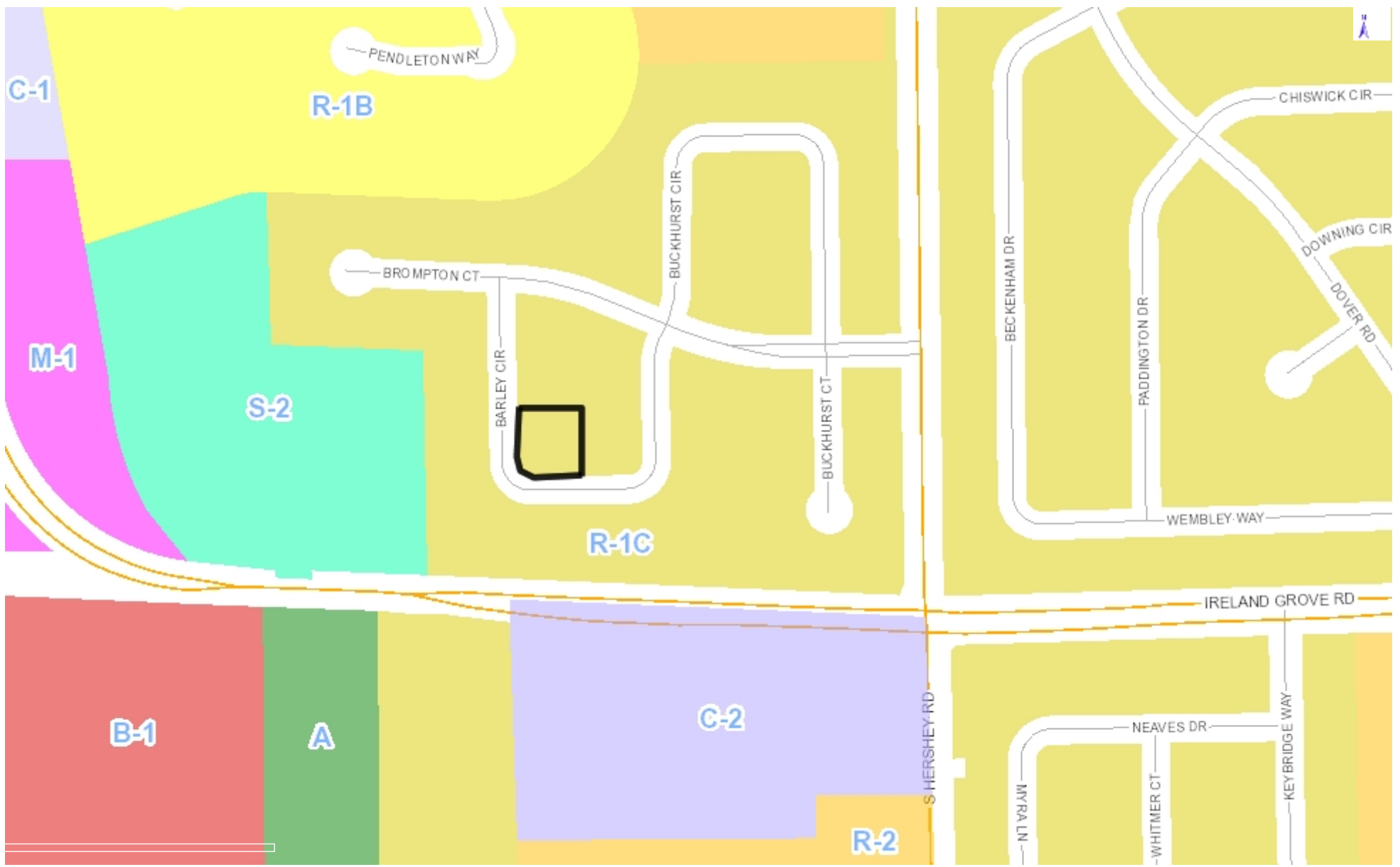
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Notes  
R-1C Zoning



# Zoning Map for 19 Barley Ct



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Notes  
R-1C Zoning

%LARRY PHILLIPS CROWN COURT  
HOMEOWNERS ASSOCIATION  
1322 Crown Ct  
Bloomington IL 617048000

ANGELA KING  
5 BROMPTON CT  
BLOOMINGTON IL 617046241

CATHY EBO  
18 BROMPTON  
BLOOMINGTON IL 61704

CHRISTOPHER & CHARLENE HOMAN  
27 BUCKHURST CIR  
BLOOMINGTON IL 617046291

DAVID A LAUBE  
6 BARLEY CIR  
BLOOMINGTON IL 617046274

FRANK H WOOD  
8 BARLEY CIR  
BLOOMINGTON IL 617046274

JEAN SNYDER  
1 Brickyard Dr  
Bloomington IL 617017513

JOSEPH A & FAITH HERBERS  
15 BROMPTON CT  
BLOOMINGTON IL 617046284

LEO BAKEL  
12 BARLEY CIR  
BLOOMINGTON IL 617046274

MARK S ZLATIC  
10 BROMPTON CT  
BLOOMINGTON IL 617046283

ADAM VLAHOVICH  
2001 CLEARWATER AVE  
BLOOMINGTON IL 617042360

ANTHONY A & KELLIE J GUALAZZI  
22 BARLEY CIR  
BLOOMINGTON IL 617046274

CHARLES A & MOHAMMED T AL-  
MARIMI LIMP  
3 BROMPTON CT  
BLOOMINGTON IL 617046241

DALE & DAWN CONROY  
14 BROMPTON CT  
BLOOMINGTON IL 617046283

DEXTER HEBERT  
28 BUCKHURST CIR  
BLOOMINGTON IL 61704

GREGORY WHITE  
12 BROMPTON CT  
BLOOMINGTON IL 617046283

JOHN & LYNN RAKOWSKI  
3 BUCKHURST CIR  
BLOOMINGTON IL 617046224

KELLY E SPENCER  
15 BUCKHURST CIR  
BLOOMINGTON IL 617046224

LYNNE WENTZ  
13 BROMPTON CT  
BLOOMINGTON IL 617046284

MARY R DICK  
4 BROMPTON CT  
BLOOMINGTON IL 61704

ANDREA & TODD HEBERT KANE  
1 BUCKHURST CT  
BLOOMINGTON IL 617046221

CAROL GREENE  
29 BUCKHURST CIRCLE  
BLOOMINGTON IL 61704

CHARLES W & KATHLEEN D JONES  
14 BARLEY CIR  
BLOOMINGTON IL 617046274

DARRELL & SADIE A BROMMER  
7 BROMPTON CT  
BLOOMINGTON IL 617046241

EDWARD A MUELLER  
26 BUCKHURST CR  
BLOOMINGTON IL 61704

JARED H HARRISON  
16 BROMPTON COURT  
BLOOMINGTON IL 61704

JOHN J GORDON  
1 BROMPTON CT  
BLOOMINGTON IL 617046241

KIM DANLEY  
2901 IRELAND GROVE RD  
BLOOMINGTON IL 617045259

MARK & CYNTHIA CO TR WEAVER  
20 BARLEY CR  
BLOOMINGTON IL 61704

MAURICE HILT  
16 BARLEY CIR  
BLOOMINGTON IL 61704

MICHAEL J & KELLI E NICHOLS  
8 BROMPTON CT  
BLOOMINGTON IL 617046283

PATRICIA R WOMBACHER  
21 BARLEY CIR  
BLOOMINGTON IL 617046219

RICHARD E IRWIN  
13 BUCKHURST  
BLOOMINGTON IL 61704

ROBERT & REBECCA HUIZER  
5 BARLEY CIR  
BLOOMINGTON IL 617046219

SCOTT C MORRIS  
2 BROMPTON CT  
BLOOMINGTON IL 617046283

SEAN C & MARGARET A REIDY  
17 BROMPTON CT  
BLOOMINGTON IL 61704

STANLEY GEISON  
6 BROMPTON CT  
BLOOMINGTON IL 617046283

STANLEY R CAIN  
10 BARLEY CIRCLE  
BLOOMINGTON IL 61704

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

STEPHEN F & LINDA B STOCKTON  
19 BROMPTON CT  
BLOOMINGTON IL 617046286

SUNIL & MEENU BHASKAR  
3 BARLEY CIR  
BLOOMINGTON IL 617046219

SUNRISE LLC H IG  
PO BOX 1549  
BLOOMINGTON IL 617021549

TIMOTHY C HINES  
30 BUCKHURST CIR  
BLOOMINGTON IL 617046292

VICTOR AND SUSAN SIVORE  
18 BARLEY CIRCLE  
BLOOMINGTON IL 61704

WILLIAM DRAKE MR & MRS  
4 Barley Cir  
Bloomington IL 617046274

WILLIAM F TR COSTIGAN  
5 BUCKHURST CT  
BLOOMINGTON IL 61701