

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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES:** Consideration, review and approval of Minutes from the January 17, 2018 meeting.
- 5. REGULAR AGENDA**
 - A. SP-02-18** Consideration, review and action of a petition submitted by 616 IAA Dr. LLC for a special use permit to allow offices in R-3B, High Density Multiple Family Residence District at 616 IAA Dr. (**Ward 5**)
 - B. Z-06-18** Consideration, review and action of a petition submitted by 616 IAA Dr. LLC for a variance to allow no screening from adjacent residential districts at 616 IAA Dr.. (**Ward 5**)
 - C. Z-04-18** Consideration, review and action of a petition submitted by EA Architecture and Design for a variance to allow a reduction in parking by 25 spots at 2301 Castleton Dr.(**Ward 3**).
 - D. Z-05-18** Consideration, review and action of a petition submitted by Picture This Media LLC for a variance to allow a 70 ft reduction in distance between signs at 1701 S Veterans Rd. (**Ward 1**).
- 6. OTHER BUSINESS**
- 7. NEW BUSINESS**
 - A. Elect New Chairperson**
- 8. ADJOURNMENT**

For further information contact:

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**DRAFT MINUTES
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, JANUARY 17, 2018
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Mr. Brown, Ms. Meek, Mr. Schultz, Mr. Veitengruber, and Chairperson Bullington

Members absent: Mr. Butts, Ms. Harris

Also present: Mr. George Boyle, Assistant Corporation Counsel
Ms. Angela Fyans-Jimenez, Sorling Northrup legal services
Mr. Bob Mahrt, Interim Community Development Director
Ms. Katie Simpson, City Planner
Ms. Izzy Rivera, Assistant City Planner

At 4:10 PM, Ms. Simpson called the roll. With five members in attendance, a quorum was present.

PUBLIC COMMENT: None.

MINUTES: The Board reviewed the minutes from December 20, 2017.

Mr. Veitengruber motioned to approve the minutes; seconded by Mr. Butts. The board approved the minutes by voice vote, 5-0.

REGULAR AGENDA:

Z-32-17 Consideration, review and action of a petition submitted by ACE Sign Company for a variance to allow for an additional identification sign for the property located at 2402 E Washington St. in the C-1, Office District (Ward 8).

Chairman Bullington stated Mr. Veitengruber was recusing himself from presentation and discussion on case Z-32-17. He introduced the case. Chris Tennis, VP Commercial Vendor with Illinois National Bank and Keith Haynes, Ace Sign Company, petitioner who submitted the case on INB's behalf were sworn in. Mr. Haynes stated the reasons behind the request for variance are outlined in the petition. He stated he is pleased that staff is recommending in favor of the variance request. The request is being requested in order to address an identification issue for INB. It is important that the additional signage will give INB the visibility on Washington St and their entrance. Mr. Haynes stated he will rely on the recommendation of staff.

Ms. Rivera presented the staff report. She stated the presentation will be outlines by the lens through which the case is viewed, description of the process, background, standards and the recommendation. Ms. Rivera stated with any variance case the intent and purpose of the code should be considered such as making sound decisions that do not negatively affect the community or property owners. When staff looks at sign variances, staff is aware that signs are a right, they serve to promote the business and communicate with the community. Visual impacts,

property values and neighborhood character are also always considered. Ms. Rivera stated the site is located at 2402 E Washington St. In 1979 the site was zoned C-1 and subsequently taken over by various banks throughout the years and currently occupied by INB. The site is surrounded by B-1, Highway Business District and B-2, General Business District. The site is located at the northeast corner of N. Prospect Rd and E Washington St, and has access on both streets. The site is a 1.12 acres lot. 2402 E Washington St is surrounded by banks, some across the street. These banks are located in the B-1 and B-2 zoning classification. B-1 and B-2 zoning are less restrictive with allowable signs.

In 2005 an approved sign permit allowed 3 monument signs and the refacing of a wall sign. Currently the 3 monument signs are present on the site. One sign facing Washington St, the other on the west side of the property and the third sign, a direction sign at the south east corner entrance. The proposed sign will be a 72 X 38 sign, blue with lights. The sign will be facing E Washington St.

Ms. Rivera stated staff reviews Chapter 3 Sign Code to ensure there are no negative impacts or hardships to the surrounding area. Staff considered that there are other banks in the immediate area and would like to ensure the advertising rights of INB are equal to the other banks. She stated for all of these reason staff is recommending in favor of case Z-32-17, an additional identification sign.

Chairman Bullington motioned to accept staff's findings as fact; seconded by Mr. Schultz. The motion was approved 4-0 with the following votes cast in favor: Chairman Bullington—yes; Mr. Schultz—yes; Mr. Brown—yes; Ms. Meek—yes.

There was a recess at 4:20PM and the meeting resumed at 4:22PM.

Z-02-18 Consideration, review and action on an appeal to sign administrator submitted by Picture This Digital Media, LLC, to reverse the sign administrator's decision (Ward 1).

Chairman Bullington introduced the case. Patrick Cox, attorney and Diana Bubenik, Prairie Signs, were sworn in. Mr. Cox outlined the history of the case, how the permit process began and how the City applied the code to other cases in the past. He states his client, Picture This Digital Media, already owned an off premise sign at this location. Since the sign was being utilized, Picture This Digital Media, decided to upgrade the sign, and begin the process to do so with the City of Bloomington. Mr. Cox stated the City communicated that the sign would first have to be torn down, Picture This Digital Media took the sign down. When Picture This Digital Media went back to the City, they were told to obtain a permit from the Illinois Department of Transportation. The sign is located on Veterans Parkway and therefore would require an additional permit. Mr. Cox stated they were told by the City that the local permit would be approved once they received a permit from IDOT. Four months later IDOT approved the permit, and Picture This Digital Media returns to the City and was denied by the City, because months earlier another company applied for an off premise sign. The new sign was located directly next to where the former off premise billboard was located. Mr. Cox stated the new sign permit was quickly granted July 2017, while Picture This Digital Media had taken down the existing sign and was awaiting a sign permit from IDOT as instructed by the City of Bloomington. Mr. Cox referred to 5.7K from the code which states there should be 100 feet between signs. Mr. Cox stated the sign that was granted in July 2017 would not have been granted if Picture This Digital Media had not already torn down the existing sign.

Mr. Cox stated the sign code section impacting them now, has impacted Picture This Digital Media in the past when Dairy Queen was built in front of Cub Foods. Picture This Media has built an off premise sign in that location, when Dairy Queen moved in they began to install an on premise sign directly in front of the off premise sign that Picture This Media already had in place. Picture This Media challenged the placement, but was told the 100 foot distance does not cross property lines. Mr. Cox stated Dairy Queen then was free to build their sign directly in front of the Picture This Digital Media billboard already had in place. Picture This Digital Media had to light their sign higher in order to be seen over the Dairy Queen sign. Mr. Cox stated that since Picture This Digital Media was told the distance between signs does not cross property lines, Dairy Queen was able to build their sign 15 feet away from the billboard sign placed by Picture This Digital Media.

Mr. Cox stated that given the fact pattern and the previous ruling, and others cases that can be found that show that on premise and off premise signs have been dealt in this way, they should be allowed to rebuild the off premise sign. He stated the sign that is currently located there will not be obstructed. Picture This Digital Media sign will be to the side and much higher, and will not block the sign, they should be allowed to put up another sign.

Mr. Schultz asked if the sign that was shown to the commission was behind Starbucks and if the business in question was to the west of Starbucks. Mr. Cox stated the sign was behind Starbucks and the lot where Starbucks is located on is owned by Picture This Digital Media. Mr. Schultz asked what the sign will be advertising when built. Mr. Schultz wanted clarification if an off premise sign was going to be built or an on premise sign, and what the sign would be advertising. Ms. Bubenik stated an off premise sign is being proposed, and it would not advertise Starbucks. Mr. Schultz asked if the sign would be located where a small sign is located currently on the west edge of the lot. Ms. Bubenik stated the small sign is located at the property next door at 1703 S Veterans, and is an on premise sign, and is located 30 feet from where they would like to place the off premise sign. Mr. Schultz asked where the new sign would be in relation to the small one currently in place. Mr. Cox referred to Exhibit 1, and marked where Picture This Digital Media would like to place their new sign. Chairman Bullington stated he would be marking in blue ink the located on Exhibit 1 where they would like to place a sign, and he marked a blue square around the located where the existing sign is located.

Mr. Schultz asked if the new sign would be facing Veterans Parkway, Ms. Bubenik stated the sign would be perpendicular to Veterans Parkway, so that the sign could be seen from all traffic lanes. The existing sign is currently blocked by the building, the new sign would be further out and taller to be seen from east and west bound on Veterans Parkway.

Chairman Bullington asked if there was anyone who would like to speak in favor or opposition. Charles Farnner, Owner of Picture This Digital Media, 7 Pebble Brook Ct, was sworn in. He stated that the process is a complicated process, when located within a city and on a state route. This requires two permits. Mr. Farnner stated the City would not give a permit, until a state permit has been given. Mr. Farnner referred to the dates located in the packet which outline that Picture This Digital Media followed both the city and the state permitting process, and there was time overlay. He stated the business incurred great expenses to tear down a sign, and also go through the state permitting process. Mr. Farnner stated the State keeps a file open until the permit is denied, then the case is closed. He stated if there is additional information required or request, the applicant has time to satisfy all the requirements. Mr. Farnner stated the permit process with the State was going on while the City granted a sign request from another company. This in turn made Picture This Digital Media sign no longer permitted. Mr. Farnner stated they

spent money and time to follow the process and take down an existing sign, if Picture This Digital Media had not taken down the sign, the next door business would not have been allowed to place a permit, and they could not control how fast the State would grant the permit for their sign.

Mr. Bob Mahrt introduced himself as Interim Community Development Department Director, and stated he would be presenting the staff report. Mr. Mahrt introduced case Z-02-18, 1701 S Veterans Parkway, an appeal of a sign administrator's decision. The Administrator's decision to deny the Appellant's sign permit application is in accordance with the requirements of the Sign Code which is Chapter 3. He stated the appeal has been filed in conformance with applicable procedural requirements and public notice was published in The Pantagraph on December 29, 2017. Mr. Mahrt gave background information on the site. The zoning is B-1 Highway Business District, and is surrounded by the B-1 Highway Business District. Mr. Marht referred to the Zoning Board of Appeals scope of review found in Ordinance 2012-71.

Mr. Marht stated the Advertising Sign Code is published on the City of Bloomington website. Chapter 3, Section 1.2 recognizes the purpose and intent of the City of Bloomington Advertising Sign Code. He stated the ordinance distinguishes between "on-premise" and "off-premise" signs. "On-premise signs" are intended to serve the business where the sign is located. Section 5.1 regulates on-premise ground signs. "Off-premise signs" advertise goods, products, services or facilities or directs persons to a different location from where the sign is located.

Mr. Mahrt stated the regulations for on-premise and off-premise signs differ in order to protect the reasonable rights of all advertisers and to reduce the likelihood of a proliferation of signage and roadway distractions. The Sign Code requires that both on-premise and off-premise signs maintain a minimum, 100 foot horizontal separation with other on-premise signs. He stated Section 5.1(a)1 clearly exempts "on-premise signs located on separate premises" from the 100 foot separation requirement with another on-premise sign. No such exemption from the horizontal separation requirement exists for off-premise and on-premise signs located on separate premises, therefore the horizontal separation between on-premise and off-premise signs located on separate premises is intended to be a minimum of 100 ft. He stated the subject property at 1701 S. Veterans Parkway is located at the northwest corner of the intersection of two state routes, Veterans Parkway/US Business 55/Former Rt 66 and Morrissey Dr/US 150.

Mr. Mahrt outlined the timeline and stated On November 14, 2016, permit application No. 27968 was submitted to the City of Bloomington by Prairie Signs. The application requested permission to erect a double-faced off-premise sign, approximately 242 square feet per side, at 1701 S. Veterans Parkway. The application consisted of a City of Bloomington permit application form, aerial view of the property marked to show the expected location of the sign, and a rendering prepared by the sign contractor illustrating that the proposed sign would be digital and 30 ft tall. An Engineer, certified in the state of Illinois, did not stamp the rendering; the application failed to include information required pursuant to Ch.3, Sec. 3.7 describing the construction and design of the sign including the materials used, and support/footing design. When sign applications, like No. 27968, are incomplete, the sign administrator tries to work with the applicant to acquire the materials and information necessary for compliance and ultimately, for approval. The sign contractor/applicant, Prairie Signs, was notified by email on November 18, 2016, that the City could not approve the permit because three off-premise signs already existed on that side of the street, including a(n) (unpermitted) billboard already on the premises, which is the Starbucks property.

Mr. Mahrt stated four months after the initial exchange of emails denying the application, the applicant's representative informed the Sign Administrator that the off-premise sign that had been on the subject property had been removed and that the applicant wished to proceed with the permit process. The Administrator responded that since the sign for which the permit was being sought would be located along a state route, a permit would need to be obtained from the Illinois Department of Transportation (IDOT) before the City could issue a sign permit, pursuant to Ch. 3. He stated the applicant was also encouraged to contact the Central Illinois Regional Airport Authority (CIRA) to verify that an airspace study was not required prior to issuance of a permit. More than three months later, on June 29, 2017, the applicant applied for an IDOT permit.

Mr. Mahrt stated in early July, the adjacent property owner applied for and received a permit for an on-premise sign to advertise for the business located at 1703 S. Veterans Parkway. A permit from IDOT is not required to erect an on-premise sign; IDOT only requires a permit for off-premise signs. On August 10, 2017, the Sign Administrator verbally informed the appellant, Picture This Digital Media LLC, that permit application No. 27968 could not be approved because it was incompliant with the requirements of Section 5.7k, a 100 foot separation between off-premise and on-premise signs. The horizontal separation between the proposed off-premise sign and the permitted on premise sign at 1703 S. Veterans Parkway would be approximately 30 ft. On August 14, 2017, the Administrator sent written notification via email to the application. On August 29, 2017, IDOT notified the applicant the IDOT permit had been approved.

Mr. Mahrt stated the basis for the administrator's decision were based on the following:

- 1). The Sign Code Administrator is bound by the law as written and does not have the authority to make exceptions to the plain language of the sign code ordinance.
- 2). The Advertising Sign Code allows the City of Bloomington to regulate the size, location, and materials of signs (Ch.3 Sect. 1.2). and the purpose and intent for such regulation is to protect the reasonable rights of commercial property owners and afford them the right to advertise for goods and services rendered on their property, while reducing the proliferation of signage and roadway distractions which negatively impact public health and traffic safety (Ch. 3 Sect. 1.2).
- 3). The Sign Code recognizes a need may exist to advertise for goods and services rendered on a different property and permits off-premise signs, and regulates off-premise signs to fulfill the intent of the Code (Ch. 3 Sect. 5.7).
- 4). The Sign Code requires that both on-premise and off-premise signs maintain a minimum, 100 foot horizontal separation with other on-premise signs (Ch. 3, Sect. 5.1(a)1 and Ch. 3. Sect. 5.7k, respectively).
- 5). Section 5.1(a)1 clearly exempts "on-premise signs located on separate premises" from the 100 foot separation requirement with another on-premise sign.
- 6). No such exemption from the horizontal separation requirement exists for off-premise and on-premise signs located on separate premises, therefore the horizontal separation between on-premise and off-premise signs located on separate premises should be a minimum of 100 ft.
- 7). The exemption has existed in City Code for decades. The restriction on off-premise signs allows a property owner the right to advertise for the goods and services sold on-site without fear of having their signs blocked by an off-premise billboard. On-premise signs are subject to

additional requirements, such as a limit on total permitted signage, that do not apply to off-premise signs, therefore the 100 ft horizontal separation requirement for off-premise signs is not intended to discriminate but to protect public and private investment.

8). Application No. 27968 was incomplete without approval from IDOT and without construction information. The Administrator may not deny an adjacent property owner a permit because an applicant intends to comply with the requirements of Chapter 3.

Mr. Mahrt stated staff agrees with the decision of the sign administrator and stated the Administrator's denial of the appellant's sign permit application was proper and consistent with the letter of the Advertising Sign Code in that there is no exception in the Code to the requirement that the separation between on-premise and off-premise signs shall be less than 100 feet.

Mr. Mahrt referred to the location of the sign and the location of the site. Mr. Schultz asked if the small sign located next to Starbucks, was the sign that prevents a new sign from being placed within 100 feet. Mr. Mahrt stated the on premise sign permitted by code was located at 1703 S Veterans Parkway. Mr. Schultz stated Picture This Digital Media was not given the same treatment, because the property owners next door were able to place their sign wherever they wanted. Mr. Mahrt stated the property already has an on premise sign, an off premise sign is allowed if all the requirements of the code are met. Both properties have the right to place signs on premise, however there was no way to prohibit the placement of the on premise sign from the adjoining property.

Ms. Simpson stated IDOT does not require a permit for the on premise sign. Business who are located along the state route, wanting signs to promote their business, at that location, do not need to get a permit from the State. However if there will be advertising for other business, not in that location and are along a state route, they will need a permit from the State. The property at 1703 S Veterans did not have to go through the IDOT permit process, and was therefore was only required to obtain a permit from the City. The application met all the requirements, and there was no reason to deny that permit. Ms. Simpson stated that sign was put up while Picture This Digital Media was waiting from their permit from IDOT.

Ms. Meek asked which sign Exhibit 2 was referring to. Mr. Mahrt stated that was the previous sign that was on the property, which was not originally permitted. Ms. Meek asked if there was a rendering of the proposed sign. Ms. Simpson stated there was a copy of the permit application that was received by the city, with a rendering.

Chairman Bullington asked legal counsel if their role for this case was to serve as an appellate court, and not the usual finders of fact. He asked if their role for this case was to review the decision made by the sign administrator, and consider the fact the sign administrator considered and not the commission's findings. Ms. Fyan-Jimenez stated the function of the commission for this case was to serve as an appellate court, and review the facts that were reviewed by the sign administrator at the time, and whether or not the board will sustain the decision that was made. Chairman Bullington asked if the petition was granted, would they be able to place their sign, and if the petition was denied, what would be the next steps. Ms. Fyan-Jimenez stated if the appeal is granted, they would still be required to request a permit and follow any process or requirements. Ms. Simpson stated, staff would need the IDOT permit, as well as the drawings to make sure the sign meets the requirements. She stated staff would be directed by the Zoning Board to approve

the permit, assuming it complied with the building and electrical code. Mr. Mahrt stated the petitioner has made an appeal, but has not requested a variance. Ms. Fyan-Jimenez stated the petitioner would still have to go through the permitting process, and after that the variance could be requested. If the appeal was denied, under the Illinois Administrative Review Act, the petitioner could file an appeal to Circuit Court within 35 days.

Chairman Bullington stated the petitioner could have the last word, as in any appellate court setting. Ms. Meek asked if the directive from the City to remove the original sign was included in the packet. Mr. Cox stated emails were included that outlined the City's directives. Mr. Schultz asked if the new sign would serve the same purpose as the original sign. Mr. Cox stated that it would. Mr. Schultz asked if the sign would be advertising the business on the property, Mr. Cox stated that it would not. Mr. Schultz asked if the sign would be illuminated and digital, Mr. Cox stated that it would be. Mr. Schultz asked if there were limitations to what could be advertised. Mrs. Simpson stated the City could not regulate content.

Mr. Cox stated if the original sign has not been torn down, that could have prevented the next door property to put up their sign, according to his interpretation of the code and how it is being applied. He stated promises were made, and now they are being prevented from putting up their sign.

Chairman Bullington stated the board will function as an appellate court, and asked if there was something within the sign code that gives the board an opportunity to find the administrator's decision was done improperly. Mr. Cox stated there was not.

Chairman Bullington stated that a yes vote would sustain the denial of the sign, and a no vote would state the sign permit should have been approved. Ms. Fyan-Jimenez stated a no vote would be that the board disagrees with the administrator's decision to deny the permit for the sign.

The appeal was denied 2-2 with the following votes cast: Mr. Brown—yes; Ms. Meek—no; Mr. Schultz—no; Chairman Bullington—yes.

Chairman Bullington stated since there were less than 5 members present to vote, the petitioner could appeal to the City Council if a variation is rejected by a vote of less than 5 members from the Board of Zoning Appeals. Chairman Bullington stated this case could fall under the Variance section of the Boards authority.

Ms. Fyan-Jimenez read an excerpt from section 4.E.1. She stated there was no part in that section that addressed next steps for a vote with less than 5 votes and a split vote. She stated the case could refer back to the variation section of the code, which states the petitioner could appeal to City Council within a particular timeframe.

Chairman Bullington stated, staff would be in contact with the petitioner to discuss next steps and the direction the petitioner could take with this type of decision.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT:

Ms. Meeks motioned to adjourn; seconded by Mr. Brown. Approved by voice vote. The meeting was adjourned at 5:08PM.

Respectfully submitted,

Izzy Rivera
Assistant City Planner

**CITY OF BLOOMINGTON
 REPORT FOR THE BOARD OF ZONING APPEALS
 FEBRUARY 21, 2018**

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
SP-02-18	616 IAA Dr. (Ward 5)	Special Use	Izzy Rivera, Assistant City Planner
Z-06-18	616 IAA Dr. (Ward 5)	Variance	Izzy Rivera, Assistant City Planner

PETITIONER’S REQUEST:

Type of Variance	Request	Required	Variation
Special Use	Allow offices in R-3B, High Density Multiple Family District		
Screening	Maintain no parking lot screening	Parking lots shall be screened from adjacent residential	No screening

Pertaining to Section of Code: 44.10-4 Special Use Standards for Offices

STAFF RECOMMENDATION:	Staff determines the petition meets the Zoning Ordinance’s standards required to allow a special use for offices (44.10-4). <i>Staff recommends the Zoning Board of Appeals pass a motion providing Council with a recommendation to approve a special use permit for offices in the R-3B district at 616 IAA Dr. with a condition to include screening from adjacent residential</i>
STAFF RECOMMENDATION:	The property is not compliant with screening requirements, staff sees this as an opportunity to bring this site into compliance. <i>Staff recommends the Zoning Board of Appeals recommend against the variance for 616 IAA Dr. to allow there to be no screening where residential zoning is adjacent to site.</i>



NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on February 5, 2018.

GENERAL INFORMATION

Owner and Applicant: 616 IAA Dr. L.L.C

PROPERTY INFORMATION

Legal description

Attached

Existing Zoning: R-3B, High Density Multiple-Family Residence District
Existing Land Use: Office building
Property Size: Approximately 16,236 square feet (239' X 81')
PIN: 14-35-330-022

Surrounding Zoning and Land Uses

Zoning

North: R-3B, High Density Multiple-Family
South: B-1, Highway Business District
East: R-1C, High Density Single-Family
West: R-1B, Medium Density Single-Family

Land Uses

North: Apartments
South: Veterinary Clinic
East: Single Family Homes
West: 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 Special Use
2. Site Plan
3. Aerial photographs
4. Site visit

PROJECT DESCRIPTION

Background

The subject site, located to the west along IAA Dr at 616 IAA Dr., is zoned R-3B, High Density Multiple Family Residence district and was previously used as offices. Currently it is not occupied. The subject property is approximately 237' X 80' (16,336 sq ft), with the lot being more narrow at the east end. The subject site is slightly elevated and is located directly north of Sugar Branch Creek. The site has been developed with non-residential uses dating back to 1969. In 1969 the site was improved by a day care center. Throughout the years the site has been used for insurance offices and various other services. A special use permit for offices was requested in 2003 and was approved according to records obtained by staff. Case SP-01-03 was a special use permit request to allow offices at this site. The special use permit was approved 6-0 on April 16, 2003. The plans presented at that time required variances, case Z-08-03 outlined the various requests that were made and approved by the Zoning Board 6-0 on April 16, 2003. The variances approved were:

1. A variance to allow a lot width of 60.63' in lieu of required 75' minimum
2. A variance to allow a 7.34' side yard setback in lieu of required 20'
3. A variance to allow parking lot in required 20' setback for front yard
4. A variance to allow an 18' driveway width instead of required 20'
5. A variance to allow no front yard setback for front yard landscaping instead of the required 12' minimum setback for front yard landscaping
6. A variance to allow a tapering to zero setback along south line for landscaping instead of the required minimum 6' setback for landscaping
7. A variance to allow 4 less parking spaces than required

Since 2003, the screening requirement has changed. Currently, a special use permit for offices requires the site to provide screening from adjacent dwellings. The petitioner is also requesting a variance from this requirement based on the many years the property has been operating as office space with no screening. While the R-3B district allows for offices with a special use permit,

there are additional requirements outline in Chapter 44. A special use permit for offices has the following special use standards identified in Section 44.10-4:

- 1). Minimum Screening/Fencing Requirements: Parking lots shall be screened from adjacent dwellings.
- 2). Minimum Lot Area: Ten Thousand (10,000) square feet
- 3). Minimum Lot Width: Seventy-five (75) feet
- 4). Minimum Yard Requirements:
 - a. Front Yard: Twenty (20) feet
 - b. Side Yard: Twenty (20) feet
 - c. Rear Yard: Twenty (20) feet
- 5). Maximum Height: Same requirements as required in the zoning district
- 6). Additional Requirements: Parking spaces shall be provided in accordance with Section 44.7-2 of this Code for Offices. A minimum of 20% of the net lot area shall be landscaped in accordance with Section 44.4-7 C.2 of this Code.

The petitioner is requesting a variance from the minimum screening requirement. All other standards are met or have been addressed with variances that were approved in 2003 with the special use permit.

Project Description:

The petitioner proposes to utilize the site as it has been used for more than 10 years. The site has been used for non-residential uses since 1969 when the site was used as a children's day care center. The special use permit that was issued in 2003 expired because the use was discontinued for a period of six (6) months. Since the petitioner would like to continue using the site as offices, a new special use permit is required. Special uses are, by nature, uses that may not be compatible by right, but could be compatible in particular instances. The special use standards that are found in Ch. 44 10-4 are additional standards to consider for a special use application. In 2003, seven (7) variances were issued that allowed divergence from the special use standards in effect during 2003. The variances that were approved will follow the site and the structure unless there is new construction.

According to the documents that have been found by staff there has never been any screening for the parking lot or where adjacent to residential. The petitioner is requesting that the site continue to operate as is without the screening. Currently there is an approximate 27 foot setback from the property line and the parking lot in the west side of the site, and approximately 3 feet of setback from the north of the site where apartments are located. Staff understands the property is nonconforming and non-compliant with screening standards, and this is an opportunity to bring the site closer to compliance and in conformance with the zoning ordinance. Staff finds that there is no hardship that has been expressed that would prohibit the petitioner from placing the screening where residential zoning abuts. Additionally this is an opportunity to improve the view of the adjoining residential apartments and mitigate negative impacts, such as lights and noise from the parking lot, with a fence.

LINK TO COMPREHENSIVE PLAN: The area identified as the proposed site is shown as “Regional Commercial” in the Future Land Use map Fig 11-3. The purpose of regional commercial areas are to attract individuals throughout the community. The proposed site will continue to operate as offices that will be used to render services for the community. Offices are complimentary to the retail uses on Empire and IAA as well as north near GE Rd.

Action by the Zoning Board of Appeals

For each special use application the Zoning Board of Appeals shall report to the Council its findings of fact and recommendations, including stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein.

No special use application shall be recommended by the Zoning Board of Appeals for approval unless such Board shall find:

- 1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;** the special use permit continues to encourage office use. Office uses have been present in that location for over 15 years and have served the community. The use will not be detrimental to the community at large. The use is complimentary to the nearby retail. **The standard is met.**
- 2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** the special use permit is consistent with the pattern of this area. The site has been granted variances in 2003, which allow the site to maintain its current layout. Parking is also provided and complies with the required amount of spaces. Encouraging screening from parking lot reduces negative impacts on residential apartments. **The standard is met, once screening is provided.**
- 3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** non-residential uses and offices have been operating out of this space since 1969. The special use permit is consistent with the development of the area. **The standard is met.**
- 4. That the adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** Utilities are adequate. **The standard is met.**
- 5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** Ingress and egress is provided off IAA Dr. The use should not generate a significant amount of traffic congestion for the area. Parking is provided toward the rear of the site, and meets the minimum standards in Chapter 44.7-2. **The standard is met.**

6. **That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Zoning Board of Appeals.** The proposed use of offices meets the requirements set forth in Section 44.10-4, once screening is provided, and variances have been approved in order to maintain its current layout. **The standard is met once screening is provided.**

STAFF RECOMMENDATION:

Staff finds that the petition **meets** the Zoning Ordinance's standards required to allow a special use for offices. Staff recommends the Zoning Board of Appeals provide Council with a recommendation to **approve a special use petition** for offices in the R-3B district at 616 IAA Dr., Case SP-02-18 with a condition to include screening from residential zoning.

VARIANCE STANDARDS

FINDINGS OF FACT

The petitioner has outlined the request for variation, which would allow no screening from adjacent residential zoning, 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 in 2003 when a special use permit was issued for offices, screening of the property was not addressed and never enforced, however 7 other variances were granted which allow the site to maintain its current layout. There are no physical characteristics that would deter from screening, in the form of a fence or landscaping, being placed along residential zoning. **The standard is not met.**

That the variances would be the minimum action necessary to afford relief to the applicant; and there is no physical hardship which would prevent screening the parking lot from adjacent residential zoning. **The standard is not met.**

That the special conditions and circumstances were not created by any action of the applicant; and the ordinance changed, creating a nonconforming site. The special use permit is an opportunity to bring the site into compliance. The requested variance is related to an improvement in the code, yet there is nothing precluding the property owner from complying with the ordinance. **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 the majority of the business that are present in the R-3B zoning district have some kind of screening from residential areas. This is a standard that should be followed and enforced. **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 property has remained the same since the first special use permit

on file was issued in 2003. The variance would not change any portion of the site, it would remain the same. **The standard is 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-06-18, 616 IAA Dr.

As of the date of publication of this report, staff has only received general inquiries regarding case SP-02-18 and Z-06-18.

Respectfully submitted,

Izzy Rivera,
Assistant City Planner

Attachments:

- Variance application
- Petitioner's Statement of Findings as Fact
- Draft Ordinance
- Exhibit A-Legal Description
- Petition for a Special Use Permit
- Site Plan
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- List of notified property owners

ROUTE SLIP-APPROVAL OF SPECIAL USE

Date Rec'd: 1/9/17
Council of: 2/21/17

ZBA

PETITION FOR SPECIAL USE FOR PROPERTY LOCATED AT: 616 IAA Drive

PETITIONER: 616 IAA Drive, L.L.C.

ATTORNEY: Todd E. Bugg
ATTY. PHONE: 309-828-6241

teeb@dunnlaw.com

DOCUMENTS SUBMITTED: CHECK IF YES

- Petition
- ~~Ordinance~~
- Legal Description
- Original Site Plan & 21 copies
- Filing Fee Pd. (\$125.00)
- Recording Fee Pd. (\$24.00)
- ~~Documents on Disk~~

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

Development/Staff Meeting (date) _____ Brd of Zoning Appeals (date) 2/10/17
Date sent to Pantagraph _____ (15 day notice)
Publication Date 2/5/17
Publication Fee \$ _____ billed date _____ date pd. _____

Date thirteen (13) copies of site plan & one (1) copy of documents sent to PACE _____
Date taken to County Recorder's Office _____

NOTES: _____

9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the R-3B zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

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

Respectfully submitted,

616 IAA Drive, L.L.C., Petitioner,
by its Manager, Hundman
Management, L.L.C.,

By: 


ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A

AN OFFICE BUILDING

FOR PROPERTY LOCATED AT: 616 IAA Drive, Bloomington, Illinois

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for an office building for certain premises hereinafter described in Exhibit A; and

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

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.6-30 of the Bloomington, City Code, 1960; and

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

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

1. That the Special Use Permit for an office building on the premises hereinafter described in Exhibit A shall be and the same is hereby approved.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 2018.

APPROVED this _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk

Petition for Special Use-616 IAA Drive
Exhibit A—Legal Description

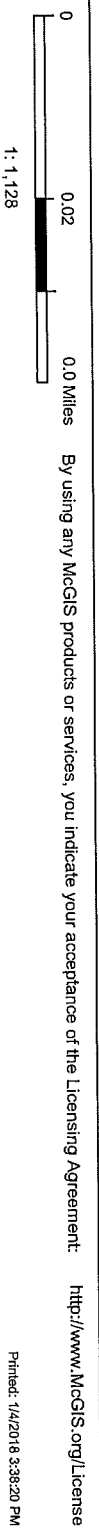
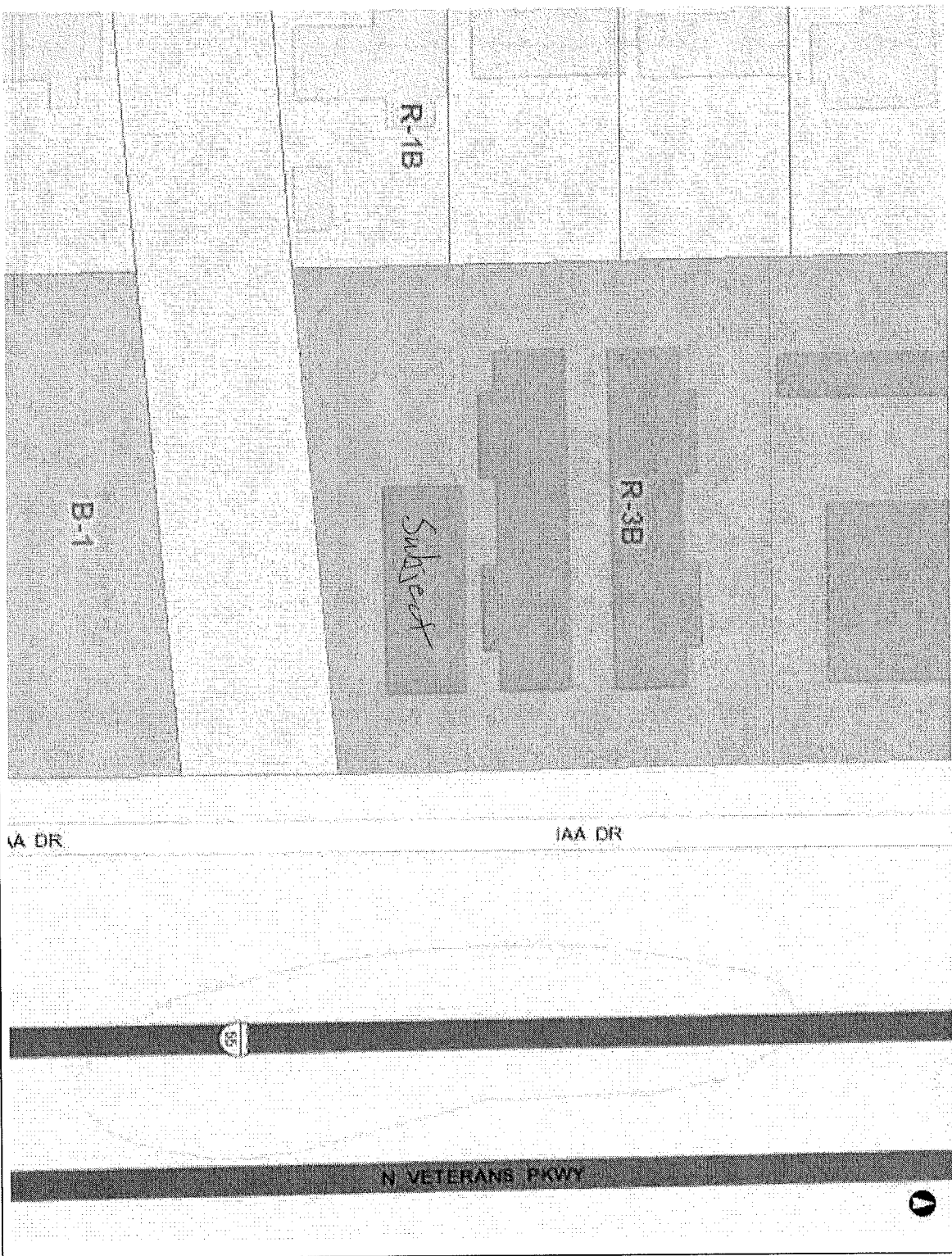
Lot 413 in the Eighth Addition to Fairway Knolls Addition to the City of
Bloomington, Illinois, Except the North 39 feet thereof, in McLean County,
Illinois

14-35-330-022

Commonly known as 616 IAA Drive, Bloomington, Illinois



McLean County Regional GIS Consortium



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Printed: 1/4/2018 3:38:20 PM

Legend

- Parcels
- McLean County

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

Notes

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: 616 IAA Drive, Bloomington, Illinois.

Petitioner: 616 IAA Drive, L.L.C. Phone: 309-828-6241

Petitioner's Email Address: teb@dunnlaw.com

Petitioner's Mailing Address: 1716 RT Dunn Dr., #4, Bloomington, IL 61701

Contractual Interest: Yes, Owner

Petitioner's Attorney: Todd E. Bugg, 1001 N. Main St., Bloomington, IL 61701
309-828-6241; teb@dunnlaw.com

616 IAA Drive, L.L.C., Applicant,

By: 

Brief Project Description: Existing office building on site to continue use as office building under special use in R-3B District. Building has been used as an office for many years. Special use is required because building was not used while on the market for more than one year.

Code Requirements Involved:

--Parking space requirement--The site size requires 16 parking spaces

--Parking lot screening

Variances Requested:

--Parking space requirement--Applicant requests variance to existing 13 spaces (13 regular; 1 handicapped) on site.

--Parking lot screening--Applicant request variance to allow no screening

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

The subject property and improvements have been in the same configuration and use since 1969. No change is requested. This is merely to allow continuing usage.

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 size of the existing property makes it difficult to add parking spaces and screening while still fitting the already existing parking in the lot.

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

Because the property has been used as an office in its current configuration for many years, no further variances other than parking spaces and screening would be required to continue the applicant's proposed use.

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

The applicant has not created the need for variances. The property has been used as an office building for nearly 50 years (building constructed in 1969). The improvements and parking have been in place and used appropriately. No change will occur as a result of the proposed variances.

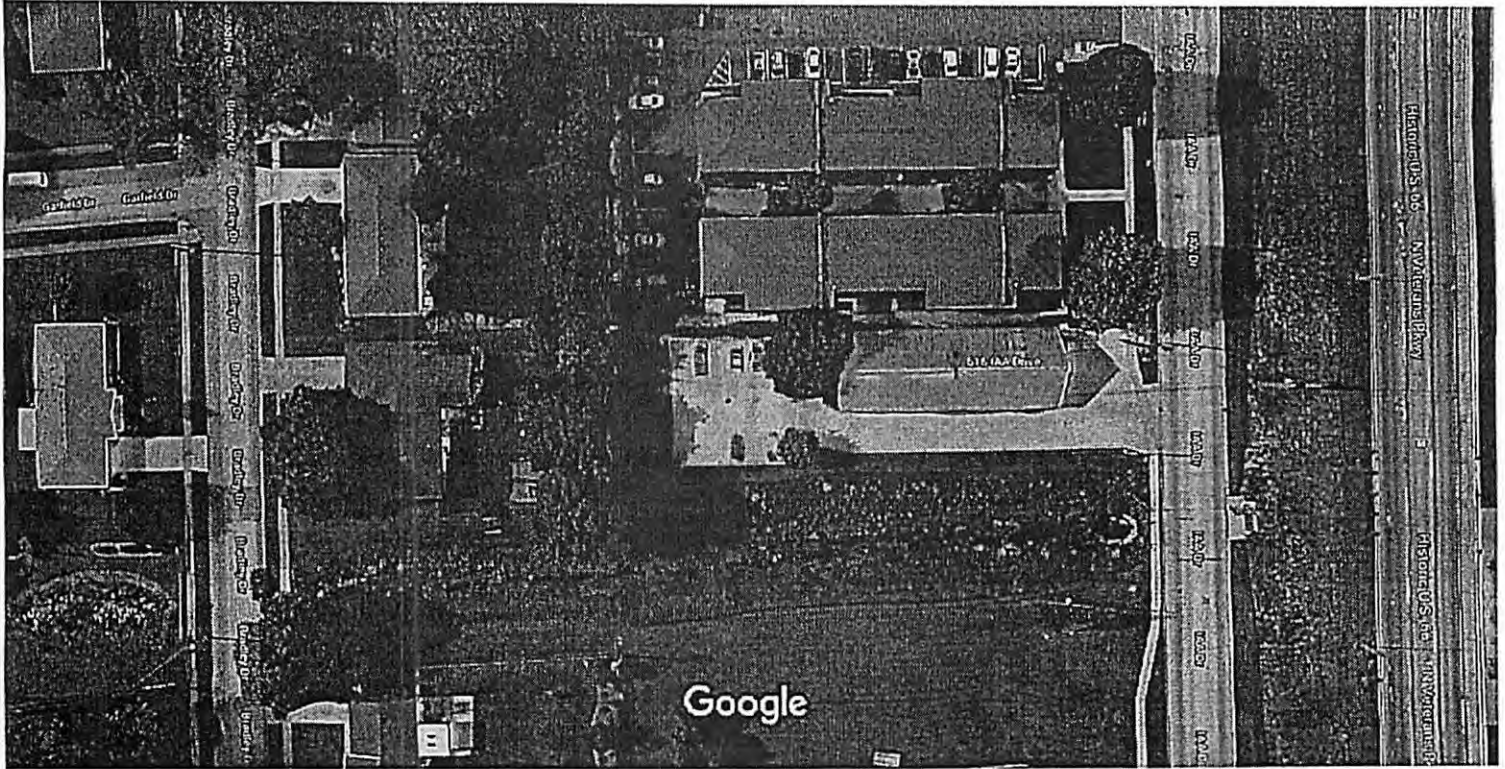
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and

The applicant is only asking to be allowed to continue to use the property as it has been for many years. No special privilege is requested.

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

The existing uses on surrounding properties are IAA Dr. and Veteran's Parkway to the East; drainage ditch to the South; residence to the West; large multifamily unit to the North. There is a 25-foot setback from the parking lot surface to the property line on the back (West) of the subject property. No change from existing long-time usage or character of the property is requested.

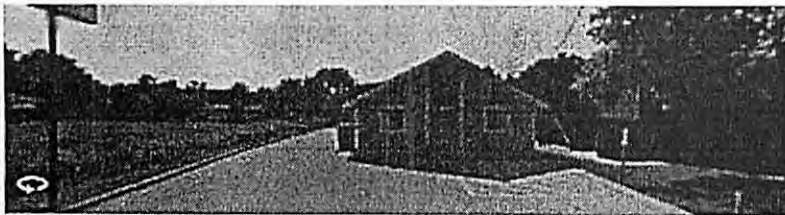
Google Maps 616 IAA Dr



Imagery ©2018 Google, Map data ©2018 Google 20 ft



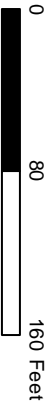
616 IAA Dr
Bloomington, IL 61701



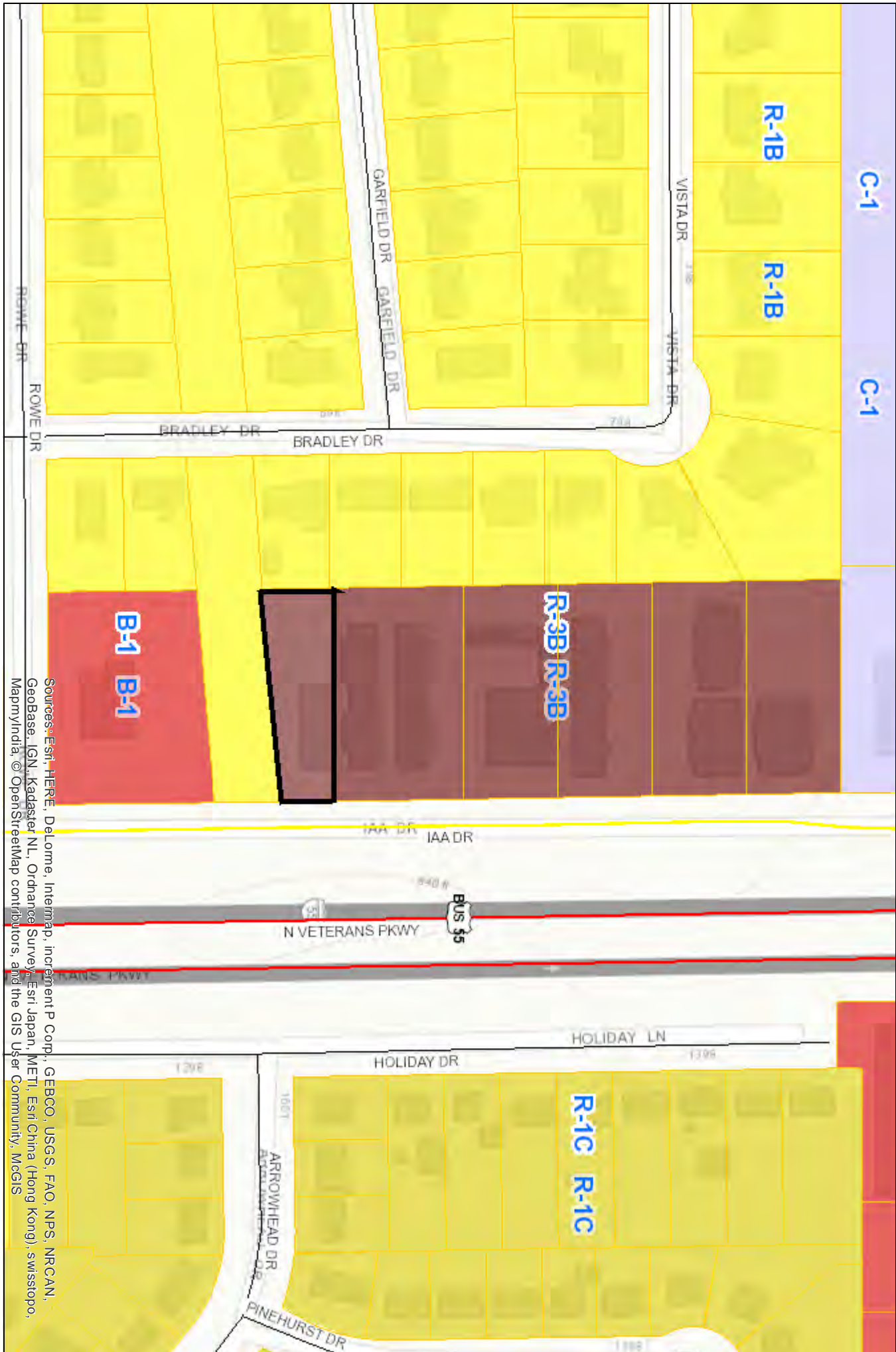
Aerial Map 616 IAA Dr.



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.



Zoning Map 616 IAA Dr.



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



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





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

February 6, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday February 21, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by 616 IAA Dr. L.L.C for the approval of a special use permit, and a variance request, for the property located at **616 IAA Dr.** at which time all interested persons may present their views upon such matters pertaining thereto.

REQUEST

- The petitioner is requesting a special use permit to allow for office use in the R-3B High Density Multiple-Family Residence District
- The petitioner is requesting a variance from screening the parking lot from adjacent residential zoning district

The petitioner or his/her Counsel/Agent must attend the meeting. A legal description of the subject property is attached to this letter.

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

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

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at irivera@cityblm.org or call me at (309) 434-2448.

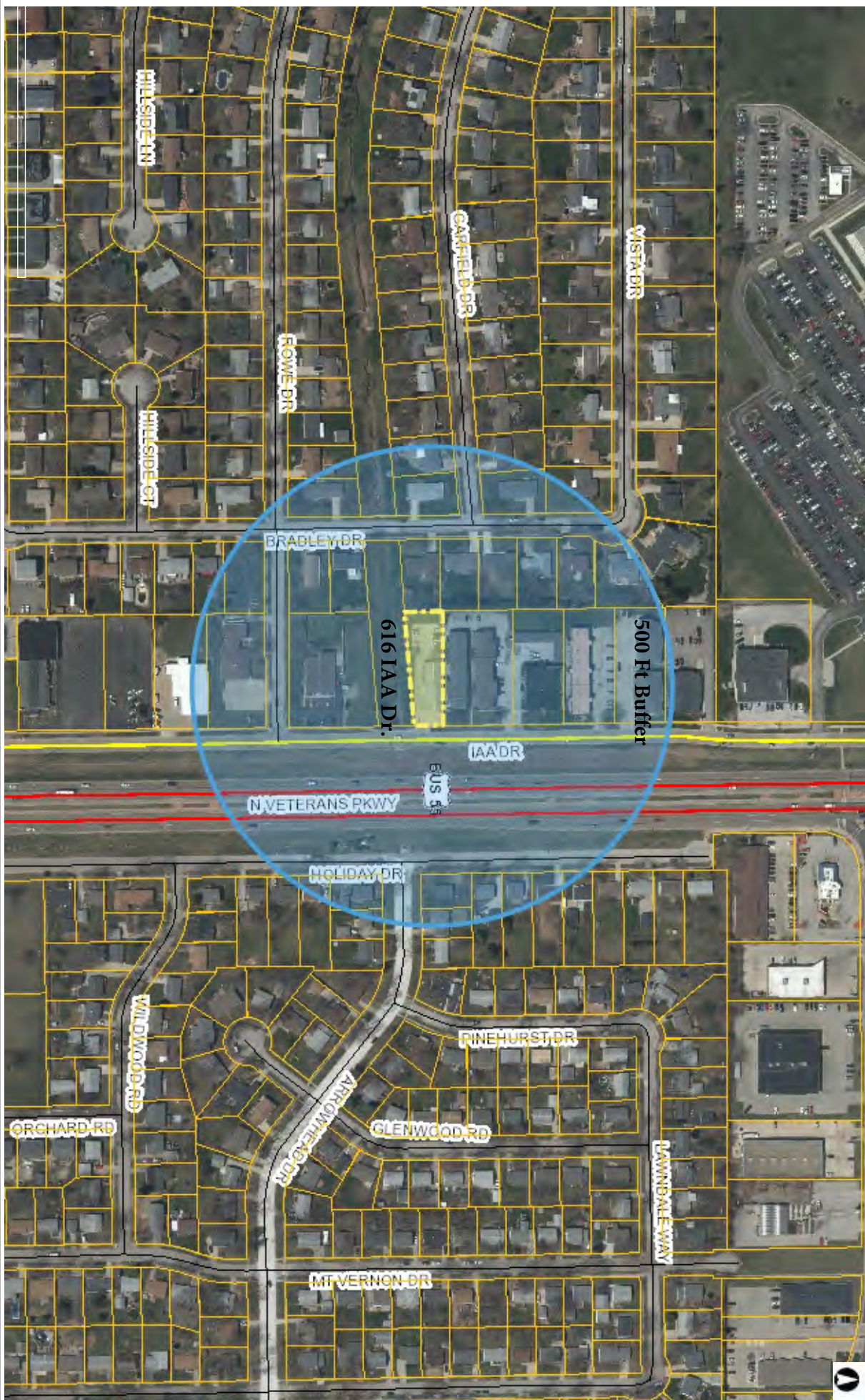
Sincerely,

A handwritten signature in black ink, appearing to read "Izzy Rivera".

Izzy Rivera, Assistant City Planner

Attachments:

Map of notified properties within 500 ft of subject property & Legal Description of property



0 0.07 0.1 Miles

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

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Notes

Petition for Special Use-616 IAA Drive
Exhibit A—Legal Description

Lot 413 in the Eighth Addition to Fairway Knolls Addition to the City of
Bloomington, Illinois, Except the North 39 feet thereof, in McLean County,
Illinois

14-35-330-022

Commonly known as 616 IAA Drive, Bloomington, Illinois



BERNADINE ALLEN
1200 E COLLEGE AVE #217
NORMAL, IL. 61761

PATRICIA MUELLER
1303 HOLIDAY DR
BLOOMINGTON, IL. 61704

TIMOTHY & PAMELA DAUGHERTY
328 GARFIELD DR
BLOOMINGTON, IL. 61701

CHRISTI BLACKBURN
620 BRADLEY DR
BLOOMINGTON, IL. 61701

RONALD CARR
627 BRADLEY DR
BLOOMINGTON, IL. 61701

LEWIS H & SUSAN O ARBUCKLE
707 BRADLEY DR
BLOOMINGTON, IL. 61701

ROBERT HASLETT
1307 HOLIDAY DR
BLOOMINGTON, IL. 61704

MELECIO ALVAREZ
1245 HOLIDAY DR
BLOOMINGTON, IL. 61704

A MARK & KAREN DOSSETT
705 BRADLEY DR
BLOOMINGTON, IL. 61701

JEREMY DAVIS
1301 HOLIDAY DR
BLOOMINGTON, IL. 61704

616 IAA DR LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL. 61701

BLOOMINGTON FAIRWAY KNOLLS
CHURCH OF NAZARENE
610 IAA DR
BLOOMINGTON, IL. 61701

BPA LLC
712 IAA DR
BLOOMINGTON, IL. 61701

THOMAS & PHYLLIS CARR
328 ROWE DR
BLOOMINGTON, IL. 61701

AMT PROPERTIES, INC.
19710 E 850 North Rd
BLOOMINGTON, IL. 61705

KEVIN BRADLEY
1604 ARROWHEAD
BLOOMINGTON, IL. 61704

MARK REYNOLDS
702 Bradley Dr
BLOOMINGTON, IL. 61701

ELEANORE TOTTERER LONG
1309 HOLIDAY DR
BLOOMINGTON, IL. 61704

SCOTT TAYLOR
114 S Sesame St
BLOOMINGTON, IL. 61704

APARTMENT MART / PO BOX 670
912 N LINDEN
BLOOMINGTON, IL. 61702

CHARLENE DEUTSCH & CURT RUDESILL
21021 E 1300 NORTH RD
BLOOMINGTON, IL. 61705

BETTY OVERFELT
625 BRADLEY DR
BLOOMINGTON, IL. 61701

SAMUEL BRADSTREET
608 BRADLEY DR
BLOOMINGTON, IL. 61701

CHELSEA BATTY
623 BRADLEY DR
BLOOMINGTON, IL. 61701

CHARLES WILLIAMS
1325 E EMPIRE ST
BLOOMINGTON, IL. 61701

LINDA HENDERSON
701 BRADLEY DR
BLOOMINGTON, IL. 61701

GABRIEL NEGE
1305 HOLIDAY DR
BLOOMINGTON, IL. 61704

ANNETTE FINLEY
621 BRADLEY DR
BLOOMINGTON, IL. 61701

BENNY & CLAUDIA SCHMITT
331 GARFIELD DR
BLOOMINGTON, IL. 61701

CHARLES W WILLIAMS FAMILY TRUST
1325 E EMPIRE ST
BLOOMINGTON, IL. 61701

BENNY SCHMITT
331 GARFIELD DR
BLOOMINGTON, IL. 61701

DIXIE LEWIS
1247 HOLIDAY DR
BLOOMINGTON, IL. 61704

LESLIE MANNING
1249 HOLIDAY DR
BLOOMINGTON, IL. 61704

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

TATRO & SON LLC
612 IAA DR
BLOOMINGTON, IL. 61701

20933748

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
FEBRUARY 21, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday February 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), VARIANCE REQUEST

Picture This Media, LLC, 1701 S. Veterans Pkwy. (A.Y. McDONALD SUB. LOT 3), requesting a 70 foot reduction in the distance between ground/freestanding on premise and off premise signs.

EA Architecture and Design, 2301 Castleton Dr. (HERSHEY PLAZA SUB 2ND ADD LOT 2 (EX 56 SQ FT FOR RD AS IN 01/23436) 1.68 ACRES), requesting a 25 space reduction in required parking spaces.

616 IAA Dr. L.L.C., 161 IAA Dr. (LOT 413 IN THE EIGHTH ADDITION TO FAIRWAY KNOLLS ADDITION TO THE CITY OF BLOOMINGTON, ILLINOIS, EXCEPT THE NORTH 39 FEET THEREOF, IN MCLEAN COUNTY, ILLINOIS), requesting no parking lot screening from adjacent residential.

All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. In compliance with the Americans with

Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

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

Published: Monday February 5, 2018

Public Notices

CITY OF BLOOMINGTON, ILLINOIS, EXCEPT THE NORTH 39 FEET THEREOF, IN MCLEAN COUNTY, ILLINOIS
PIN: 14-35-330-022

REQUEST

A request to allow offices in the R-3B, High Density Multiple-Family Residence District as a special use.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

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

Published: February 5, 2018

20933749

**CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
FEBRUARY 21, 2018**

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday February 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, petitions submitted by 616 IAA Dr., L.L.C for the approval of a special use permit for offices on property commonly known as 616 IAA Dr. at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is legally described as follows:

Legal Description:
LOT 413 IN THE EIGHTH ADDITION TO FAIRWAY KNOLLS ADDITION TO THE

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
February 21, 2018**

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-04-18	2301 Castleton Dr (Ward 3)	Variance	Izzy Rivera, Assistant City Planner

PETITIONER’S REQUEST:

Section of Code: 44.7-2 H Minimum of Off Street Parking Spaces Required

Type of Variance	Request	Required	Variation
Reduction in number of off street parking spaces	92	117	25 space reduction

STAFF RECOMMENDATION:	Staff determines the petition partially meets the Zoning Ordinance’s standards required to grant a variance (4.13-3). <i>Staff recommends the Zoning Board of Appeals table the approval of the request for a reduction in the number of off street parking spaces at 2301 Castleton Dr. until a hours of operation agreement can be presented.</i>
------------------------------	---



Location Map of Subject Property

NOTICE

The application was filed in conformance with applicable procedural requirements and notice was published in *The Pantagraph* on February 5, 2018

GENERAL INFORMATION

Owner and Applicant: EA Architecture and Design on behalf of Bob Dobski

PROPERTY INFORMATION

Legal description: HERSHEY PLAZA SUB 2ND ADD LOT 2 (EX 56 SQ FT FOR RD AS IN 01/023436) 1.68 ACRES

Existing Zoning: B-1, Highway Business District
Existing Land Use: vacant
Property Size: Approximately 1.68 acres
PIN: 21-01-153-003

Surrounding Zoning and Land Uses

<u>Zoning</u>	<u>Use</u>
North: B-1, Highway Business District	North: Restaurants
South: B-1, Highway Business District	South: Medical Office/ Gas Station
East: B-1, Highway Business District	East: Retail/Restaurant
West: B-1, Highway Business District	West: Family Center

Analysis

Submittals

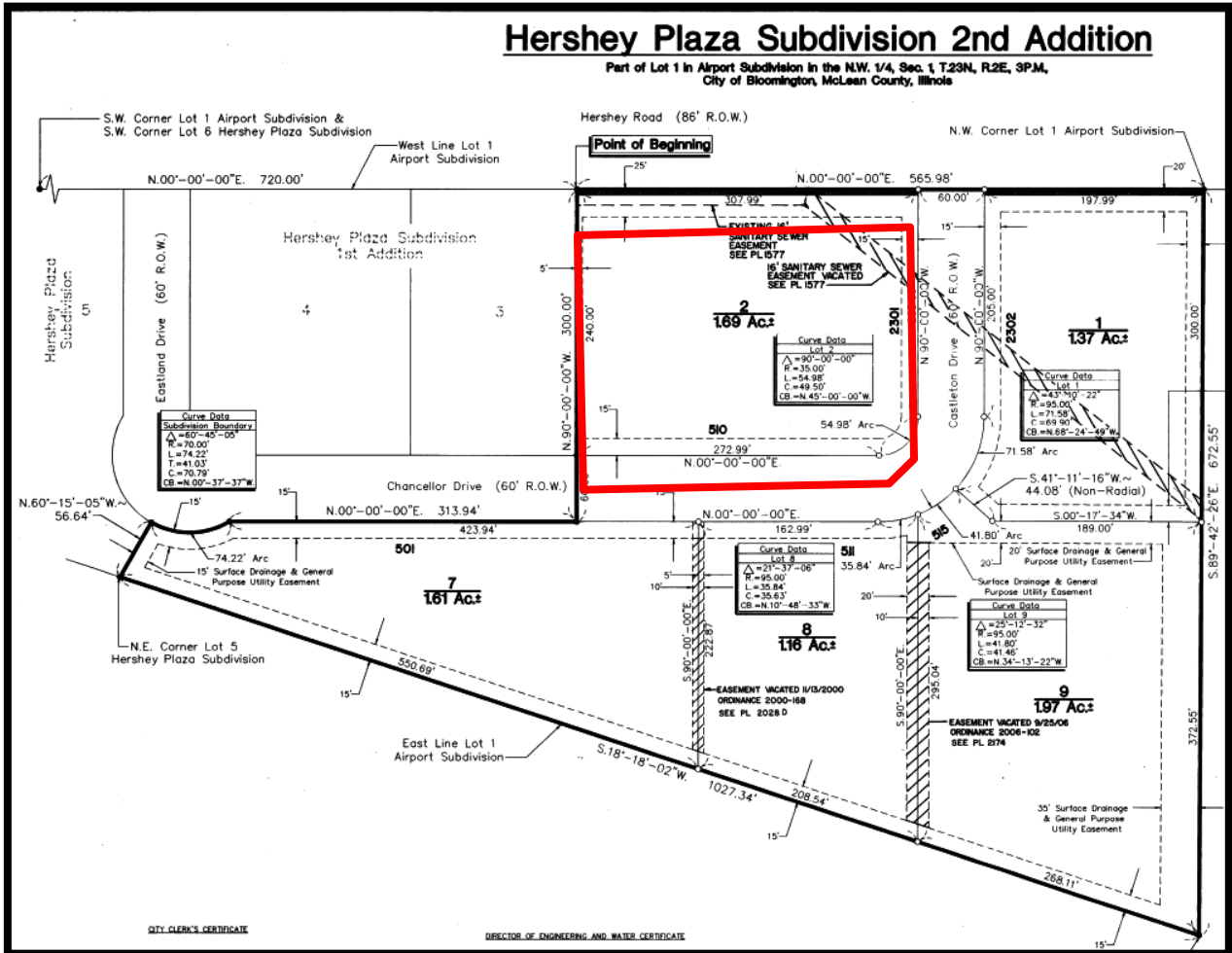
This report is based on the following documents, which are on file with the Community Development Department:

1. Application for variance
2. Site Plan
3. Aerial Photographs.
4. Site Visit

PROJECT DESCRIPTION

Background

The subject site is located within Hershey Plaza Subdivision which is located east of Hershey Rd and north of Eastland Dr. The site commonly known as 2301 Castleton Dr., Lot 2 was added in the 2nd Addition in April of 2000. The site is relatively flat and is approximately 27' X 280' (73, 282 sq ft). The site is encompassed by a 16 foot utility easement. This will prohibit any accessory structure or development from being placed in that area. Hershey Plaza Subdivision has been developed with restaurants, medical offices and a furniture store. 2301 Castleton Drive remains undeveloped, and recently the site is being proposed as mixed use. The petitioner is proposing an office space and restaurant. The shared parking provision that is found in Chapter 44 7-2 F of the Zoning Code states that parking may be provided collectively "but the required amount of parking spaces shall not be less than the sum of the separate requirements for each establishment".



Project Description: Staff received a request from the property owners to develop Lot 2 (as shown on the Final Plat illustration above) of Hershey Plaza Subdivision with an office/retail building and a restaurant. The proposed development would require parking accommodations for not only the restaurant use but the office/retail space. The proposed site plan demonstrates various landscaping points as well as the building footprint toward the south of the property. The site plan outlines an approximate 15 foot setback, which will also include landscaping. The site plan does not, however, point out the location of the dumpsters. Any new construction must comply with, not only the setback requirements, but with landscaping and parking requirements of the ordinance. The petitioner is proposing parking that will be positioned along the north side of the site. There are proposed entrances along Castleton Drive at the north end of the site and the east side. The amount of spaces that are required for each of the uses can be found in City of Bloomington City Code Chapter 44. 7-2 H. Calculations are based on the use and square footage per person.

The following is a summary of the requested variations:

Applicable Code Sections:

Section of Code: 44.7-2 H: Minimum of Off Street Parking Spaces

Type	Square footage	Parking spots needed	Calculation	Actual	Variance
Office	7507	200sqft/person For fist 2000 sqft then 300sqft/person	29		
Restaurant	7765	100sqft/person	78		
Patio	1000	100sqft/person	10		
			117 Total	92 Total	-25

Analysis

Variations from Zoning Ordinance

City code requires 117 parking spots for this development. The request for a variance would reduce the amount of parking spots by 25. Staff has considered that the site is undeveloped, and has been vacant for almost 20 years. There is an opportunity for development that conforms to the zoning code requirements. The petitioner is proposing shared parking based on the argument that the hours of operation will differ and peak business hours will not overlap. However without an agreement to that affect, staff would not be able to support the petition, because it is difficult to enforce. A recorded agreement between tenants and tied to the property will solidify this proposed sharing of parking.

Staff understands the Zoning Code does not have a category outlining the number of spaces for shared uses. For example, the Town of Normal’s Zoning Code contains a provision that allows shared parking, such as the provision in the City of Bloomington’s Zoning Code. However there is a special category under Public Assembly Property that outlines the number of spaces that would be needed for multiple uses, including a restaurant, office or retail. The parking requirement is “1 space per two hundred (200) square feet of gross floor area”¹ The requirement for each use is less restrictive and allows for more square footage per person. With this provision, and the petitioner’s proposal, 81 spaces would be required for this project.

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

¹ <https://www.normal.org/DocumentCenter/View/7710>

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 site is undeveloped, relatively flat, and no other physical characteristics have been perceived. There is greater opportunity for any new construction to comply with the code and be able to consider other layouts, design, building footprint and parking angles. **The standard is not met.**

That the variances would be the minimum action necessary to afford relief to the applicant; and building size and parking lot layout could be changed, however this could impact the business that have interest in the site, depending on how much space each individual business may need. **The standard is not met.**

That the special conditions and circumstances were not created by any action of the applicant; and the need for the variance is directly related to the size of the structure and the layout that has been chosen for the parking lot. Since the site is undeveloped and this would be new construction, there are opportunities to accommodate any changes. Nonetheless, staff understands the building footprint and the shared parking is based on the petitioners comments that peak hours of operation will not overlap and each individual business is likely to have enough parking at any given time. **The standard is met.**

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and the variance request is unique in that the petitioner is requesting shared parking based on various hours of operation, if this is fact, and the petitioner would be able to present an agreement to that affect, staff would be amendable to support the variance. **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 variance would allow for more landscaping, as is outlined in the site plan. The building complies with the setbacks and has demonstrated landscaping points and perimeter landscaping setbacks. This is something staff supports and would encourage, as it is part of the Comprehensive Plan to encourage creating and maintaining green spaces around the community. The Comprehensive Plan also encourages pedestrian access, safety, and walkability, staff would recommend that the sidewalk be completed around Castleton Dr and Chancellor Dr (HL-3.1a). The variance would also keep from an excess of parking spaces, when various hours and different peak hours of operation are considered. **The standard is met.**

STAFF RECOMMENDATION:

*Staff recommends the Zoning Board of Appeals **table the approval** of the request for a 25 parking stall reduction for Lot 2 in the Hershey Plaza Subdivision, commonly known as 2301 Castleton Dr. **conditioned** that the petitioner can provide an agreement detailing the various hours of operation.*

Respectfully submitted,

Izzy Rivera
Assistant City Planner

Attachments:

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

35850

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: 2601²³⁰¹ CASTLETON DR.

Site Address: BLOOMINGTON, IL

Petitioner: EA ARCHITECTURE & DESIGN (ON BEHALF OF BOB DOBSKI) Phone: 309 663-7111

Petitioner's Email Address: ROSS@EA-AD.NET

Petitioner's Mailing Address Street: 2416 E. WASHINGTON CS BLM, 61704

City, State, Zip Code: BLOOMINGTON ILLINOIS 61704

Contractual interest in the property _____ yes no

Signature of Applicant _____

Brief Project Description:
MULTI TENANT BUILDING ON VACANT LOT. TO INCLUDE 7500 SF +/- AND 7500 SF +/- OFFICE/BUSINESS/RETAIL. FOR TOTAL OF 15,300 SF BUILDING +/-.

Code Requirements Involved:
CHAPTER 44: SECTION 44.7-2 F.
MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED.

Variances(s) Requested:
REDUCE REQUIRED NUMBER OF PARKING SPOTS BY 25.

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 GRANTING OF THIS VARIANCE IS NOT DETRIMENTAL TO PUBLIC, NEIGHBORHOOD OR ADJOINING PROPERTIES AND ALLOWS BUSINESSES THAT OPERATE AT SUBSTANTIALLY DIFFERENT HOURS TO SHARE SPACES REDUCING THE AMOUNT OF HARD SURFACE REQUIRED.

JAN 29 2018

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
MULTI-TENANT BUILDINGS THAT HAVE TENANTS WITH SUBSTANTIALLY DIFFERENT HOURS OF OPERATION INHERENTLY REQUIRE REDUNDANT NUMBERS OF PARKING SPOTS CONTRIBUTING TO EXCESS PARKING, AND STORM WATER RUN-OFF.
2. That the variance would be the minimum action necessary to afford relief to the applicant; and
VARIANCE WOULD ALLOW BUSINESSES THAT OPERATE SUBSTANTIALLY AT DIFFERENT HOURS TO SHARE PARKING SPOTS, AND AFFORD RELIEF.
3. That the special conditions and circumstances were not created by any action of the applicant; and
THE CIRCUMSTANCES ARE CREATED BY A ZONING / PARKING CODE THAT HAS NO PROVISION FOR SHARED PARKING REQUIREMENTS,
4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and
THE GRANTING OF THIS REQUEST FULFILLS THE PROPER NUMBERS OF SPACES FOR EACH TENANT AS REQUIRED BY THE CODE DURING THEIR HOURS OF OPERATION.
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 GRANTING OF THIS VARIANCE IS NOT DETRIMENTAL TO PUBLIC AND WOULD ACTUALLY REDUCE STORM WATER RUN-OFF ~~BY~~ WITH NO NEGATIVE AFFECT ON THE NEIGHBORHOOD OR ADJOINING PROPERTIES.

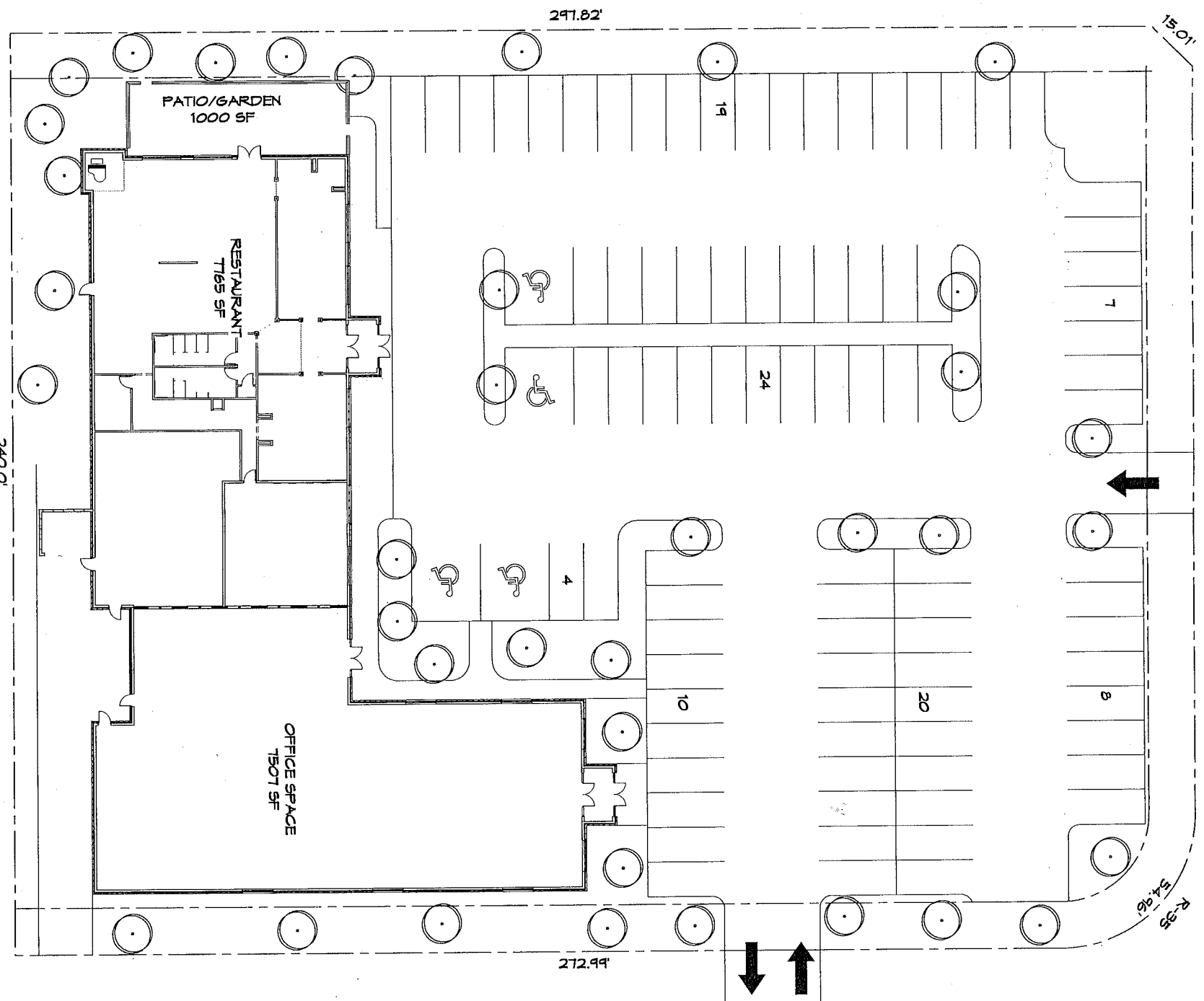
JAN 29 2018


Z601 CASTLEBELL DR

JAN 29 2018

RESTAURANT:
 RESTAURANT AREA: 7165 SF / 100 SF PER PERSON = 72 PARKING SPOTS
 PATIO/GARDEN: 1000 SF / 100 SF PER PERSON = 10 PARKING SPOTS
 BUSINESS/RETAIL: 2000 / 200 SF PER PERSON = 10 PARKING SPOTS
 REMAINDER (7507 - 2000) 5507 / 300 SF PER PERSON = 19 PARKING SPOTS
 TOTAL SPOTS REQUIRED = 117 PARKING SPOTS
 ACTUAL SPOTS PROVIDED = 92 PARKING SPOTS

① SITE PLAN
 1/16" = 1'-0"



SCHEMATIC DESIGN PLANS

DATE: 1/19/18
 SCALE: AS NOTED
 DRAWN BY: tpe
 JOB: 18-007
 SHEET: L101

ROB DOBS
HERSHEY
BLOOMINGTON, ILLINOIS 61704

EA ARCHITECTURE & DESIGN, INC.
 2416 E. WASHINGTON ST., SUITE C-3
 BLOOMINGTON, ILLINOIS 61704
 PHONE: (309) 663-7111 FAX: (309) 663-7222
 DESIGN FIRM #184.007110

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No.	Date	REVISIONS

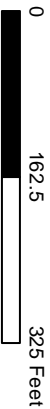
Aerial Map 2301 Castleton Dr



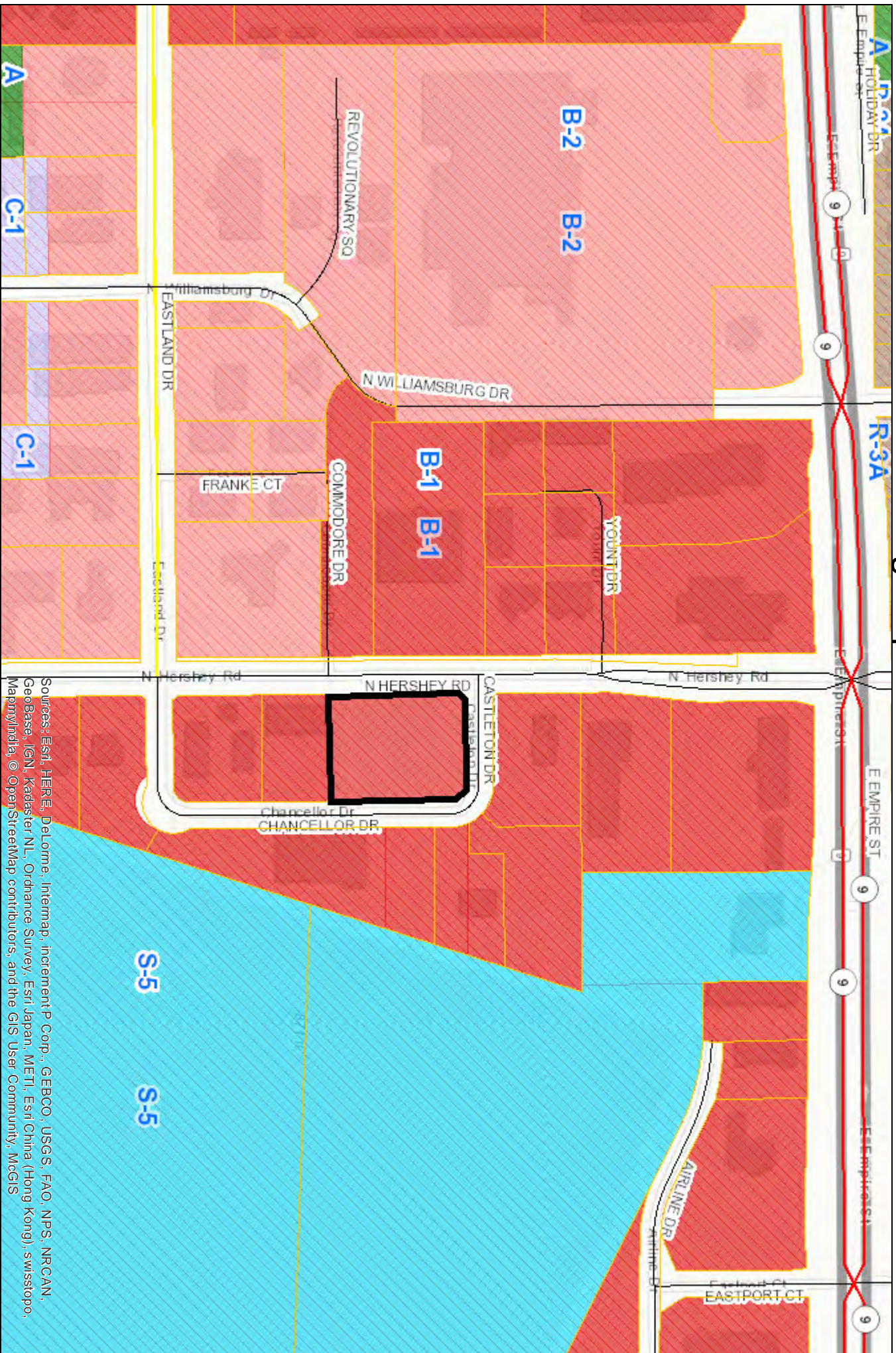
MapGIS, <http://www.MapGIS.org/License>



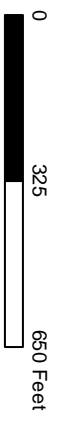
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Zoning Map 2301 Castleton Dr



MGIS 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.



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





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

February 6, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday February 21, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony on petitions submitted by EA Architecture and Design, requesting the following approval for the property at **2301 Castleton Dr.**: a variance to allow a 25 space reduction in required parking spaces (44.7-2) for an office and restaurant complex. All interested persons may present their views upon such matters pertaining thereto at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. A legal description of the subject property is attached to this letter.

LEGAL DESCRIPTION: HERSHEY PLAZA SUB 2ND ADD LOT 2 (EX 56 SQ FT FOR RD AS IN 01/23436) 1.68 ACRES

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). Communications in writing in relation thereto may be filed with the Department of Community Development, or at such hearing. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at irivera@cityblm.org or call me at (309) 434-2226.

Sincerely,

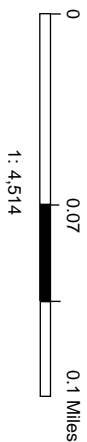
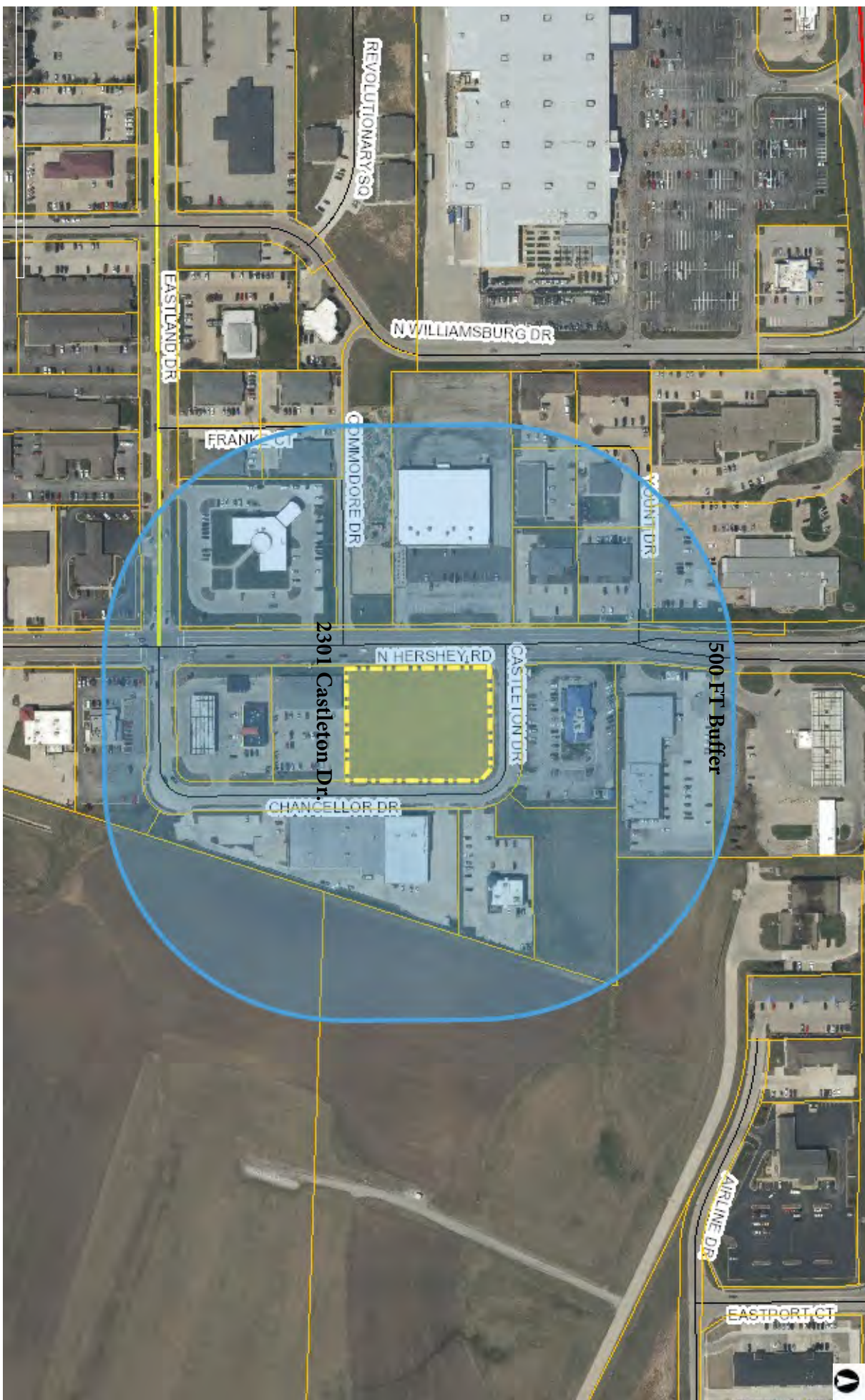
A handwritten signature in black ink that reads "Izzy Rivera".

Izzy Rivera

Assistant City Planner

Attachments:

Map of notified properties within 500 ft of 2301 Castleton Dr.



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Notes

VICTORIA BIRGE
14168 N 900 EAST RD
BLOOMINGTON, IL. 61705

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

MICHAEL TALKINGTON
53 STONEBROOK CT
BLOOMINGTON, IL. 61704

FRANKE DON
303 N WILLIAMSBURG DR
BLOOMINGTON, IL. 61701

NOKESTRAW LLC
P O BOX 5110
BLOOMINGTON, IL. 61702

HUCKS 353 / MARTIN & BAILEY INC
P O BOX 385
CARMi, IL. 62821

ROBERT AND JULIE DOBSKI
14 WORTHINGTON CT
BLOOMINGTON, IL. 61704

TR & JESSICA MARTIN
3712 GINA DR
BLOOMINGTON, IL. 61704

% SANDRA BETTIS HERSHEY CENTER
2207 BERRYWOOD
BLOOMINGTON, IL. 61704

FRANKE, LLC
303 N WILLIAMSBURG DR
BLOOMINGTON, IL. 61704

CLASS ACT REALTY
PO BOX 1588
BLOOMINGTON, IL. 61702

BARBARA BROACH
1903 WITHERS LN
BLOOMINGTON, IL. 61704

FIRST STATE BANK
706 WASHINGTON ST
MENDOTA, IL. 61342

CORPORATE EAST BLOOMINGTON LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL. 61701

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

FRANKE DON
303 N WILLIAMSBURG DR
BLOOMINGTON, IL. 61704

%MARVIN F POER & CO PNC REALTY
SERVICES
PO Box 52427
ATLANTA, GA. 30355

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

BLUE ROOF INVESTMENTS
515 SUNRISE DR
CHENOA, IL. 61726

STAR UNIFORMS, LLC MR. MICHAEL J.
TALKINGTON
2 Yount Dr
BLOOMINGTON, IL. 61704

CAPITAL RESOURCE DEVELOPMENT
INC
1200 NETWORK CENTRE DR STE 2
EFFINGHAM, IL. 62401

CORPORATE EAST BLOOMINGTON LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL. 61701

PHEASANT LANES
804 N HERSHEY RD
BLOOMINGTON, IL. 61704

ANGEL LLC / TERRY WINN
1051 WRAYSWOOD CIR
GREENSBORO, GA. 30642

%THORNTONS - VP GEN. COUNSEL
10101 LINN STATION FD
LOUISVILLE, KY. 40223

PHEASANT LANES
804 N HERSHEY RD
BLOOMINGTON, IL. 61704

BUILDER BOYS OF BLOOMINGTON
PO BOX 13167
SPRINGFIELD, IL. 62791

CENTRAL ILLINOIS REGIONAL AIRPORT
3201 CIRA DR STE 200
BLOOMINGTON, IL. 61704

20933748

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
FEBRUARY 21, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday February 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), VARIANCE REQUEST

Picture This Media, LLC, 1701 S. Veterans Pkwy. (A.Y. McDONALD SUB. LOT 3), requesting a 70 foot reduction in the distance between ground/freestanding on premise and off premise signs.

EA Architecture and Design, 2301 Castleton Dr. (HERSHEY PLAZA SUB 2ND ADD LOT 2 (EX 56 SQ FT FOR RD AS IN 01/23436) 1.68 ACRES), requesting a 25 space reduction in required parking spaces.

616 IAA Dr. L.L.C., 161 IAA Dr. (LOT 413 IN THE EIGHTH ADDITION TO FAIRWAY KNOLLS ADDITION TO THE CITY OF BLOOMINGTON, ILLINOIS, EXCEPT THE NORTH 39 FEET THEREOF, IN MCLEAN COUNTY, ILLINOIS), requesting no parking lot screening from adjacent residential.

All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. In compliance with the Americans with

Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

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

Published: Monday February 5, 2018

CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
February 21, 2017

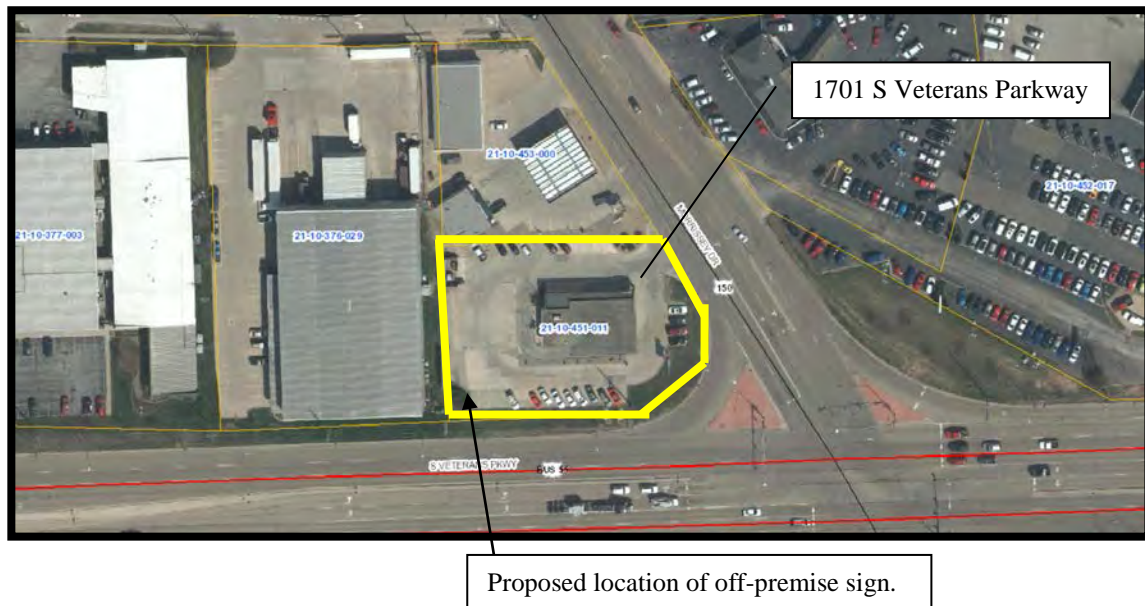
CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-05-18	1701 S Veterans Parkway	Appeal of Sign Administrator Decision w/variance	Katie Simpson, City Planner

APPELLANT'S APPEAL REQUEST:

Section of Code: 44.13-4 E-2

Request	Code Reference	Variance
Allow for the horizontal separation between an on-premise and off-premise sign (located on a separate premise) to be 30ft in lieu of the 100ft.	Ch. 3 Section 5.7(k) The horizontal separation between an on-premise and off-premise sign shall be 100 ft (Ord. 1998-95)	-70 ft Seventy (70) foot reduction in horizontal separation

STAFF RECOMMENDATION:	<p><i>Staff cannot conclusively find that the standards for a variance have been met based on the materials submitted. Whether the sign meets the standards and criteria may be decided by the Board based on the evidence and arguments presented at the public hearing.</i></p> <p><i>In instances where it is difficult to find undue or unnecessary hardship, the Zoning Board of Appeals may grant a variance, if the Board determines that the proposed sign is attractive, landscaped, and of a good design (Ch. 44 Section 44.13-4E2).</i></p>
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NOTICE

The appeal has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on *February 5, 2018*.

GENERAL INFORMATION

Owner and Applicant: Picture This Digital Media LLC

PROPERTY INFORMATION

Legal description: AY MCDONALD SUB LOT 3

Existing Zoning: B-1, Highway Business District
Existing Land Use: Starbucks/Retail
Property Size: Approximately 31,000 square feet
PIN: 21-10-451-011

Surrounding Zoning and Land Uses

Zoning

North: B-1, Highway Business
South: B-1, Highway Business
East: B-1, Highway Business
West: B-1, Highway Business

Land Uses

North: retail, gas station
South: gas station, retail
East: auto sales, retail
West: warehouse, retail, distribution

ZONING BOARD OF APPEALS' SCOPE OF REVIEW

Ch. 44 Section 13-4E2. Appeals with Petition for a variance.

“In appeals to the Board from decisions of the Administrator denying a sign permit or declaring a sign to be illegal in conjunction with which a variance is sought in addition to the review authority in subsection (1), the Board shall have the power and duty to hear, decide, and grant or deny the requested variance from the provisions or requirements of Chapter 3 of this code” (ORD 2012-71).

BACKGROUND

Purpose and intent:

The City of Bloomington Advertising Sign Code, Chapter 3 of the City Code, intends to protect public health, safety, welfare and investment, and to promote the reasonable, orderly, and effective display of signs. The Code recognizes advertising as a legitimate use of property and as an integral part of the business and marketing functions of the local economy. Advertising serves to promote and protect private investments, and restrictions imposed by the sign code are intended to protect the reasonable rights of other advertisers, property owners and users of the public right-of-way (Ch. 3 Article 1.2).

Relevant definitions (Ch. 3 Article 2:

“On Premise Sign”—Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

1701 S. Veterans Parkway

“Off-premise Sign”—Any sign identifying or advertising goods, products, services, or facilities or directing persons to different locations from where the sign is installed (also referred to as “billboards” or “outdoor advertising”).

Facts:

1701 S. Veterans Parkway, the subject property, is located at the northwest corner of the intersection of Veterans Parkway/US Business 55/Former Rt. 66, and Morrissey Dr/US 150. The 0.71 acre parcel is improved with a Starbucks coffee shop and drive-thru, and two additional retail tenants. The site is relatively flat and visible from a state route. The subject property has an on premise pole sign advertising the Starbucks. Directly north of the subject property, is a gas station; the gas station also has an on premise sign. The parcels east and southeast of the subject property are improved with automobile retailers, and the southeast parcel contains an off-premise sign. The property directly south of the subject property is improved with a strip center and gas station, and an off-premise sign. The parcel abutting the subject property to the west is improved with a sign company. The subject property and adjacent properties are zoned B-1, Highway Business District.

The City received a sign permit application, submitted on November 14, 2016 (App. No. 27968), requesting permission to erect a double faced, digital, off-premise sign/billboard. The proposed sign was approximately 242 square feet and 30 ft tall, a size and scale appropriate for a vehicular audience on Veterans Parkway. An unpermitted, wooden billboard existed on the subject property in the proposed location of the new sign. The Sign Administrator informed the petitioner that the permit application could not be approved because of the presence of the unpermitted billboard located on the premises and that the petitioner needed to first obtain a permit from the Illinois Department of Transportation (IDOT) because the proposed sign would advertise on a state highway (Section 5.7(i)). The Sign Code requires the horizontal separation between off-premise signs to be a minimum of 200 ft (Section 5.7(b)), and restricts the number of off-premise signs along a one-half (1/2) mile section of road to three signs (Section 5.7(c)). The petitioner voluntarily decided to remove the unpermitted billboard to allow for the new off-premise sign.

In August 29, 2017, the petitioner received a permit from IDOT and the petitioner informed the City that they hoped to pursue a permit from the City. During the nine months between the original application submittal and acquiring the IDOT permit, an adjoining property owner obtained a permit for an on-premise ground sign with an area of approximately 30 square feet. On-premise signs do not require IDOT approval; the process is quicker than the process for obtaining an off-premise sign on a state route. The proposed off-premise sign on the subject property is required to have a horizontal separation of 100 ft from an on-premise sign (Section 5.7(k)). The requirement applies throughout the city and to signs located on separate parcels. On January 17, 2018, the Zoning Board of Appeals affirmed this interpretation with the denial of an appeal submitted by the petitioner. Consequently, the petitioner is requesting a variance from the 100ft horizontal requirements of Section 5.7(k), requesting a 70ft reduction in the separation requirement.

If a variance is granted, the petitioner should then be able to attain a permit from the City of Bloomington and install the sign. Due to the size of the sign, a structural engineer certified in the

state of Illinois will need to sign and stamp the proposed plan to confirm the sign is structurally sound and designed to handle appropriate wind loads.

Analysis

44.13-4E2 Appeals with a Variance Petition

In appeals to the Board from decisions of the Administrator denying a sign permit or declaring a sign to be illegal in conjunction with which a variance is sought in addition to the review authority in subsection (1), the Board shall have the power and duty to hear, decide, and grant or deny the requested variance from the provisions or requirements of Chapter 3 of this code.” (ORD 2012-71)

The Board may grant a variance from the provisions or requirements of Chapter 3 of this Code only where:

- a. **The literal interpretation and strict application of the provisions and requirements of Chapter 3 of this Code would cause undue and unnecessary hardship to the sign user because unique or unusual conditions pertaining to specific building, or parcel, or property in question;** staff cannot conclusively find a physical hardship or unique conditions associated with the property that would cause undue stress on the user. The locations of existing on premise (on the subject property and on adjacent properties) may signs restrict the potential placement of the proposed off-premise sign. The subject property is relatively flat, with highway visibility on two sides of the lot. Staff does not have sufficient evidence to conclude that the standard is met; the standard is not met.

Where there is insufficient evidence in the opinion of the Board to support a finding of undue and unnecessary hardship, but some hardship does exist, the Code provides that the Board may consider the requirements fulfilled if:

- a. **The proposed sign is of particularly good design and in particularly good taste with preference being shown for painted bulletins;**
The proposed sign is 22ft X 11ft digital billboard.
 - b. **The entire site has been or will be particularly well landscaped and maintained; and**
Staff has not received a landscaping plan at the time of the preparation of this report. If the petitioner obtains a variance, the landscaping will need to be maintained and clear of tall grass and debris.
 - c. **The sign area of the proposed sign does not exceed three hundred (300) square feet.**
The proposed sign is less than 300 square feet.
- b. **The granting of the requested variance would not be materially detrimental to the property owners in the vicinity;** the sign ordinance requires an off-premise sign to be located a minimum of fifteen (15) feet from the side lot line (Section 5.7(1)). The proposed sign would comply with the fifteen (15) feet setback. The proposed sign would be closest to 1703 S. Veterans Parkway, with little impact on the property north of the subject property, 1513 Morrissey Dr. While the proposed sign may block the side of the building at 1703 S Veterans Parkway, no windows or views will be obstructed because

1701 S. Veterans Parkway

none exist on the east side of the building. Additionally, other sides of the building are available for advertising space to identify the business and attract travelers from Veterans Parkway, including the south side of the building which had been used to advertise by the previous tenant. Additionally, the west side of the property at 1703 S Veterans Parkway and landscaping areas of the parking lot could host a ground sign or pole sign, if needed. Granting the variance will not prohibit the property owner of 1703 S. Veterans Parkway from making reasonable use of the business. The standard is met.

- c. **The unusual conditions applying to the specific property do not apply generally to other properties in the City;** Staff does not have sufficient evidence to conclude that the standard is met; the standard is not met.
- d. **The requested variance would not permit the erection of a sign having area greater than eight hundred (800) square feet;** the proposed sign is 242 square feet. The standard is met.
- e. **The granting of the variance will not be contrary to the general objectives set forth in Chapter 3 of this Code (Ord. No. 2012-71)** the Code authorizes the use of signs visible from the public right-of-way provided the signs are (Section 1.2(e)):
 - a. *Compatible with permitted, special, or accessory uses in the district;* the property is zoned B-1, Highway Business District, a district that allows for auto focused uses, such as outdoor advertising and billboards. Due to the size of the proposed sign, it is clear the intended audience is vehicular traffic, no pedestrian traffic and aligns with the purpose and intent of the zoning district, which promotes business development on highways and major traffic corridors.
 - b. *Designed, constructed, installed and maintained in such a manner that do not endanger public safety or traffic safety;* a structural engineer certified in the state of Illinois will need to stamp the proposed sign plans and the owner will be required to comply with city ordinances. The proposed sign is set back far enough from the street ensure adequate visibility.
 - c. *Legible, readable, and visible in the circumstances in which they are used;* the scale of the proposed billboard is appropriate for the size of road and volume of traffic on Veterans Parkway/US 55.
 - d. *Not violative of the reasonable rights of other advertisers whose messages are displayed;* the proposed billboard does not prohibit the adjacent property owners from making reasonable use of their property or businesses. Nor does it prohibit the identification and advertisement of goods and services rendered on the premises because alternative advertising options exist. Additionally, due to the differences in size and height of the on-premise sign at 1703 S Veterans Parkway and the proposed off-premise sign, it appears that the the proposed billboard will not block the on-premise sign.

The standard is met.

1701 S. Veterans Parkway

STAFF RECOMMENDATION: Staff cannot conclusively find that the standards for a variance have been met based on the materials submitted with this report. The Board may decide whether the proposed sign meets the standards and criteria for a variance, based on the evidence and arguments presented at the public hearing.

In instances where it is difficult to find undue or unnecessary hardship, the Zoning Board of Appeals may grant a variance, if the board determines that the proposed sign is attractive, landscaped, and of a good design (44.13-4E2).

Attachments

1. Petition for a variance
2. Sign permit application No. 27968
3. Aerial photographs and maps
4. Newspaper notice for public hearing, neighborhood notice and notified property owners

35849
\$ 125⁰⁰

APPLICATION TO ZONING BOARD OF APPEALS

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

Site Address: 1701 S. Veterans Parkway, Bloomington, IL 61701

Petitioner: Picture This Digital Media, LLC Phone: 828-7331

Petitioner's Email Address: patcox@coxandassoc.com

Petitioner's Mailing Address Street: 1 Brickyard Drive

City, State, Zip Code: Brickyard Drive, Bloomington, IL 61701

Contractual interest or ownership of the property by petitioner yes no

Signature of Applicant 

Brief Project Description:

Outdoor, off-premise, advertising sign.

Code Requirements Involved:

Chapter 3, Section 5.7(k) of the City Code

Variances(s) Requested:

70 foot reduction to the 100 foot requirement in Section 5.7(k)

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.

See Attached.

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

Chapter 44, Section 13-4(e)

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. The literal interpretation and strict application of the provisions and requirement of Chapter 3 of this Code would cause undue and unnecessary hardship to the sign user because unique or unusual conditions pertaining to the specific building or parcel or property in question;

See Attached for All.

2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity;
3. The unusual conditions applying to the specific property do not apply generally to other properties in the City;
4. The requested variance would not permit the erection of a sign having sign area greater than eight hundred (800) square feet; and
5. That the granting of the variance will not be contrary to the general objectives set forth in Chapter 3 of this Code (Ordinance No. 2012-71)

Where there is insufficient evidence in the opinion of the Board to support a finding of "undue and necessary hardship: under subsection (2), subparagraph (a) of this Section, but some hardship does exist, the Board may consider the requirements fulfilled if:

- (a) The proposed sign is of particularly good design and in particularly good taste with preference being shown for painted bulletins;
- (b) The entire site has been or will be particularly well landscaped and maintained; and
- (c) The sign area of the proposed sign does not exceed three hundred (300) square feet. (Ordinance 2017-71)

**CITY OF BLOOMINGTON
ZONING BOARD OF APPEALS**

**Application of Picture This Digital Media, LLC
for a variance allowing construction
of off-premise sign at 1701 S. Veteran's Parkway**

Picture This Digital Media, LLC, ("Applicant"), pursuant to Section 44.13-4 of the Bloomington City Code, hereby requests a variance from the requirement of Chapter 3, Section 5.7(k) of the City code that the horizontal separation between ground/freestanding on-premise and off-premise signs shall be one hundred feet. In support of its appeal, Applicant states as follows:

1. Applicant is an Illinois limited liability company authorized to do business in the State of Illinois.
2. In November 2016, Applicant, through its sign contractor, Prairie Signs, filed Permit Application #27968, including all necessary supporting documentation, with the City of Bloomington for a permit for an off-premise advertising sign at 1701 S. Veteran's Parkway in the City of Bloomington,
3. The Sign Code Administrator, ("Administrator") told Applicant that the permit could not be issued at that time because there was an existing off-premise sign already at that location (owned and maintained by Applicant), and because Applicant would first need to obtain a sign permit from the Illinois Department of Transportation (IDOT) under the State of Illinois Outdoor Advertising Act.
4. In reliance on the Administrator's statement, Applicant removed its existing off-premise sign and filed an application to IDOT for a sign permit under the Illinois Outdoor Advertising Act.

5. On or about July 2017, IDOT issued Permit # 057-39968 to Applicant for the requested off-premise sign at 1701 S. Veteran's Parkway.

6. After receiving the permit from IDOT, Applicant returned to the Administrator with a copy of said permit and all necessary documentation and again requested issuance of a city permit for an off-premise sign at that location.

7. The Administrator denied Applicant's request for a sign permit on the ground that, while Applicant was complying with the Administrator's directions referred to in Paragraph 3 above, the owner of the property immediately west of and adjacent to 1701 S. Veteran's Parkway applied, on July 7, 2017 received a permit for, and erected an on-premise sign on said adjacent property. Since Section 5.7 (k) of the City of Bloomington Advertising Sign Code required a 100-foot separation between on and off-premise ground signs, there was no place on the subject property where an off-premise sign could be installed.

STATEMENT OF FINDINGS OF FACT

- 1. The literal interpretation and strict application of the provisions and requirement of Chapter 3 of this Code would cause undue and unnecessary hardship to the sign user because unique or unusual conditions pertaining to the specific building or parcel or property in question:**

The literal interpretation and strict application of the provisions of the sign code result in undue and unnecessary hardship to Applicant. Had applicant not removed its existing off-premise sign from the location, as was instructed by Administrator, the neighboring on-premise sign could not have been permitted and Applicant would not be barred from rebuilding its off-premise sign.

2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity;

The on-premise sign constructed by the neighboring property owner will not be blocked or obstructed by construction of Applicant's off-premise sign. Likewise, no other existing signs in the vicinity of Applicants proposed sign will be blocked or otherwise obstructed.

3. The unusual conditions applying to the specific property do not apply generally to other properties in the City;

To the best of Applicant's knowledge, the specific set of circumstances leading up to this application for variance is unique to Applicant and does not apply generally to any other property in the City.

4. The requested variance would not permit the erection of a sign having sign area greater than eight hundred (800) square feet;

Applicant is not requesting to erect a sign with area greater 800 square feet.

5. That the granting of the variance will not be contrary to the general objectives set forth in Chapter 3 of this Code

Granting this variance will not be contrary to the general objectives set forth in Chapter 3 of the City Code.

Respectfully submitted,

Picture This Digital Media, LLC

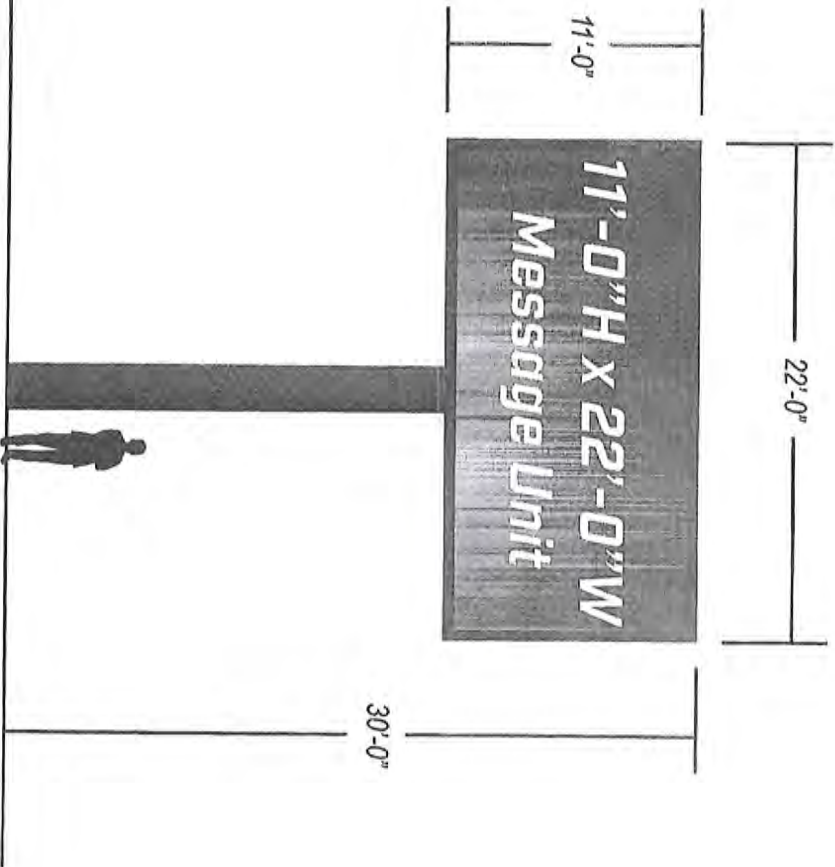
By: 
Its Attorney

SPECIFICATIONS

Double face

Each Unit:

- 240 v 4 wire
- Single Phase
- 19 Amps (max)



©2016 - Prairie Signs, Inc. _____
 Scale: 1/8"=1'

File Modification: 10-13-16

Client ID: Picture This Outdoor Ad...

Location: P/16/Picture This Outdoor Ad...

File Name: ROM/Midwest Food Bank

The prices, specifications, and conditions as described are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature: _____

Date: _____



Local 197

1215 Warriner St, Normal, IL 61761 • FAX: 309-454-8741
 Phone: 309-452-0463 • Toll Free: 800-611-9090

www.prairiesigns.com

Standard Materials and colors to be used unless otherwise noted. Please see your representative if further clarification is required.

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EXISTING SIGN LOCATION
 N 1384559.044
 E 811238.801
 LAT 40°28'00.37123"
 LONG 88°57'16.48896"

SIGN LOCATED AT THE
 N.W. COR. VETERANS
 PARKWAY AND LINCOLN
 STREET

PROPOSED SIGN LOCATION
 N 1382121.145
 E 806581.546
 LAT 40°27'35.95339"
 LONG 88°58'18.52642"

EXISTING SIGN LOCATION
 N 1382110.485
 E 805878.839
 LAT 40°27'35.79773"
 LONG 88°58'27.61851"

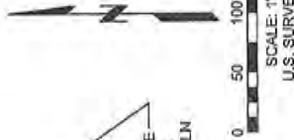
SIGN LOCATED APPROX.
 200' E. OF COMMERCE
 PARKWAY

N. CURB VETERANS
 PARKWAY

N. R.O.W. LINE F.A.P. 704
 (VETERANS PARKWAY)

S. VETERANS PARKWAY

MORRISSEY DRIVE



LEGEND

PROPERTY LINE

This is a plat made under my direction at the request of Picture This Outdoor Advertising of Bloomington, Illinois to determine the horizontal location of a proposed billboard along S. Veterans Parkway in Bloomington, McLean County, Illinois. The Illinois State Plane East Zone Coordinates and the Latitude/Longitude is listed for the base of the proposed and existing signs. This proposed sign is located on property with an address of 1701 S. Veterans Parkway, Bloomington, IL.

FARNSWORTH GROUP, INC.
 2709 MCGRAW DRIVE
 BLOOMINGTON, IL 61704

By: *Brent A. Bazan*
 Brent A. Bazan
 Professional Land Surveyor No. 3715



DATE: 8-1-17
 EXP. DATE: 11-30-2018
 DESIGN FIRM REGISTRATION
 NO. 184-001856

S.W. 1/4 SEC. 10, T.23N., R.2E., 3P.M.

Project No:	0128825.00
Book No:	3210/57
Drawn by:	DJM
Reviewed:	4-26-17
Date:	1

PROPOSED
 SIGN LOCATION

1701 S. VETERANS PARKWAY
 BLOOMINGTON, ILLINOIS



2709 MCGRAW DRIVE
 BLOOMINGTON, ILLINOIS 61704
 (309) 663-8435 / info@fw.com



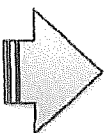
Planning and Code Enforcement
BUILDING SAFETY DIVISION
 115 E. Washington St., PO BOX 3157
 Bloomington, IL 61702-3157
 Phone: 309-434-2226
 Fax: 309-434-2857

Sign Permit Application

Site Address: 1701 S Veterans		Unit #:		Office Use Only	
Business Name: <i>(if applicable)</i>				Application Number: 27968	
Scope of Work: Install 1-11' x 22' double face off premise sign				Permit Issued:	
				Permit Number:	
				Permit Ready to Issue:	
				Permit Fee: \$ 1,131.38	
				Contacted: Phone Email	
				Application Date: 11/3/16	
(CHECK ONE) TEMPORARY SIGN _____ CHANGE OF COPY _____ NEW SIGNAGE <input checked="" type="checkbox"/>				Anticipated Start:	
Is this part of a larger project?				Application End Date:	
Applicant <i>(check one)</i>	Name	Address	Email	Phone	
	Owner Snyder Entities, LLC			309-452-0463	
<input checked="" type="checkbox"/>	Sign Contractor Prairie Signs	1215 Warriner-Nml	dbubenik@prairiesigns.com		
Required Items to be Submitted by Applicant					
SITE PLAN SHOWING PROPERTY LINES W/DIMENSIONS Property Road Frontages, Structures on Property, Construction Supports, Materials of the Sign and method of attachment Location of the Sign(S) and Dimensions (Proposed and Existing) Distance from Sign to Property lines, Structures, Other Signs Speed Limit of Street(s) Adjoining Property (MPH) & Width Character of Structural Members to which attachment will be made Electrical Wiring and Components (if applicable)					
SKETCH OF PROPOSED SIGN(S) SHOWING SIGN DIMENSIONS					
Cost of Sign(s) INCLUDING MATERIALS AND LABOR: 200,000					

Number & Type of Sign (s):	#	SF	DF	#	SF	DF
WALL SIGN				CANOPY SIGN		
GROUND SIGN				AWNING SIGN		
ROOF SIGN				OFF PREMISE SIGN	1	242
PROJECTING SIGN						
Speed Limit of Street(s) Adjoining Property (MPH) & Width						
MPH						
Width (ft.)						
OTHER:						
TOTAL SQUARE FOOTAGE OF PROPOSED SIGNS:						
TOTAL SQUARE FOOTAGE OF EXISTING SIGNS:						

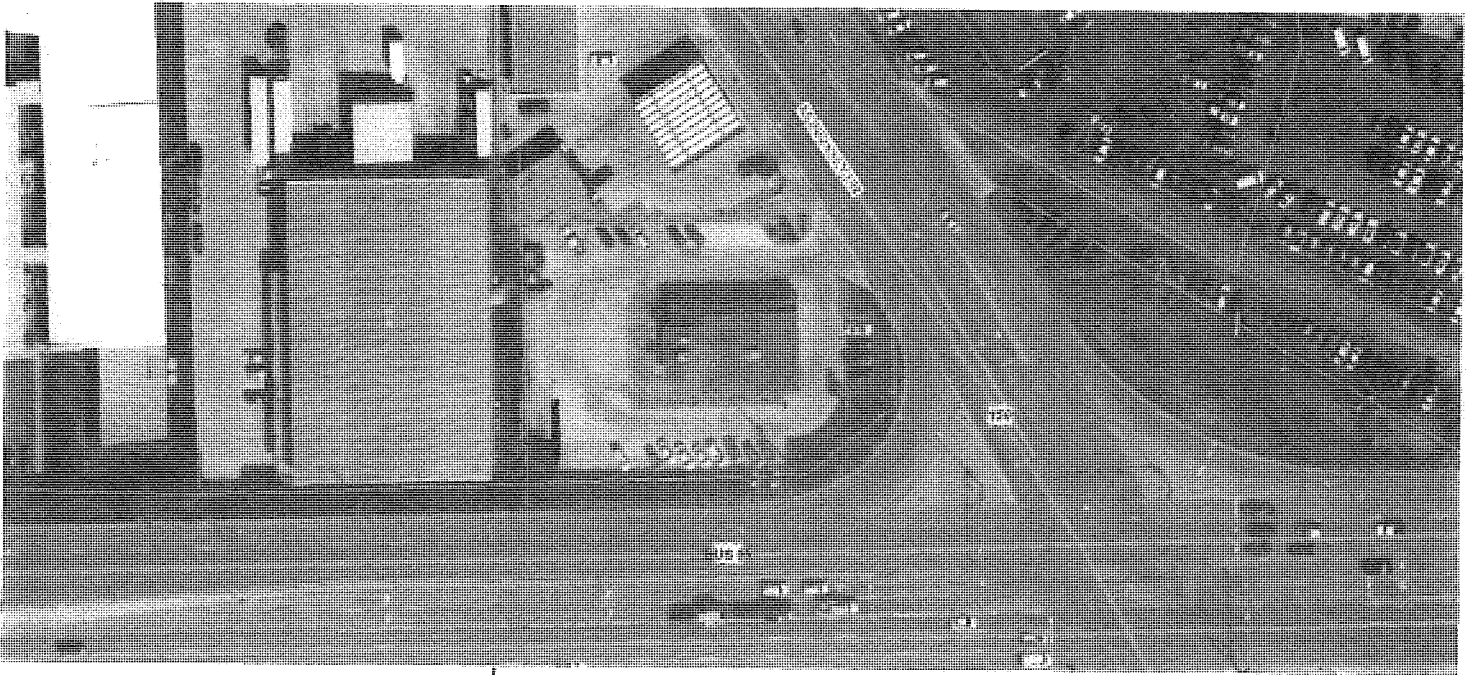
Contractor/Applicant Signature: Diana Bubenik for Prairie Signs



- PLEASE ATTACH PLANS / SKETCHES TO THIS APPLICATION.
- 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.
- APPLICATION VOID IF WORK IS NOT STARTED WITHIN 4 MONTHS AFTER PERMIT ISSUANCE.

NOV 14 2016

1701 S. Veterans



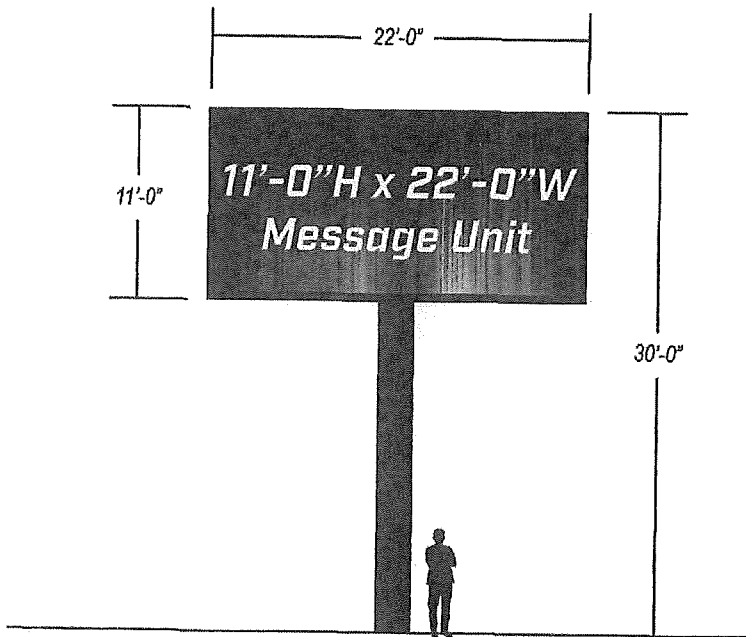
- 15' from side lot line

SPECIFICATIONS

..Double face

Each Unit:

- 240 v 4 wire
- Single Phase
- 1A Amps (Max)



Standard Materials and colors to be used unless otherwise noted. Please see your representative if further clarification is required.

©2016 - Prairie Signs, Inc. _____
 Scale: 1/8"=1' _____
 File Modification: 10-13-16 _____
 Client ID: Picture This Outdoor Ad... _____
 Location: P/16/Picture This Outdoor Ad... _____
 File Name: ROM/Midwest Food Bank _____

The prices, specifications, and conditions as described are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature: _____ Date: _____



I.B.E.W.



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1701 S Veterans Pkwy - Aerial

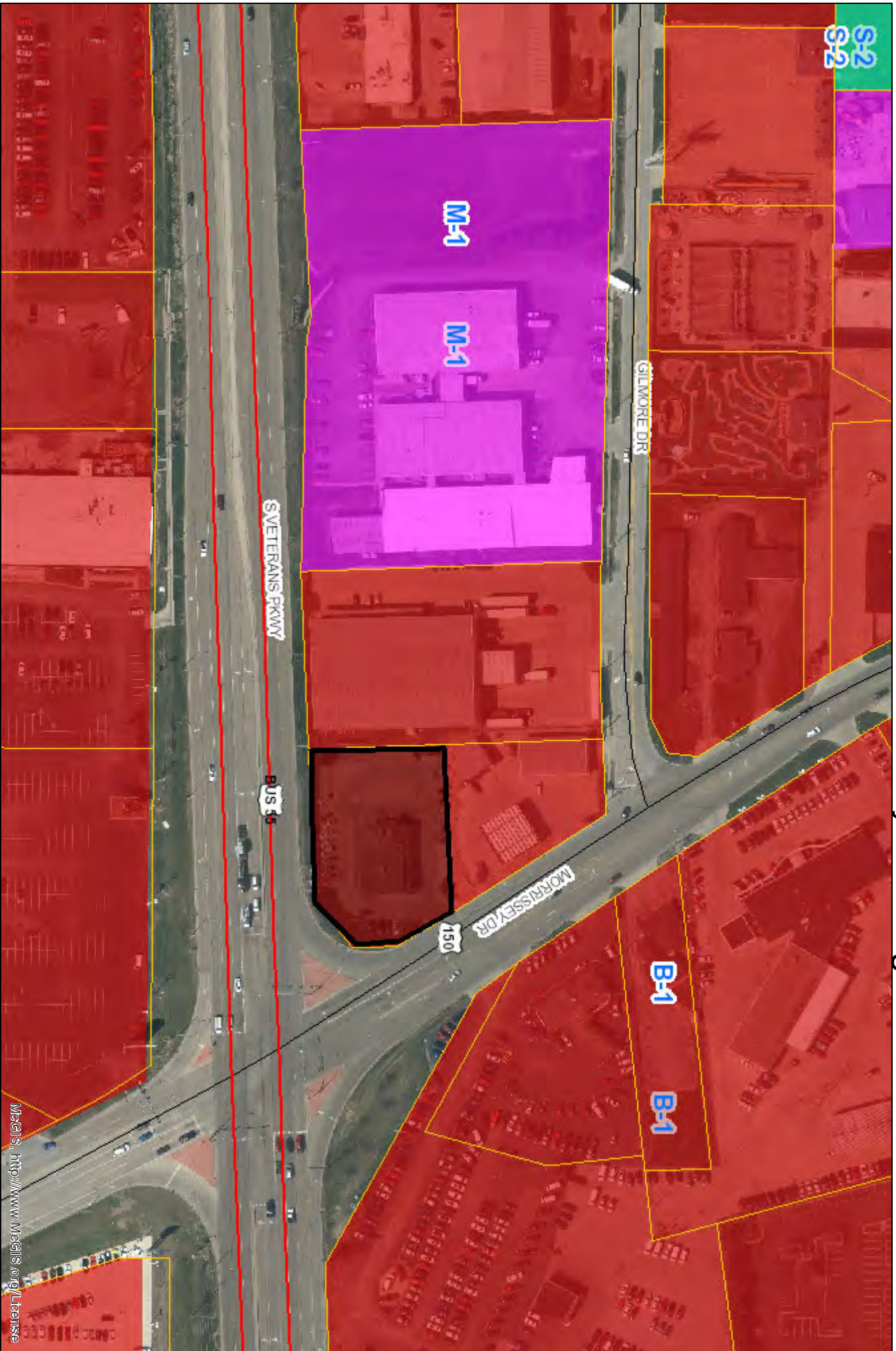


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1701 S Veterans Pkwy - Zoning



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

February 6, 2018

Dear Property Owner or Resident:

The City of Bloomington Zoning Board of Appeals will hold a public hearing on **Wednesday, February 21, 2018 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois** for a petition submitted by Picture This Media L.L.C for the approval a variance from Chapter 3 of the City's Advertising Code on property located at **1701 S. Veterans Parkway** to allow a 70ft reduction in space between a ground/freestanding on-premise and an off-premise sign/billboard. The petitioner or his/her Counsel/Agent must attend the meeting and the subject property is described as follows:

Legal Description: A.Y. MCDONALD SUB. LOT 3

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested variance during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may call me at (309) 434-2226 or email me at irivera@cityblm.org

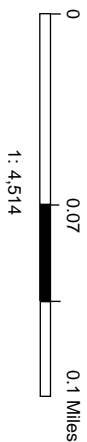
Sincerely,

A handwritten signature in black ink, appearing to read "Izzy Rivera".

Izzy Rivera
Assistant City Planner

Attachment

Location Map with 500 foot notification buffer for 1701 S. Veterans Pkwy



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Notes



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600 N MAIN ST
ELLSWORTH 61737

TODD BRAKER
200 E COURTLAND ST
MORTON 615508901

GREYHOUND PROPERTIES
33016 E 2000 NORTH RD
COLFAX 617289574

JOHN AND BEVERLY GRADY
507 W STEWART
BLOOMINGTON 61701

BLOOMINGTON OFFSET PROCESS
PO BOX 278
BLOOMINGTON 617020278

MIDWEST FOOD BANK
1703 S VETERANS PI WY
BLOOMINGTON 617017019

TRUST MT-DN5
PO BOX 1546
BLOOMINGTON 617021546

SNYDER BRICKYARD HOTEL LLC
1 BRICKYARD DR
BLOOMINGTON 61701

BT LAND TRUST
1602 COMMERCE PI WY
BLOOMINGTON 617049608

BT REAL PROPERTIES LLC
200 E COURTLAND ST
MORTON 615508901

20933748

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
FEBRUARY 21, 2018

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday February 21, 2018 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitions:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), VARIANCE REQUEST

Picture This Media, LLC, 1701 S. Veterans Pkwy. (A.Y. McDONALD SUB. LOT 3), requesting a 70 foot reduction in the distance between ground/freestanding on premise and off premise signs.

EA Architecture and Design, 2301 Castleton Dr. (HERSHEY PLAZA SUB 2ND ADD LOT 2 (EX 56 SQ FT FOR RD AS IN 01/23436) 1.68 ACRES), requesting a 25 space reduction in required parking spaces.

616 IAA Dr. L.L.C., 161 IAA Dr. (LOT 413 IN THE EIGHTH ADDITION TO FAIRWAY KNOLLS ADDITION TO THE CITY OF BLOOMINGTON, ILLINOIS, EXCEPT THE NORTH 39 FEET THEREOF, IN MCLEAN COUNTY, ILLINOIS), requesting no parking lot screening from adjacent residential.

All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. In compliance with the Americans with

Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

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

Published: Monday February 5, 2018