



**AGENDA  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
109 EAST OLIVE STREET; BLOOMINGTON, IL 61701  
WEDNESDAY, MAY 16, 2018, AT 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Consideration, review and approval of Minutes from the April 18, 2018 meeting.
- 5. REGULAR AGENDA**
  - A. Z-11-18** Consideration, review and approval of a petition submitted by COB on behalf of FOB Development for a 5 foot reduction in required parking lot landscaping setback in lieu of 12 feet along the western edge of the property all south of platted lot 13 of Empire Business Park development.
- 6. OTHER BUSINESS**
- 7. NEW BUSINESS**
  - A.** Recognition of Appreciation – Michael Butts for his service on the Bloomington Zoning Board of Appeals
- 8. ADJOURNMENT**

**DRAFT MINUTES  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING - 4:00 P.M.  
WEDNESDAY, APRIL 18, 2018  
COUNCIL CHAMBERS, CITY HALL  
109 EAST OLIVE STREET  
BLOOMINGTON, ILLINOIS**

Members present: Ms. Barbara Meek, Mr. Robert Schultz, Ms. Victoria Harris and Chairman Tristan Bullington

Members absent: Mr. Jeff Brown, Mr. Michael Butts (arrived at 4:06), Mr. Richard Veitengruber

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

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

**PUBLIC COMMENT:** None.

**MINUTES:** The Zoning Board of Appeals reviewed the March 21, 2018 regular meeting minutes. Ms. Harris amended a number of scrivener's errors, on page 1, 2, 3 and 4.

Chairman Bullington noted for the record that at 4:06 Mr. Butts joined the meeting.

Mr. Schultz motioned to approve the minutes as amended, seconded by Ms. Harris. The Board approved the minutes by voice vote, 5-0.

**REGULAR AGENDA:**

**SP-04-18 Consideration, review and action of a petition submitted by Mary Ellers for a special use permit to allow a retail nonconforming use in the R-1C, High Density Single-Family Residence District at 802 N Morris Ave. (Ward 7). ~~WITHDRAWN~~**

**Z-07-18 Consideration, review and action of a petition submitted by Ray Reed for a variance to allow a reduction in front yard setback by 9 ft at 202 Orleans Dr. (Ward 5).**

Chairman Bullington introduced the case and swore in the petitioner, Mr. David Long, 1407 Steeplechase Drive Bloomington, IL. Mr. Long stated he would like to add a third car stall to an existing garage. He stated the lot is irregularly shaped, therefore the new addition would extend 9 feet into the back yard which faces Jersey Ave. He stated there would be no changes toward the front of the house.

Chairman Bullington clarified that any property that touches a street would be considered a front yard. This property is considered to have 2 front yard, hence the purpose of the variance request.

Mr. Long stated the existing garage has a small footprint and the owner is unable to store items that would normally go in a garage such as a lawn mower and garbage cans.

Mr. Boyle asked if Mr. Long was the property owner, Mr. Long stated he was the contractor.

Ms. Rivera presented the staff report and staff's favorable recommendation for the variance. She provided pictures of the subject property, the surrounding properties and an aerial view of the neighborhood as well as the zoning view. She stated the site is part of a neighborhood with larger and irregular shaped lots. The median size lot width is 100 feet. She explained since this lot is irregularly shaped, and has two front yards, construction has more challenges.

Ms. Rivera stated the subdivision was established in the 1960s. In 1964 City Council passed an ordinance which set the platted front yard as 35 feet and the front yard towards Jersey Avenue as 25 feet. Staff will adhere to the current setback requirements for the zoning classification. In 2005, the Zoning Board of Appeals approved a variance for a 6 foot fence along the yard toward Jersey Avenue, further establishing it as a front yard. She presented photographs that outlined the proposed addition's measurements toward the corner of the house and toward the front yard facing Jersey Avenue.

Ms. Rivera provided staff's analysis of the standards for a variance and determined the petition meets the factors.

No one spoke in favor of the petition. No one spoke in opposition to the petition. Chairman Bullington declared the evidentiary hearing closed.

Ms. Harris stated the addition would improve the neighborhood and not disrupt the character of the surrounding area.

Chairman Bullington requested the Board establish a finding of fact. Mr. Butts motioned to adopt the City's findings as fact for all factors. Seconded by Ms. Meek. Chairman Bullington explained a vote of "yes" would adopt the City's findings of fact as to the six factors. The motion was approved 5-0 with the following votes cast in favor on roll call:

Mr. Butts—yes; Ms. Meek—yes; Ms. Harris—yes; Mr. Schultz—yes; Chairman Bullington—yes.

Chairman Bullington requested the Board vote in favor or against the petition for a variance, case Z-07-18. The Variance was approved unanimously, 5-0, with the following votes called: Mr. Butts—yes; Ms. Meek—yes; Ms. Harris—yes; Mr. Schultz—yes; Chairman Bullington—yes.

**Z-09-18 Consideration, review and action of a petition submitted by George Peifer for a variance to allow 1) Closer than 10 ft from principle structure; and 2) 10 ft projection into side yard; and 3) 23% increase in allotted gross floor area for an accessory structure; and 4) exceeds the sq ft of the principle structure by 303 sq ft.; and 5) exceeds the 1000 sq ft requirement by 326 ft at 811 W Olive St. (Ward 6).**

Chairman Bullington introduced the case and swore in the petitioner, George Peifer 811 W Olive St. Bloomington, IL. Mr. Peifer stated he currently has a two car garage. He owns a full size truck, motorcycle and trailer. At times the garage is crowded and when everything is inside the garage it is a tight fit. If he would be granted the variance he would be able to wash the vehicles out in the shade. Mr. Peifer explained when a vehicle is left out in the sun, the vehicle can become hot. Mr. Peifer is proposing to add a metal carport with a color that matches the house. He was unaware that a permit would be required for the carport, when he requested the permit, he was made aware that he would need to request a variance.

Chairman Bullington asked Mr. Peifer if he could explain what physical characteristics his property has that make strict adherence to the code difficult. Mr. Peifer stated it would be the size of his lot. The size of the backyard is too small, however he pointed out that he would be placing the carport in front of the garage and not the back yard.

Ms. Meek stated the site plan shows the garage is 36 feet in depth, and asked if the garage was built that way. Mr. Peifer stated the addition to the garage was added before he purchased the home and the garage has a wall inside dividing part of the garage, using the back part as storage.

Ms. Harris asked is there are carports in the neighborhood. Mr. Peifer stated there are none, and he doesn't believe there are many garages. He stated many of the homes in the area are rental properties.

Ms. Rivera presented the staff report and the recommendation to deny the request for variances. Ms. Rivera provided pictures of the subject property, the surrounding properties and an aerial view of the neighborhood as well as the zoning view. She stated carports are permitted in the rear yard, but they must adhere to the accessory structure regulations. The carport will not meet any of the requirements. Ms. Rivera presented a rendering of the carport which would be approximately 8 feet tall and have 5 metal post along each side.

Ms. Rivera stated the carport would fail to comply the following standard set forth in the Code for accessory structures: the carport would be 1 foot away from the principle structure, it will encroach in the side yard. The carport will also exceed the 30% gross floor area of the rear yard or 1000 square feet. The carport also exceeds the requirement for the principle structure. The carport would exceed all the maximum requirements and will exceed the neighborhood standards. There are no accessory structures this large in the neighborhood and there are no carports.

Ms. Rivera provided staff's analysis of the standards for a variance and determined the petition does not meet the factors. The site does not have characteristics that make adherence to the code difficult, the petitioner is able to use the property as is, and the variance would exceed all maximum requirements. For these reason staff made a recommendation to deny the request for the 5 variances.

Ms. Harris asked if there were alternatives to a carport. Ms. Rivera stated there would be no other location for the carport, and a smaller structure would still project into the side yard. Ms. Simpson clarified the carport would only give additional shade, and the petitioner is still able to make use of the property and driveway as it currently is.

Chairman Bullington asked if the petitioner had additional comments. Mr. Peifer stated he did not understand how the carport would project 3 feet into the side yard. Chairman Bullington stated the accessory structure must be 6 feet from the side yard, hence the request for a 3 foot variance from the side yard. Mr. Peifer stated the carport would be used only for additional shade and not for storage of items other than vehicles sitting overnight.

No one spoke in favor of the petition. No one spoke in opposition to the petition. Chairman Bullington declared the evidentiary hearing closed.

Chairman Bullington requested the Board establish a finding of fact for case Z-09-18. He explained the Board will take a position on each factor and state if the factor is “met” or “not met”. Ms. Simpson called each factor and performed a roll call vote for each factor. The Board determined that case Z-09-18 did not meet the factors for a variance (44.13-4D) by vote 5-0 with the following votes cast:

*Factor 1.* Mr. Butts—not met; Ms. Meek—not met; Ms. Harris—not met; Mr. Schultz—not met; Chairman Bullington—not met.

*Factor 2.* Mr. Butts—not met; Ms. Meek—not met; Ms. Harris—not met; Mr. Schultz—not met; Chairman Bullington—not met.

*Factor 3.* Mr. Butts—not met; Ms. Meek—not met; Ms. Harris—not met; Mr. Schultz—not met; Chairman Bullington—not met.

*Factor 4.* Mr. Butts—not met; Ms. Meek—not met; Ms. Harris—not met; Mr. Schultz—not met; Chairman Bullington—not met.

*Factor 5.* Mr. Butts—not met; Ms. Meek—not met; Ms. Harris—not met; Mr. Schultz—not met; Chairman Bullington—not met.

Chairman Bullington requested the Board vote in favor or against the petition for a variance, a vote of “yes” is to grant the variance and a vote of “no” is to deny the variance. The variance was denied unanimously, 5-0 with the following votes cast against: Mr. Butts—no; Ms. Meek—no; Ms. Harris—no; Mr. Schultz—no; Chairman Bullington—no.

**Z-10-18 Consideration, review and action of a petition submitted by Habitat for Humanity for a variance to allow a reduction in rear yard setback by 6’11” at 407 N Allin St. (Ward 7)**

Chairman Bullington introduced the case and swore in the petitioner, Mr. Bill Waller, 207 E Washington Street Bloomington, IL. Mr. Waller stated the property was donated by the City of Bloomington. As the property is now, it is unbuildable. Habitat would like to place a low income house on the property. In order to place a house on the site, the house would have to be pushed forward on the lot, and limit the visibility from the alley. The second option would be to push the house backwards into the rear yard and have a more consistent front yard for the neighborhood. Mr. Waller stated he chose to pursue a variance for the rear yard.

Ms. Harris asked if a garage would be added. Mr. Waller stated Habitat does not build garages but are required to place carports.

Ms. Simpson presented the staff report and staff's favorable recommendation for the variance. Ms. Simpson provided pictures of the subject property, the surrounding properties and an aerial view of the neighborhood as well as the zoning view. She stated the site is buildable however does not meet the yard requirements. Ms. Simpson shared a picture of the house that was located there previously which was torn down due to vacancies in the area and blight. Ms. Simpson stated the subject property is located next to an alley. There are many lots around town that are narrow but deep, these are common for the neighborhood. She stated the code does allow for building on lots that are smaller than the minimum requirement, however they must meet the setbacks. Ms. Simpson stated the surrounding area has an overlay of the Gridley, Allin, Prickett Form-Based Code, which focuses more on design rather than use of the building. She stated the form based code was established in 2007 when a consultant came and measured what was existing in the area, and developed the standards. The rear yard setback for this lot is 25 feet and the surrounding sites located in the GAP-3 classification have a minimum rear yard setback of 5 feet.

Ms. Simpson provided pictures of the smaller homes in the neighborhood. She shared a sketch-up model to show the existing conditions and the changes following the construction of the home.

Ms. Simpson provided staff's analysis of the standards for a variance and determined the petition meets the factors

The lot is limited in size and makes adherence to the setbacks difficult. A variance would be required regardless of where the house is positioned. Staff supports the petitioner's decision to position the house towards the rear, this will maintain the neighborhood character.

No one spoke in favor of the petition. No one spoke in opposition to the petition. Chairman Bullington declared the evidentiary hearing closed.

Mr. Butts motioned to adopt the City's findings as fact for all factors. Seconded by Ms. Meek. Chairman Bullington explained a vote of "yes" would adopt the City's findings of fact as to the six factors. The motion was approved 5-0 with the following votes cast in favor on roll call: Mr. Butts—yes; Ms. Meek—yes; Ms. Harris—yes; Mr. Schultz—yes; Chairman Bullington—yes.

Chairman Bullington requested the Board vote in favor or against the petition for a variance, case Z-10-18. The Variance was approved unanimously, 5-0, with the following votes called: Mr. Butts—yes; Ms. Meek—yes; Ms. Harris—yes; Mr. Schultz—yes; Chairman Bullington—yes.

**OTHER BUSINESS:** Mr. Butts stated this would be his last meeting. He will not be doing another term. He has enjoyed serving with the Board. Mr. Butts stated the recent changes have been great for the community to understand how and why the decisions are made and what the Board does.

**NEW BUSINESS:**

**ADJOURNMENT**

Chairman Bullington motioned to adjourn. The motion was approved by voice vote. The meeting adjourned at 4:43 p.m.

Respectfully Submitted,  
Izzy Rivera  
Assistant City Planner

**CITY OF BLOOMINGTON  
 REPORT FOR THE  
 BOARD OF ZONING APPEALS  
 MAY 16, 2018**

<b>CASE NUMBER:</b>	<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Z-11-18	Empire Business Park west side of the subject property	Variance	Katie Simpson, City Planner

**PETITIONER’S REQUEST:**

Section of Code: 44.7-2 Parking Lot Landscaping Setback

Type of Variance	Request	Required	Variation
Reduction in landscaping setback	7ft	12ft	5ft decrease

<b>STAFF RECOMMENDATION:</b>	Staff determines the <b>petition meets</b> the Zoning Ordinance’s standards required to grant a variance (4.13-3). <i>Staff recommends the Zoning Board of Appeals <b>approve</b> the request for a reduction in the parking lot landscaping setback along the western edge of the property all south of platted lot 13 of Empire Business Park Development.</i>
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Location Map of Subject Property

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**NOTICE**

The application was filed in conformance with applicable procedural requirements and notice was published in *The Pantagraph* on May 1, 2018

**GENERAL INFORMATION**

Owner and Applicant: City of Bloomington Planning Commission

**PROPERTY INFORMATION** (NORTHWEST CORNER OF ILLINOIS ROUTE 9 (EMPIRE STREET) AND AIRPORT ROAD ALL THAT PART OF 355.15 ACRES OFF THE WEST SIDE OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 3 EAST OF THE THRID PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, PER “SURVEY OF 355.15 ACRES OFF THE WST SIDE OF SECTION 31” AS SHOWN IN PLAT BOOK 12, PAGE 120, IN THE CLEAN COUNTY RECORDER’S OFFICE, LYING SOUTH OF AND ADJACENT TO THE SOUTH LINE OF CORNELIOUS DRIVE, EAST OF AND ADJACENT TO THE EAST LINE OF AIRPORT ROAD, NORTH OF AND ADJACENT TO THE NORTH LINE OF ILLINOIS ROUTE 9 AND WEST OF AND ADJACENT TO THE WEST LINE OF TRINITY LANE, ALL IN THE CITY OF BLOOMINGTON, ILLINOIS)

Existing Zoning: B-1, Highway Business District  
Existing Land Use: vacant  
Property Size: approximately 13.7 acres  
PIN: part of 15-31-351-009

**Surrounding Zoning and Land Uses**

<u>Zoning</u>	<u>Use</u>
North: S-2 Public Lands and Institutions	North: School
South: S-5 Airport District	South: Airport
East: B-1, Highway Business	East: Medical
West: R-1B, Medium Density Residential	West: Single family homes
West: S-2, Public Land and Institutions	West: Cemetery

**Analysis**

**Submittals**

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

1. Application initiated by Planning Commission motion on behalf of property owner
2. Preliminary plan
3. Aerial Photographs.

**PROJECT DESCRIPTION**

*Background*

The subject property is part of the Empire Business Park subdivision. City council approved a preliminary plan and the Zoning Board of Appeals approved a similar variance for Lot 13 in 2017. The development of Lot 13 necessitated a twelve (12) foot wide parking lot landscaping setback. The landowner, FOB Development, proposed an amendment to the preliminary plan

that changes the lot configurations and connecting streets. The Planning Commission positively recommended the amended plan and City Council will act the plan on the plan in June. It is likely that the other lots, south of platted Lot 13, will develop in a similar way and necessitate a twelve (12) foot landscaping setback as well. The proposed sidewalk is shown within that setback. The Planning Commission recommends the Zoning Board approve the requested variance to accommodate a five (5) foot sidewalk on the east side of Airport Road

*Project Description:* Due to the widening of Airport Road and the location of various utility poles, there is no longer enough space to build a five foot wide, safe and ADA compliant, sidewalk in the dedicated public right-of-way. Pedestrian access and walkability are important initiatives in the 2035 City of Bloomington Comprehensive Plan. The city requested easements impose a physical hardship for the property owner and future development of all western lots south of platted lot 13. For this reason, staff and the Planning Commission are supporting the variance request.

The following is a summary of the requested variations:

**Applicable Code Sections:**

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Section of Code: 44.7-2 Parking Lot Standards

<b>Type of Variance</b>	<b>Request</b>	<b>Required</b>	<b>Variation</b>
Parking lot Perimeter Landscaping setback	5ft	12ft	7ft reduction

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**Analysis**

**Variations from Zoning Ordinance**

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

**FINDINGS OF FACT**

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

**That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and** an annexation agreement for the property required the dedication of a 45-foot wide strip of public right-of-way. The City widened Airport Road and the remaining right-of-way lacks sufficient parkway to build a five-foot wide sidewalk on the east side of Airport Road (west side of the subject property). The landowner is allowing a six-foot wide pedestrian easement for a five-foot wide sidewalk on the west side of the lot. The easement and sidewalk encroach into a 12-foot required landscaping setback. The physical challenges are a result of the widening of Airport Road, and the need to provide a safe separation between the sidewalk and the road. This circumstance is unique because, traditionally, sidewalk is located in the public right-of-way and built on public property. The City is requesting the easement to provide pedestrian access on Airport Road. The standard is met.

**That the variances would be the minimum action necessary to afford relief to the applicant; and** the variance is the minimum action necessary; the variance is a compromise between the City and the landowner. Other possibilities could result unnecessary hardship on the landowner; the standard is met.

**That the special conditions and circumstances were not created by any action of the applicant; and** the expansion of Airport Road and the lack of necessary parkway/public right-of-way are factors necessitating the variance. The landowner did not create the circumstances. 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** traditionally, sidewalk is located in the right-of-way. The City requested the easement to allow a pedestrian path along the east side of Airport Road. The variation will ensure the property owner to make reasonable use of the land, accommodate the sidewalk safely, and provide substantial greenspace for landscaping. 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 will allow the City to construct sidewalk that connects Cornelius Drive and Empire St. Additionally seven (7) feet of green space remains. Six-feet is the required perimeter-landscaping setback for a parking lot everywhere other than along frontages. The standard is met.

**STAFF RECOMMENDATION:**

*Staff recommends the Zoning Board of Appeals **approve** the request for a reduction in the parking lot landscaping setback along the western edge of the property all south of platted lot 13 of Empire Business Park Development.*

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

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

**APPLICATION TO ZONING BOARD OF APPEALS**

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

Site Address: Empire Business Park Preliminary Plan approximately 35 acres

Petitioner: City of Bloomington Planning Commission on behalf of FOB Development

Phone: 309-434-2226

Petitioner's Email Address: ksimpson@cityblm.org

Petitioner's Mailing Address Street: 115 E. Washington St. Suite 201

City, State, Zip Code: Bloomington, IL 61701

Contractual interest in the property       yes       no

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

**Brief Project Description:**

FOB Development requested the approval of an amended preliminary plan for Empire Business Park, the development of the Lots south of platted Lot 13 require a twelve-foot landscaping setback and the City of Bloomington is requesting six feet of said setback be dedicated as a pedestrian easement to be used for sidewalk.

**Code Requirements Involved:**

44.7-2 (Cr) 4 (c)7 Minimum landscaping setback between the public right-of-way line and the parking lot should be 12 ft.

**Variiances(s) Requested:**

7 ft perimeter landscaping setback in lieu of 12 ft (5 ft reduction) on the west side of the development south of Platted Lot 13 as presented in the Preliminary Plan, east side of Airport Road.

**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 City of Bloomington requested the pedestrian easement on the west side of the property to allow for the construction of a sidewalk.

## 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

An annexation agreement for the property required the dedication of a 45-foot wide strip of public right-of-way. The City built Airport Road wider than expected and the right-of-way lacks adequate parkway to safely accommodate a five-foot wide sidewalk on the east side of Airport Road (west side of the subject property). The landowner is allowing a six-foot wide pedestrian easement for a five-foot wide sidewalk on the west side of the lot. The easement and sidewalk encroach into the 12-foot required landscaping setback. The physical challenges are a result of the expansion of Airport Road and the need to provide a safe separation between the sidewalk and the road. This circumstance is unique because, traditionally, sidewalk is located in the public right-of-way. The City is requesting the easement to achieve the goal of accommodating pedestrian access on Airport Road.

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

The variance is the minimum action necessary; the variance is a compromise between the City and the landowner. Other possibilities could create unnecessary hardship on the landowner.

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

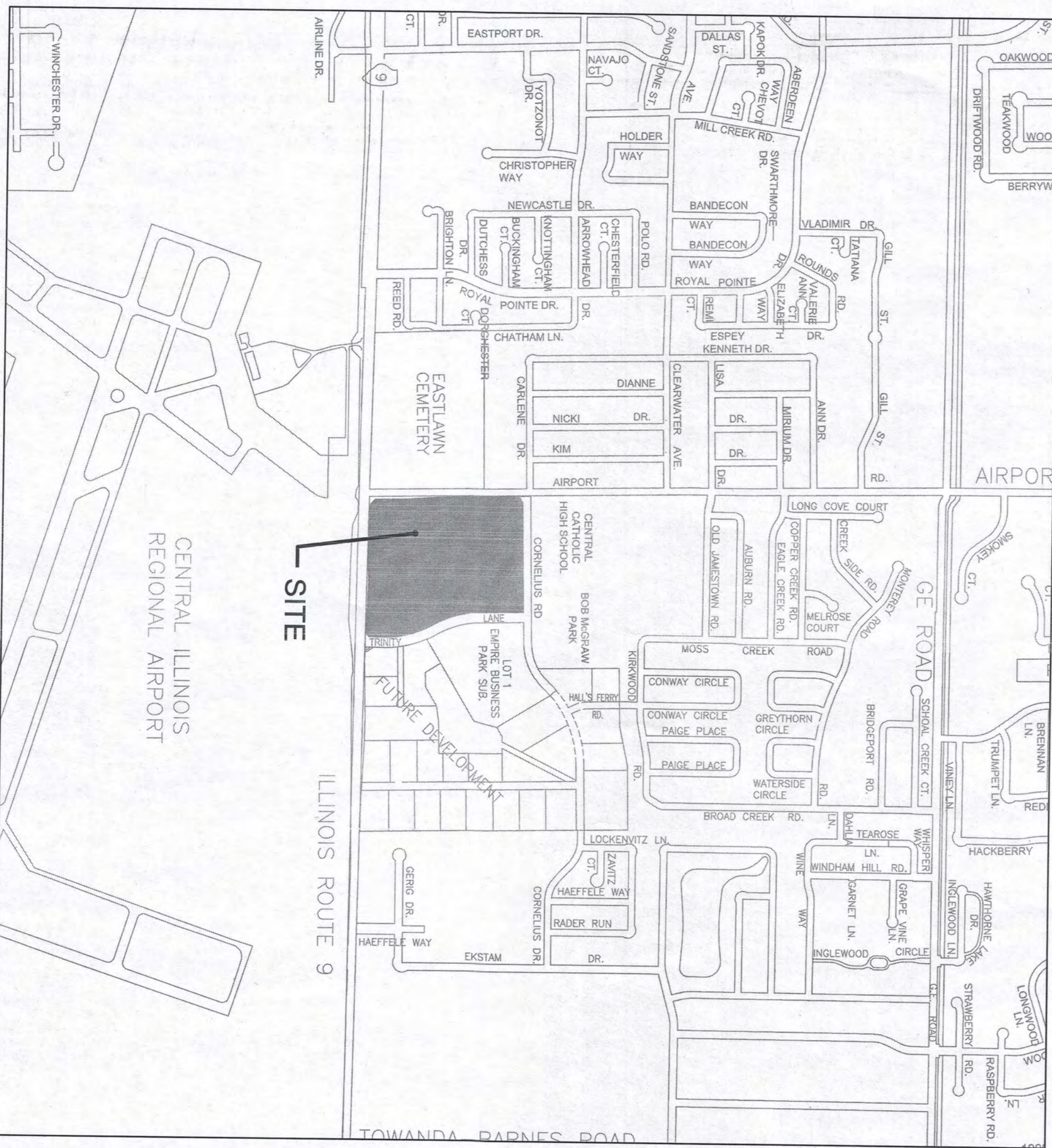
The expansion of Airport Road and the lack of necessary parkway are factors necessitating the variance. The landowner did not create the circumstances.

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

Traditionally, sidewalk is located in the Right-of-way. The City requested the easement to facilitate a pedestrian path along the east side of Airport Road. The variation will allow the property owner to make reasonable use of the land, accommodate the sidewalk safely, and provide substantial greenspace for landscaping.

# FOB DEVELOPMENT, INC. EMPIRE BUSINESS PARK AMENDED PRELIMINARY PLAN BLOOMINGTON, ILLINOIS E. 1/2 SEC. 31, T. 245N., R. 3E., 3 P.M.

## Location Map



## Legal Description

All that part of 355.15 Acres of the West Side of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, per "Survey of 355.15 Acres off the West Side of Section 31" as shown in Plat Book 12, Page 120, in the McLean County Recorder's Office, lying south of and adjacent to the South Line of Cornelius Drive, east of and adjacent to the East Line of Airport Road, north of and adjacent to the North Line of Illinois Route 9 and west of and adjacent to the West Line of Trinity Lane, all in the City of Bloomington, Illinois.

This property contains 34.90 acres, more or less.


## Index of Drawings

COVER SHEET
C1.0 KEYMAP
C2.0 PRELIMINARY PLAN
C3.0 PRELIMINARY PLAN
C4.0 PRELIMINARY PLAN

## Benchmarks

1. TOP OF OPERATING NUT OF FIRE HYDRANT WEST SIDE AIRPORT ROAD 35' NORTH OF NORTH CEMETERY ENTRANCE  
U.S.G.S. ELEV.=842.48
2. SQUARE CUT IN CENTER TOP OF CONC. HEADWALL NORTH SIDE IL. RTE. 9 8'x8' BOX CULVERT  
U.S.G.S. ELEV.=840.51

## Professional Registrations



THE PORTION OF THE TECHNICAL SUPERVISION ASSIGNED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND I AM A LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF ILLINOIS.

NAME: Charles N. Fihian  
DATE: 4-16-18  
LICENSE NUMBER: 11-30-2019  
PAGES OR DIVISIONS COVERED: C1.0 - C4.0

## Notes

1. THIS PROPERTY IS CURRENTLY WITHIN THE CORPORATE LIMITS OF THE CITY OF BLOOMINGTON AND CONTAINS 34.9 ACRES (14.1 HECTARES) AND IS TO BE SUBDIVIDED INTO 12 LOTS AND 1 OUTLOT.
2. PROPOSED LOTS ARE CURRENTLY ZONED B-1 GENERAL HIGHWAY BUSINESS DISTRICT WITH A PORTION OF LOT 13 ZONED B-2.
3. ANY PORTION OF THE LOTS WHICH DRAIN TO AIRPORT ROAD SHALL PROVIDE ON-SITE DETENTION ON THE LOT PER CITY REQUIREMENTS. ANY PORTION OF THE LOTS WHICH DRAIN TO THE EXISTING EAGLE CREEK DETENTION BASIN WITHOUT PASSING THROUGH AN EXISTING REGIONAL DETENTION FACILITY CONSTRUCTED WITHIN THE EMPIRE BUSINESS PARK DEVELOPMENT SHALL PAY A TAP-ON FEE IN-LIEU OF DETENTION ON-SITE.
4. GALENA ROAD SHALL BE PUBLIC AND SHALL BE DEDICATED TO THE CITY OF BLOOMINGTON. ALL SANITARY SEWERS, STORM SEWERS AND WATER MAINS SHALL BE PLACED IN PUBLIC EASEMENTS OR RIGHT-OF-WAYS AND SHALL BE DEDICATED TO THE CITY OF BLOOMINGTON. BIAGGI'S DRIVE SHALL BE PRIVATE AND MAINTAINED BY THE ADJACENT OWNERS OF LOTS 6, 15 & 17. A DEDICATED INGRESS/EGRESS SHALL ALLOW FOR MAINTENANCE AND USE OF THIS SHARED ACCESS.
5. EXISTING TOPOGRAPHIC DATA IS FROM A FIELD SURVEY BY FARNSWORTH GROUP, INC. DATED OCTOBER 14, 2009.
6. NO PORTION OF THIS DEVELOPMENT LIES WITHIN THE SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM MAP 17113C0510 E DATED JANUARY 16, 2008.
7. GALENA ROAD SHALL BE CONSTRUCTED TO MEET CITY OF BLOOMINGTON REQUIREMENTS. THE FINAL CROSS SECTIONS OF THE STREET PAVEMENT THICKNESS SHALL BE DETERMINED BY A PAVEMENT DESIGN AT TIME OF CONSTRUCTION. BIAGGI'S DRIVE SHALL BE CONSTRUCTED AS SHOWN ON THE DETAILS FOUND ON SHEET C4.0.

## RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS:

"Notice is hereby given that the Preliminary Plan of the Empire Business Park shown hereon was approved by the Planning Commission of Bloomington, Illinois, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto."

The Planning Commission of Bloomington, Illinois  
 Date: \_\_\_\_\_, 2018  
 By: \_\_\_\_\_ Chairman  
 By: \_\_\_\_\_ Executive Secretary

## NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS:

"The Preliminary Plan of the Empire Business Park shown hereon was approved by the City Council of Bloomington, Illinois, with the modifications contained in Appendix A which is attached hereto."

The City Council of Bloomington, Illinois  
 Date: \_\_\_\_\_, 2018  
 By: \_\_\_\_\_

Revisions	#	Date:	By:	Description:

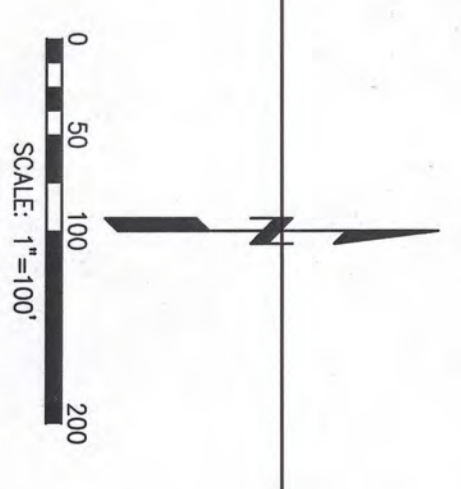
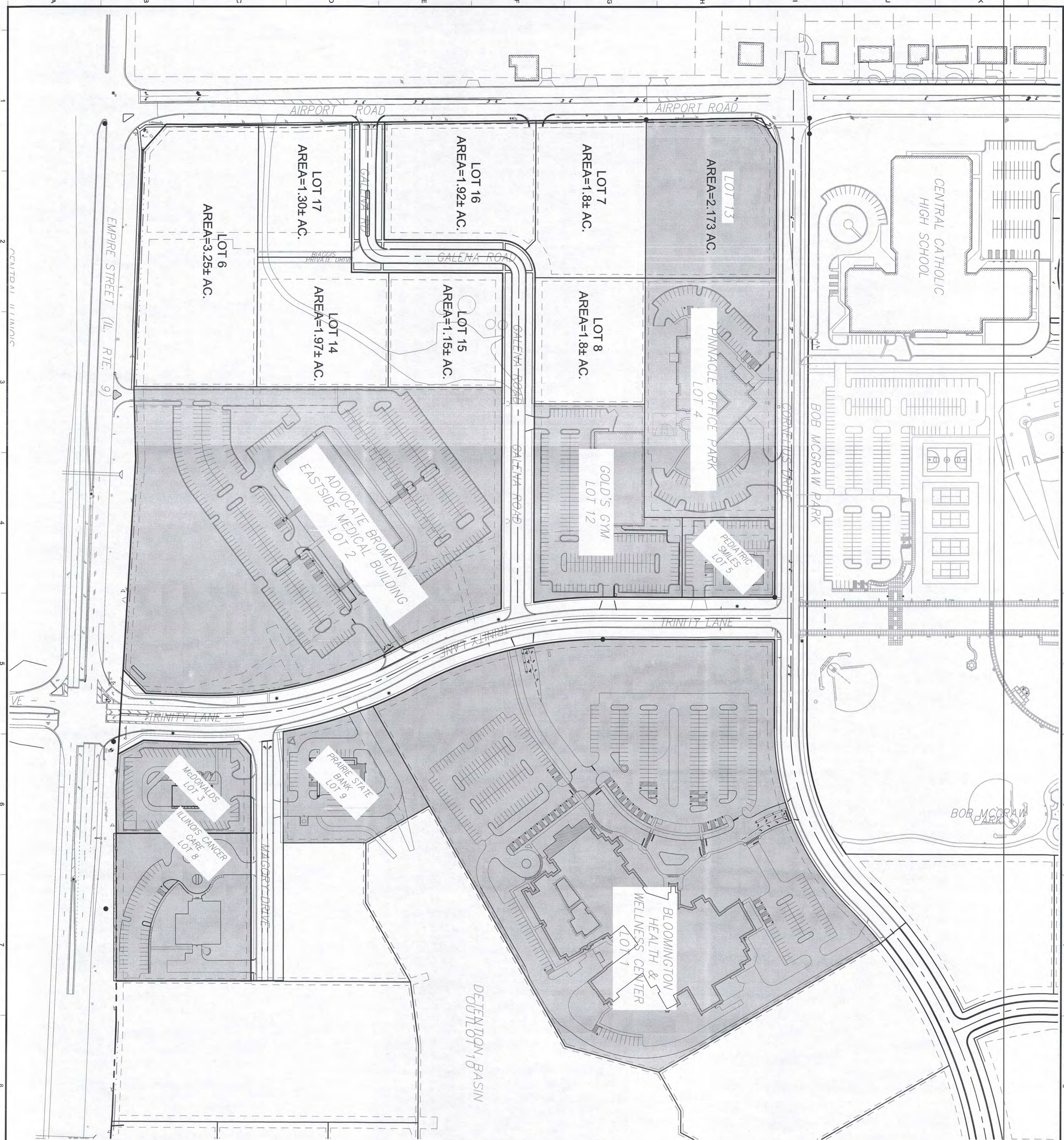
Date: April 13th, 2018



Project No: 0171384.00

Design Firm Registration #184001856

2709 McGraw Drive - Bloomington, Illinois 61704 - Phone: (309) 663-8435 / info@f.w.com



- EXISTING LEGEND**
- BRASS PLUG
  - RIGHT OF WAY MARKER
  - SIGN
  - TRAFFIC SIGNAL
  - MASTER TRAFFIC SIGNAL
  - TELEPHONE PERESTIAL
  - POWER POLE
  - UTILITY POLE
  - ELECTRIC BOX
  - STREET LIGHT
  - ELECTRIC METER
  - SAINTARY MANHOLE
  - STORM MANHOLE
  - CURB INLET
  - FIRE HYDRANT
  - WATER VALVE
  - STREET LIGHT
  - UTILITY INVERT
  - NO ACCESS EASEMENT
  - WATERMAIN
  - 8" W
  - 8" SA
  - STORM SEWER
  - 12" ST
  - PROPERTY LINE
  - EASEMENT
  - DRAINAGE ROUTE
  - FLOOD ROUTE
  - PAVEMENT ELEVATION
  - SLOPES
  - PLATTED LOTS
- PROPOSED LEGEND**
- 8" SA
  - 24" ST
  - 12" W
  - OE
  - OE
  - E
  - T
  - GASMAIN
  - 835
  - GROUND CONTOUR



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**ISSUE # DATE DESCRIPTION:**  
1 10/28/2017 CITY REVIEW COMMENTS

**PROJECT:**  
FOB Development, Inc.

**Empire Business Park  
Preliminary Plan**

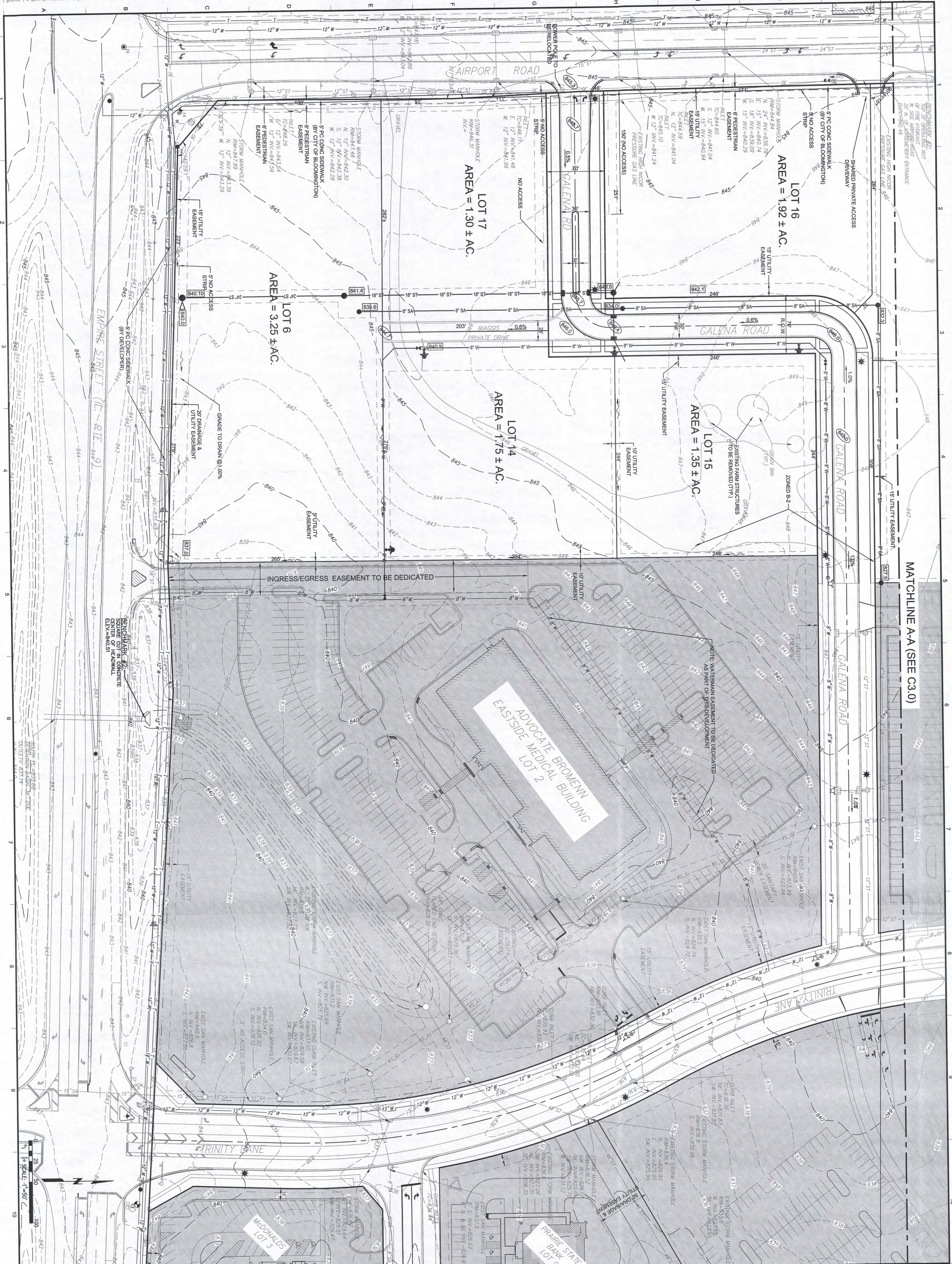
Bloomington, Illinois

**DATE:** 02/26/2018  
**DESIGN/DRAWN:** EMR  
**REVIEWED:** JMG  
**FIELD BOOK NO.:** 2756

**KEY MAP**

**C1.0**

**PROJECT NO.:** 0171384.00



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GROUP

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ISSUE	#	DATE	DESCRIPTION
	1	10/20/17	CITY REVIEW COMMENTS
	2	02/20/18	REVISD GALENA ROAD

Project: **FOB Development, Inc.**

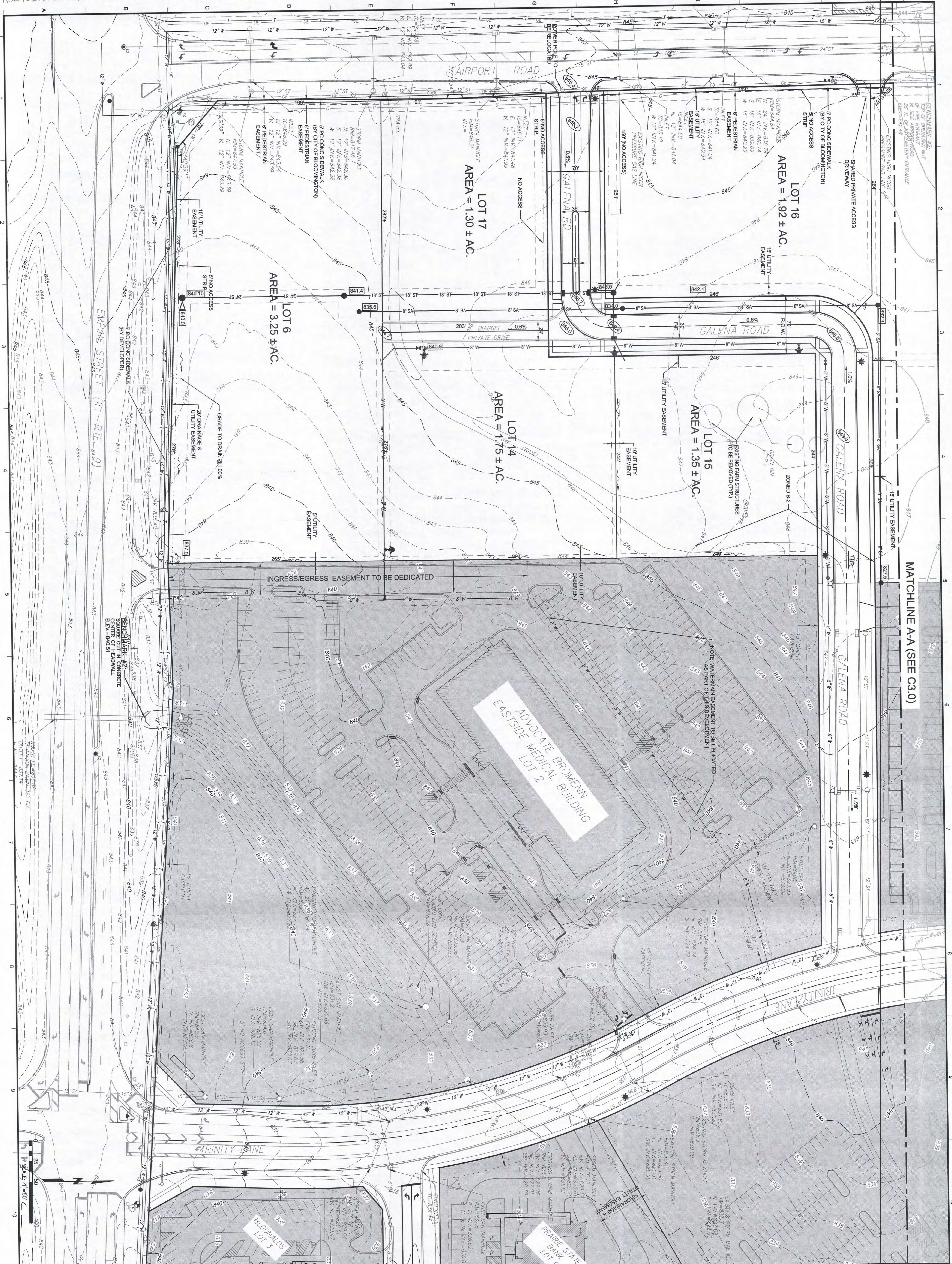
**Empire Business Park**  
Preliminary Plan

Bloomington, Illinois  
DATE: 02/26/2018  
DESIGNED/DRAWN: EMR  
REVIEWED: JMG  
FIELD BOOK NO.: 2756  
SHEET TITLE: PRELIMINARY PLAN

**C2.0**

PROJECT NO.: 0171384.00





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ISSUE	#	DATE	DESCRIPTION
1	1022017	CITY REVIEW COMMENTS	
2	02282018	REVISD GALENA ROAD	

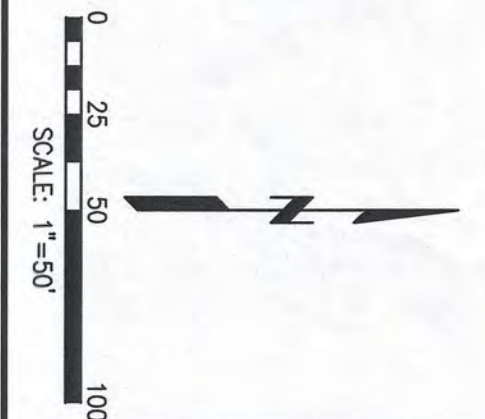
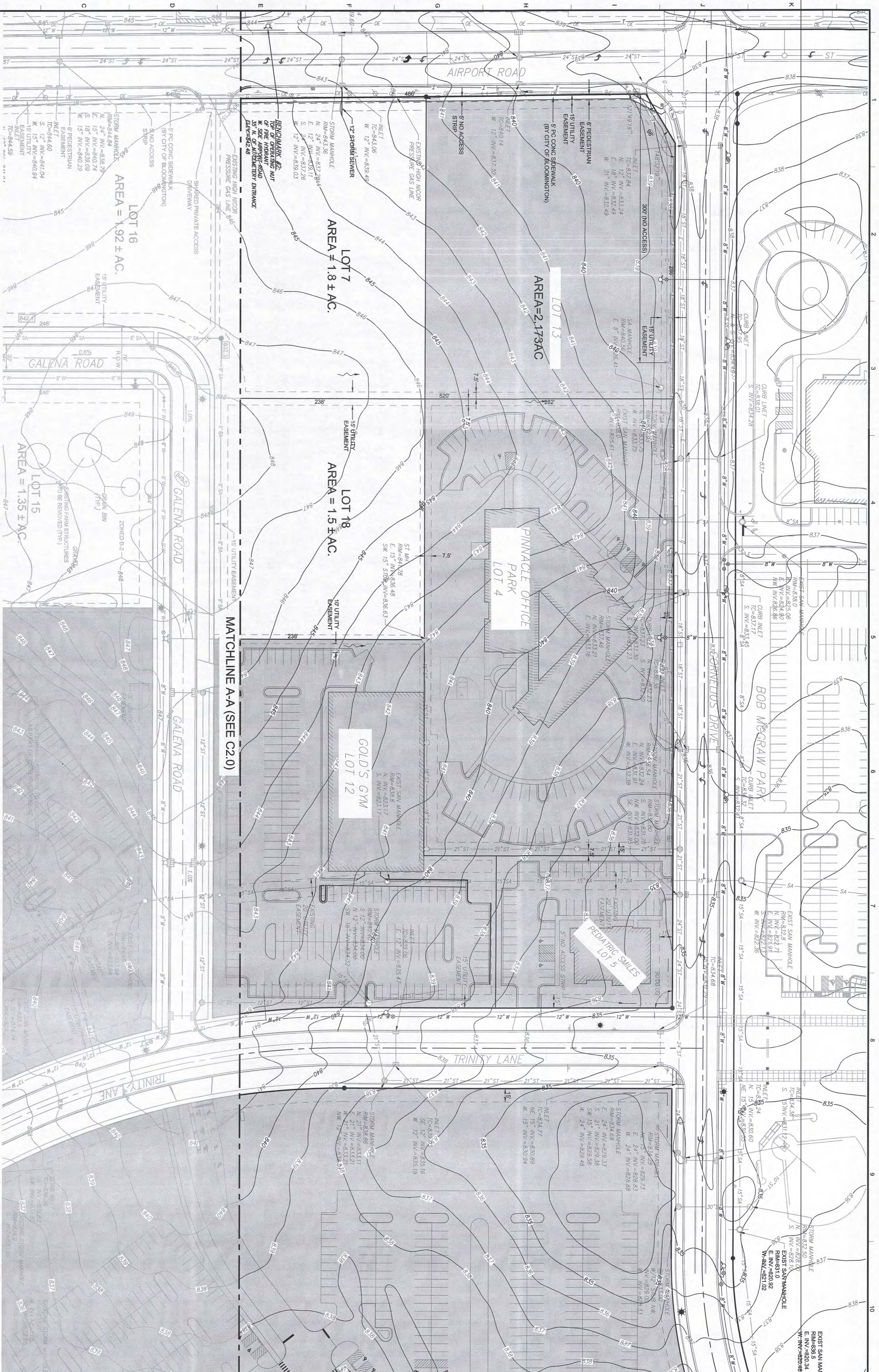
Project: FOB Development, Inc.

**Empire Business Park**  
Preliminary Plan

Bloomington, Illinois  
DATE: 02/26/2018  
DESIGNED/DRAWN: EMR  
REVIEWED: JMG  
FIELD BOOK NO.: 2756  
SHEET TITLE: PRELIMINARY PLAN

**C2.0**

PROJECT NO.: 0171384.00



**Farnsworth**  
GROUP

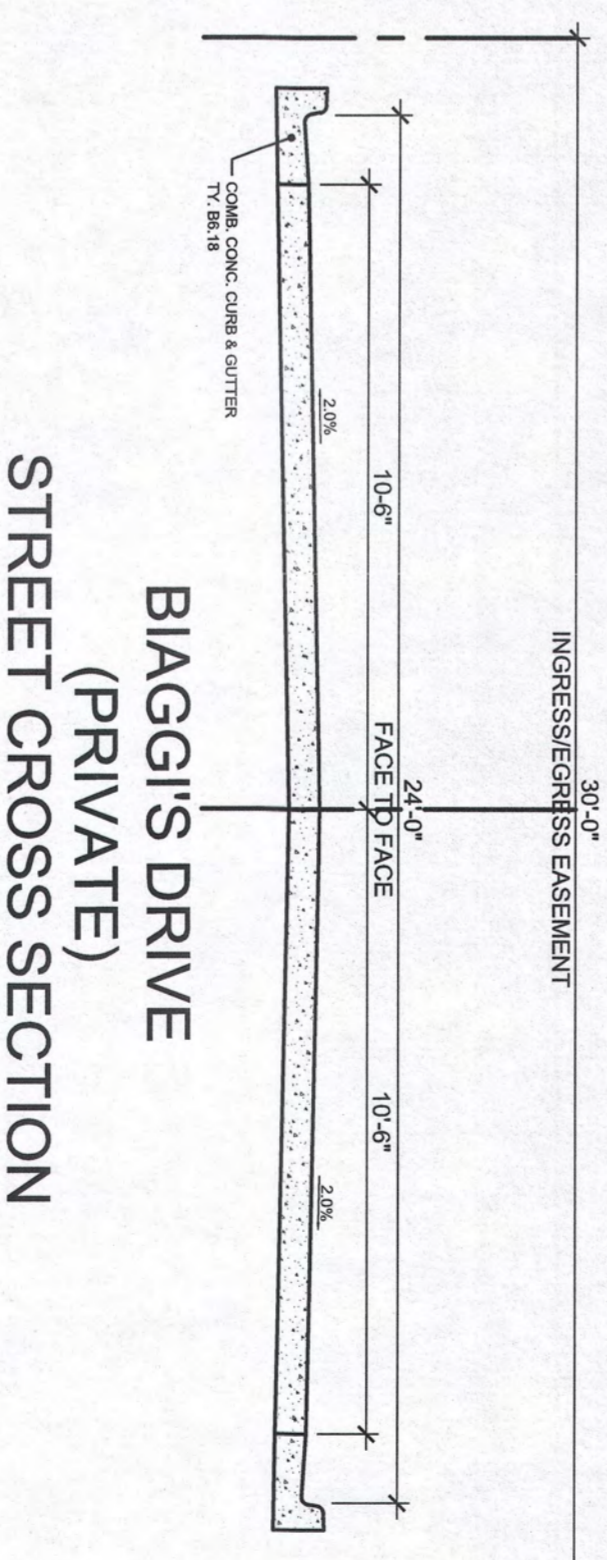
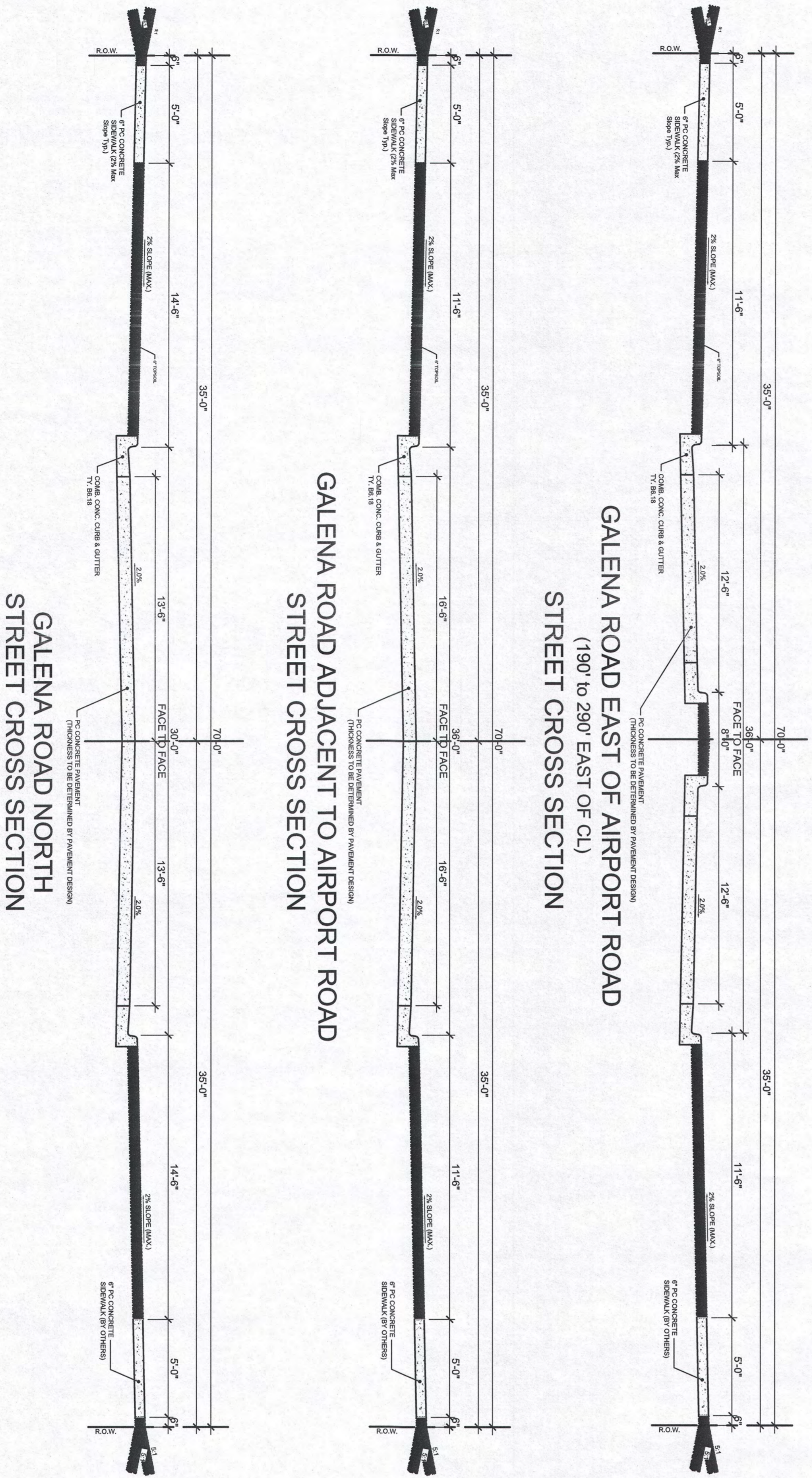
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# DATE: DESCRIPTION:  
1 10/23/2017 CITY REVIEW COMMENTS

PROJECT:  
FOB Development, Inc.  
**Empire Business Park**  
Preliminary Plan

Bloomington, Illinois  
DATE: 02/26/2018  
DESIGN/DRAWN: EMR  
REVIEWED: JMG  
FIELD BOOK NO.: 2756  
SHEET TITLE:  
**PRELIMINARY PLAN**

SHEET NUMBER:  
**C3.0**  
PROJECT NO.: 0171384.00



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# DATE: DESCRIPTION:  
1 10/23/2017 CITY REVIEW COMMENTS

PROJECT  
FOB Development, Inc.

**Empire Business Park**  
Preliminary Plan

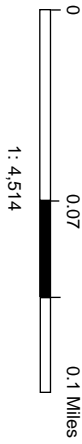
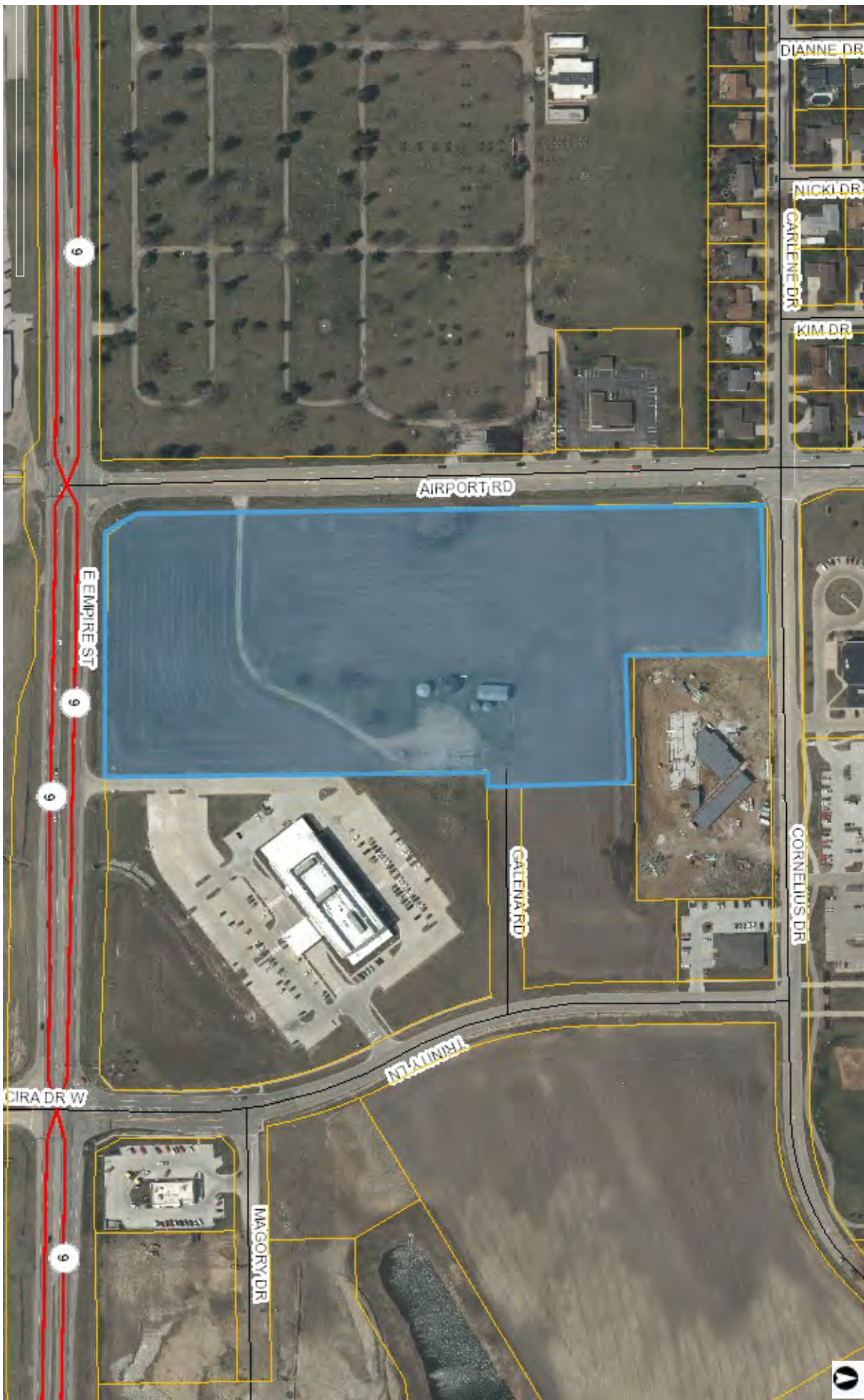
Bloomington, Illinois  
DATE: 02/26/2018  
DESIGN/DRAWN: EMR  
REVIEWED: JMG  
FIELD BOOK NO.: 2756

SHEET TITLE  
**PRELIMINARY PLAN**

SHEET NUMBER  
**C4.0**

PROJECT NO.: 0171384.00

# Aerial View: Empire Business Park



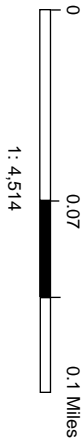
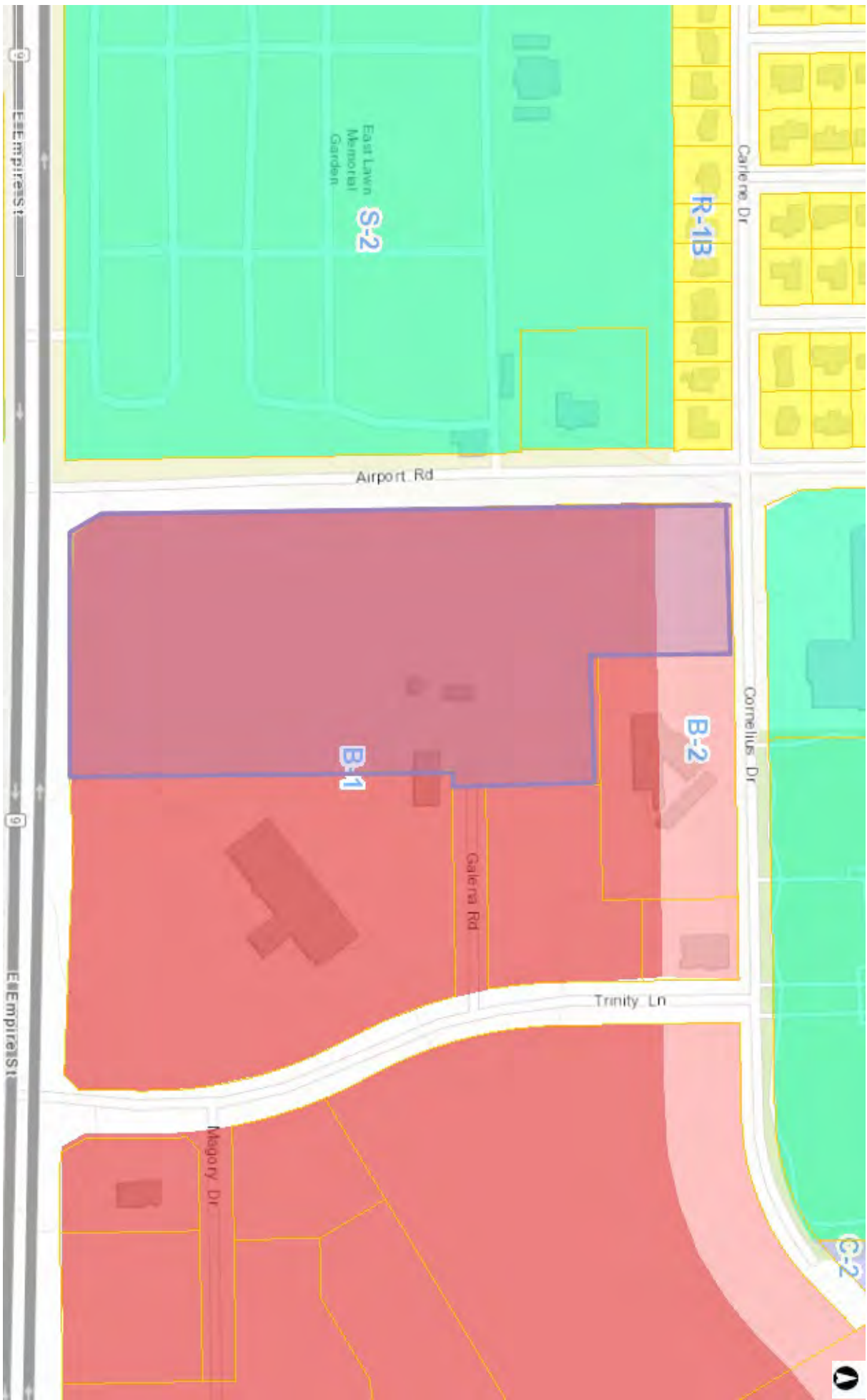
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### Notes

# Zoning Map: Empire Business Park



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Notes

**Public Notices**

20949319  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD OF APPEALS  
MAY 16, 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, May 16, 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**

City of Planning Commission on behalf of FOB (NORTHEAST CORNER OF ILLINOIS ROUTE 9 (EMPIRE STREET) AND AIRPORT ROAD

ALL THAT PART OF 34.09 ACRES, MORE OR LESS, OFF THE WEST SIDE OF SECTION 31, TOWNSHIP 24 NORTH, RANGE

3 EAST OF THE THRID PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, PER "SURVEY OF 355.15

ACRES OFF THE WEST SIDE OF SECTION 31" AS SHOWN IN PLAT BOOK 12, PAGE 120, IN THE MCLEAN

COUNTY RECORDER'S OFFICE, LYING SOUTH OF AND ADJACENT TO THE SOUTH LINE OF CORNELIOUS DRIVE, EAST OF AND ADJACENT TO THE EAST LINE OF AIRPORT ROAD, NORTH OF AND ADJACENT TO THE NORTH LINE OF ILLINOIS ROUTE 9 AND WEST OF AND ADJACENT TO THE WEST LINE OF TRINITY LANE, ALL IN THE CITY OF BLOOMINGTON, ILLINOIS), requesting a five foot reduction in the required parking lot landscaping setback in lieu of twelve feet along the western edge of the property all south of platted lot 13 of Empire Business Park development.

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

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

Published: Tuesday May 1, 2018



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

May 2, 2018

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday May 16, 2018 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by the Planning Commission on behalf of FOB Development for approval of a variance request, for the property all south of platted lot 13 of Empire Business Park development, at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

#### REQUEST

The petitioner is requesting a five foot reduction in required parking lot landscaping setback in lieu of twelve feet along the western edge of the property all south of platted lot 13 of Empire Business Park development.

LEGAL DESCRIPTION: NORTHEAST CORNER OF ILLINOIS ROUTE 9 (EMPIRE STREET) AND AIRPORT ROAD ALL THAT PART OF 34.09 ACRES, MORE OR LESS, OFF THE WEST SIDE OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 3 EAST OF THE THRID PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, PER "SURVEY OF 355.15 ACRES OFF THE WEST SIDE OF SECTION 31" AS SHOWN IN PLAT BOOK 12, PAGE 120, IN THE MCLEAN COUNTY RECORDER'S OFFICE, LYING SOUTH OF AND ADJACENT TO THE SOUTH LINE OF CORNELIOUS DRIVE, EAST OF AND ADJACENT TO THE EAST LINE OF AIRPORT ROAD, NORTH OF AND ADJACENT TO THE NORTH LINE OF ILLINOIS ROUTE 9 AND WEST OF AND ADJACENT TO THE WEST LINE OF TRINITY LANE, ALL IN THE CITY OF BLOOMINGTON, ILLINOIS

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

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

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

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

If you desire more information regarding the proposed petition or have any questions you may email me at [irivera@cityblm.org](mailto:irivera@cityblm.org) or call me at (309) 434-2448.

Sincerely,

Izzy Rivera, Assistant City Planner

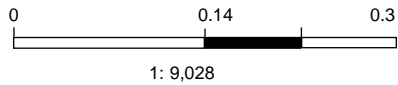
Attachments:

Map of notified properties within 500 ft of subject property





Public Hearing on May 16, 2018 for a Variance request for the property south of Platted Lot 13 of Empire Business Park



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Notes



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BLOOMINGTON, IL 61704

DANIEL KUGLICH  
1206 KIM DR  
BLOOMINGTON, IL 61704

DANIEL AND JULIE PATTEN  
1202 KIM DR  
BLOOMINGTON, IL 61704

ERIC MEEKER  
1204 Kim Dr  
BLOOMINGTON, IL 61704

RONALD MCCROSKEY  
1205 KIM DR  
BLOOMINGTON, IL 61704

DOUGLAS & DANA SUTTON  
1209 KIM DR  
BLOOMINGTON, IL 61704

FAMILY TRUST WEHMEYER  
1204 AIRPORT RD  
BLOOMINGTON, IL 61704

MORGAN E & ROBIN L VANDERMAY  
KIRKMAN  
3011 CARLENE DR  
BLOOMINGTON, IL 61704

CHARLES BATES  
3013 CARLENE DR  
BLOOMINGTON, IL 61704

KATHRYN GAINES  
1208 AIRPORT ROAD  
BLOOMINGTON, IL 61704

CHRISTOPHER & LEA ANN GOLICK  
1207 KIM DR  
BLOOMINGTON, IL 61704

MICHAEL WALTERSDORF  
1206 AIRPORT RD  
BLOOMINGTON, IL 61704

RON & VIVIAN MORRIS  
3017 CARLENE DR  
BLOOMINGTON, IL 61704

EASTLAWN MEMORIAL PARK PROP TAX  
8 FLOOR  
PO BOX 130548  
HOUSTON, TX 77219

JANIS K & DANIEL WISSMILLER STEINER  
3014 CARLENE DR  
BLOOMINGTON, IL 61704

JAMES CLICK  
1203 KIM DR  
BLOOMINGTON, IL 61704

THOMAS A & JUDY JEAN REITER  
3015 CARLENE DR  
BLOOMINGTON, IL 61704

GEORGE SCOTT  
3019 CARLENE DR  
BLOOMINGTON, IL 61704

THOMAS & BARBARA BUNCH  
3016 CARLENE DR  
BLOOMINGTON, IL 61704

CENTRAL CATHOLIC HIGH SCHOOL  
1201 AIRPORT RD  
BLOOMINGTON, IL 61704

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

BLOOMINGTON, IL 61701  
JFT PROPERTIESLLC  
15 BROMPTON CT  
BLOOMINGTON, IL 61704

ATTN ACCOUNTING DEPARTMENT  
BROMENN HEALTHCARE HOSPITAL  
1304 FRANKLIN AVE  
NORMAL, IL 61761  
MORINE II LLC  
15716 E 550 NORTH RD  
HEYWORTH, IL 61745

PDMC  
9 BURGUNDY CT  
BLOOMINGTON, IL 61704  
SOY AG SERVICES DENEEN BROTHERS  
FARMS  
6 HEARTLAND DR STE A  
BLOOMINGTON, IL 61704

# Resolution of Appreciation

*Whereas, Michael Butts has faithfully served as a member of the  
Bloomington Zoning Board of Appeals for two years  
(2016 - 2018), and*

*Whereas, Michael Butts has completed his appointment  
as a member of the Bloomington Zoning Board of Appeals*

*Now therefore be it resolved that the Bloomington Zoning Board of Appeals  
on this 16<sup>th</sup> day of May, 2018  
hereby expresses its sincere and heartfelt appreciation to*

*Michael Butts*

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

*Attest:*

  
Kahle Simpson, City Planner

  
Tristan Bullington, Chairperson