



AGENDA  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
GOVERNMENT CENTER CHAMBERS, 4<sup>TH</sup> FLOOR, ROOM #400  
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701  
WEDNESDAY, JULY 21, 2021, 4:00 P.M.

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

*Individuals wishing to provide emailed public comment must email comments to [publiccomment@cityblm.org](mailto:publiccomment@cityblm.org) at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at [cityblm.org/publiccomment](http://cityblm.org/publiccomment) at least 5 minutes before the start of the meeting.*

4. MINUTES Review the minutes of the June 16, 2021 regular Zoning Board of Appeals meeting.

5. REGULAR AGENDA

- A. Z-15-21 Public hearing, review, and action on a petition submitted by Vicente & Jennifer Adame for a variance from Chapter 44, Division 9-8D to allow for the construction of a 1,200 square foot detached garage that exceeds the maximum 1,000 square foot floor area for an accessory structure, for the property located at 1111 E. Grove Street, Bloomington, IL 61701, PIN: 21-03-376-012 (Ward 4). Tabled from 6/16/21 - WITHDRAWN
- B. Z-18-21 Public hearing, review, and action on a petition submitted by David Long for a variance from Chapter 44, Division 4-3 for a reduction in the required rear yard setback to facilitate the construction of an addition, in the R-1C (Single Family Residence) zoning district, for the property located at 3202 Cave Creek Road, Bloomington, IL 61704, PIN: 21-12-427-017 (Ward 3).
- C. Z-19-21 Public hearing, review, and action on a petition submitted by Judith Webster for a variance from Chapter 44, Division 12-6A to allow for the construction of a second driveway opening on a residential property less than 100 feet in width, in the R-2 (Mixed Residence) zoning district, for the property located at 911 W Grove Street, Bloomington, IL 61701, PIN: 21-05-434-034 (Ward 6).
- D. SP-05-21 Public hearing, review, and action on a petition submitted by Tim Dearman on behalf of Oldacre McDonald, LLC for a special use permit for vehicle repair and service in the B-1 General Commercial District, for the property located at 1106 S Veterans Parkway Rear, Bloomington, IL 61704, PIN(S): 21-11-351-024, 21-11-351-025 (Ward 8).

6. OLD BUSINESS

7. NEW BUSINESS

8. ADJOURNMENT



**DRAFT  
MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF  
BLOOMINGTON, ILLINOIS  
REGULAR MEETING  
COUNCIL CHAMBERS  
109 EAST OLIVE STREET  
BLOOMINGTON, IL  
WEDNESDAY, JUNE 16, 2021 4:00 P.M.**

**THIS MEETING WAS HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:  
[www.cityblm.org/live](http://www.cityblm.org/live)**

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

Members of the public could also attend the meeting at City Hall. Attendance was limited to 10 people including staff and Board/Commission members and required compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees were encouraged to attend remotely.

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the Assistant City Planner, Caitlin Kelly, Assistant Director of Economic & Community Development, Kimberly Smith, and Commissioner Michael McFarland attending in-person in City Hall's Council Chambers.

The Meeting was called to order by Chairperson Ballantini at 4:00 PM and livestreamed to the public at [www.cityblm.org/live](http://www.cityblm.org/live).

**ROLL CALL**

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

**DRAFT  
MEETING MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF BLOOMINGTON,  
ILLINOIS WEDNESDAY, JUNE 16, 2021**

## COVID-19

This meeting was held virtually via livestream pursuant to the gubernatorial executive order 2021-06. Public comment was accepted up until 15 minutes before the start of the meeting.

## PUBLIC COMMENT

No public comment.

## MINUTES

Chairperson Harris made one correction to the previous meeting's minutes. Ms. Harris motioned to approve the minutes from May 19, 2021 regular Zoning Board of Appeals meeting. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

## REGULAR AGENDA

- A. **Z-15-21** Public hearing, review, and action on a petition submitted by Vicente & Jennifer Adame for a variance from Chapter 44, Division 9-8D to allow for the construction of a 1,200 square foot detached garage that exceeds the maximum 1,000 square foot floor area for an accessory structure, for the property located at 1111 E. Grove Street, Bloomington, IL 61701, PIN: 21-03-376-012 (Ward 4).

Ms. Kelly presented the staff report with a recommendation of denial based on the fact that the application did not meet all five criteria for granting a variance.

The petitioner was not present for testimony, nor did anyone register to comment on the case. Mr. Boyle offered guidance as to how to proceed.

Chairperson Ballantini motioned to table consideration of the case to the July 21 meeting to offer the petitioner a chance to attend. Mr. Noonan seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

- B. **Z-16-21** Public hearing, review, and action on a petition submitted by Richard & Roxanna Wright for a variance from Chapter 44, Division 9-10 to allow the construction of a six-foot tall fence in the front yard, for the property located at 713 Ohara Street, Bloomington, IL 61701, PIN: 21-04-101-002 (Ward 7).

Ms. Kelly presented the staff report with a recommendation of approval.

Richard Wright, the petitioner, was sworn in for testimony. He stated that he would be building a pool in his backyard and sought a 6' fence so that the yard would not be accessible from Empire Street, which functions as an alley.

Ms. Kelly read an email into the record in support of the variance.

Mr. Straza motioned to accept the findings of fact. Mr. McFarland seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Ms. Harris motioned to approve the variance requested. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

- C. **Z-17-21** Public hearing, review, and action on a petition submitted by W. Randall Wilson for a variance from Chapter 44 Division 4-3 to allow a five-foot reduction in the required rear yard setback and facilitate an addition to a nonconforming structure, for the property located at 1 Walker Drive, Bloomington IL 61701, PIN: 21-03-155-009 (Ward 4).

Ms. Kelly presented the staff report with a recommendation of approval.

Randy and Melissa Wilson, the petitioners, were sworn in for testimony. Mr. Wilson stated that he agrees with the staff recommendation and reiterated that the request would accommodate a wheelchair accessible bathroom off the master bedroom.

Ms. Wilson stated her agreement with her husband's comments.

Ms. Harris motioned to approve the findings of fact as presented by staff. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Ms. Harris motioned to approve the variance. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Chairperson Ballantini - Yes. The motion was approved (5-0-0).

#### **NEW BUSINESS**

No items.

#### **OLD BUSINESS**

No items.

#### **ADJOURNMENT**

Mr. Ballantini motioned to adjourn. Ms. Harris seconded. All were in favor. The meeting was adjourned at 4:35 PM.



## ZONING BOARD OF APPEALS

---

**TO:** Zoning Board of Appeals  
**FROM:** Economic & Community Development Department  
**DATE:** June 16, 2021  
**CASE NO:** Z-15-21, Variance  
**REQUEST:** Public hearing, review, and action on a petition submitted by Vicente & Jennifer Adame for a variance from Chapter 44, Division 9-8D to allow for the construction of a 1,200 square foot detached garage that exceeds the maximum 1,000 square foot floor area for an accessory structure, for the property located at 1111 E. Grove Street, Bloomington, IL 61701, PIN: 21-03-376-012 (Ward 4). **WITHDRAWN**

---



**Above:** 1111 E Grove Street, outlined in black.

This case was tabled from the June 16, 2021 Zoning Board of Appeals meeting. Since that time, the petitioner has requested to withdraw the application, and they obtained a permit for a smaller garage. Please see the attached email.

Attached: Notice of withdrawn variance application

**Re: 1111 E Grove Street**

Jen Adame [REDACTED]

Wed 6/30/2021 1:58 PM

To: Joni Gerard <jgerard@cityblm.org>

Hi, Joni. I left a message for you, but thought I would follow up with an email. We would like to cancel our variance request as Mike has approved an application for a smaller sized garage.

Thank you.

Jennifer Adame  
[REDACTED]

-----Original Message-----

From: Joni Gerard <jgerard@cityblm.org>

To: Jen Adame [REDACTED] >

Sent: Mon, Jun 14, 2021 11:37 am

Subject: 1111 E Grove Street

Good morning,

The Zoning Board of Appeals will meet (virtually) on Wednesday, June 16, 2021 at 4pm. Your variance application will be presented to the Commission. Please let me know if you would like to participate via Zoom. Feel free to send me any additional participant's name, email address & phone number.

You may review the meeting packet on the City website at:

<https://www.cityblm.org/Home/Components/Calendar/Event/12921/755?backlist=%2fgovernment%2fboards-commissions%2fzoning-board-of-appeals>

Thank you,

Joni Gerard

Planning Division

City of Bloomington

309-434-2232

jgerard@cityblm.org

Websense: Click [here](#) to report this email as spam.



## ZONING BOARD OF APPEALS

---

**TO:** Zoning Board of Appeals  
**FROM:** Economic & Community Development Department  
**DATE:** July 21, 2021  
**CASE NO:** Z-18-21, Variance  
**REQUEST:** Public hearing, review, and action on a petition submitted by David Long for a variance from Chapter 44, Division 4-3 for a reduction in the required rear yard setback to facilitate the construction of an addition, in the R-1C (Single Family Residence) zoning district, for the property located at 3202 Cave Creek Road, Bloomington, IL 61704, PIN: 21-12-427-017 (Ward 3).

---



**Above:** 3202 Cave Creek Road, outlined in black.

### NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Saturday, June 3, 2021. Courtesy notices were mailed to 75 property owners within 500 feet of the subject property.

### PROPERTY INFORMATION

Subject Property: 3202 Cave Creek Road  
Applicants: David Long  
Existing Zoning: R-1C Single-Family Residence District  
Existing Land Use: Single-family home  
Property Size: 64' x 113' (8,125 square feet)  
PIN: 21-12-427-017



**SURROUNDING ZONING AND LAND USES**

Zoning		Land Uses
North	R-1C	Single-family housing
South	R-1C	Single-family housing
East	R-1C	Single-family housing
West	R-1C	Single-family housing

**PROJECT DESCRIPTION**

*Background:*

The subject property, 3202 Cave Creek Road, is located toward the southeastern limits of the City limits, bounded by Ireland Grove Road and Streid Drive. The subject property is part of the White Eagle South subdivision and, like many other homes in the neighborhood, is improved with a two-story single-family home, an attached garage, and a deck and trellis in the rear yard.

The deck measures 14 feet in depth and 16 feet in width, encroaching into the required 25-foot rear yard setback by approximately three feet. However, per Table 904 in Chapter 44, 9-4 of the Zoning Ordinance, trellises and decks are not considered encroachments within the rear yard setback (see below).

**Table 904 (abridged).** Permitted Encroachments

Encroachment	Front Yard	Side Yard	Rear Yard
Arbors, trellises, trees, shrubs, and similar landscaping features	Yes	Yes	Yes
Balconies, open porches, terraces, and decks	Projecting $\leq 10'$ into yard	No	Yes

*Petitioners' request:*

The applicant seeks to replace the existing deck in the rear yard with a three seasons room maintaining the same dimensions. To facilitate its construction, they are requesting the following variance:

- A reduction in the required rear yard setback from 25 feet to 22.5 feet.

**STANDARDS FOR REVIEW**

The petitioner has outlined the request for variation in the attached application and drawings. The Zoning Board of Appeals have the power to authorize variations to this code. Such variances shall be granted only when the variation would be in harmony with this Code's general purpose and intent. The Zoning Ordinance requires that the petition meet each of the findings of fact as outlined below.

1. *That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.* The main body of the home has a front yard setback of approximately 34 feet and a rear yard setback of about 36 feet, exceeding the 25-foot minimum setbacks required of front and rear yards in the R-1C District. Additionally, the rear yard fence is setback a foot and a half from the property line, further reducing the buildable area to 10.5 feet. However, an addition measuring 10.5' x 16' could be built in the rear yard without a variance. **The standard is not met.**

2. *That the variance would be the minimum action necessary to afford relief to the applicant.* The proposed addition could be built without a variance if reduced by 3.5' in depth. **The standard is not met.**
3. *That the special conditions and circumstances were not created by any action of the applicant.* The home was built by the developer with front and rear yard setbacks exceeding the minimum, limiting the degree to which additions could be constructed along these elevations. **The standard is met.**
4. *That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.* The applicant reports that others in the neighborhood have covered porches or rooms; however, based on a preliminary aerial analysis, these parcels may have larger rear yards than the subject property and thus the additions may not represent an encroachment. Granting the variance would therefore constitute a privilege not granted to others within the city's municipal limits more broadly, if not the neighborhood. **The standard is not met.**
5. *That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.* Many homes in this neighborhood feature decks, rooms, or covered porches to the rear of the structure. Granting this variance to facilitate the construction of a three seasons room would not necessarily be detrimental to public welfare, development, or the neighborhood's character, although the precedent it may set for reduced rear yard setbacks might alter the latter. **The standard is not met.**

#### STAFF RECOMMENDATION

Staff finds that the application does not meet the standards for variance and recommends denial of the variance. Staff recommends the Board take the following actions:

Motion to establish findings of fact that the subject property does not meet the variance criteria in Chapter 44.17-8 of the City Code.

Motion to deny the requested variance from Chapter 44, Division 4-3 for a reduction in the required rear yard setback to facilitate the construction of an addition, in the R-1C (Single Family Residence) zoning district, for the property located at 3202 Cave Creek Road, Bloomington, IL 61704, PIN: 21-12-427-017 (Ward 3).

Respectfully submitted,

Caitlin Kelly  
Assistant City Planner

#### Attachments:

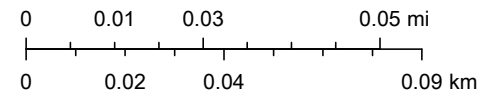
- Aerial map
- Zoning map
- Neighborhood notice and map

# Z-18-21 Aerial Map



7/9/2021, 10:49:46 AM

1:2,257



McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,

Web AppBuilder for ArcGIS

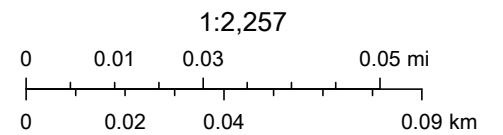
McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | <http://www.McGIS.org/License> | Mclean County Museum of History | McGIS | FEMA, McGIS | City of Bloomington |



# Z-18-21 Zoning Map



7/9/2021, 10:47:22 AM



McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,

Web AppBuilder for ArcGIS

McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | <http://www.McGIS.org/License> | Mclean County Museum of History | McGIS | FEMA, McGIS | City of Bloomington |



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

June 30, 2021

Dear Property Owner or Occupant:

The Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a virtual public hearing on Wednesday, July 21, 2021 at 4:00 PM at [www.cityblm.org/live](http://www.cityblm.org/live) on an application submitted David Long.

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

The applicant is requesting approval for a variance from Chapter 44, Division 4-3 to allow a reduction in the required rear yard setback to facilitate the construction of an addition, in the R-1C (Single Family Residence) zoning district, for the property located at 3202 Cave Creek Road, Bloomington, IL 61704, PIN: 21-21-427-017 (Ward 3).

The application is online at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). To provide testimony on this item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/government/boards-commissions/register-for-public-comment>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to [publiccomment@cityblm.org](mailto:publiccomment@cityblm.org).

Members of the public may attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely.

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

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

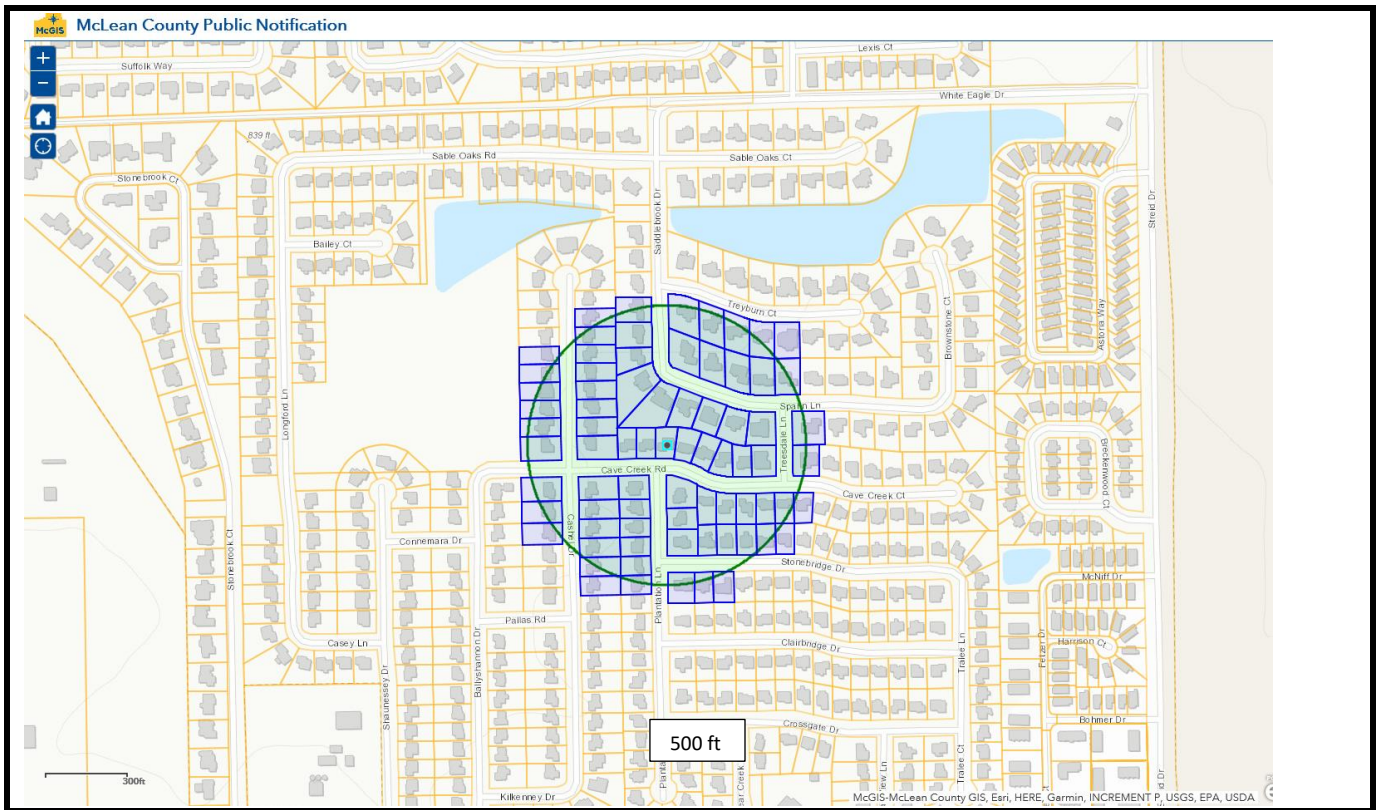
If you desire more information regarding the proposed petition or have any questions, you may email [planning@cityblm.org](mailto:planning@cityblm.org) or call (309)434-2226.

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

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property







## ZONING BOARD OF APPEALS

---

**TO:** Zoning Board of Appeals  
**FROM:** Economic & Community Development Department  
**DATE:** July 21, 2021  
**CASE NO:** Z-19-21, Variance  
**REQUEST:** Public hearing, review, and action on a petition submitted by Judith Webster for a variance from Chapter 44, Division 12-6A to allow for the construction of a second driveway opening on a residential property less than 100 feet in width, in the R-2 (Mixed Residence) zoning district, for the property located at 911 W Grove Street, Bloomington, IL 61701, PIN: 21-05-434-034 (Ward 6).

---



**Above:** 911 W Grove Street, outlined in black.

### NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Saturday, June 3, 2021. Courtesy notices were mailed to 97 property owners within 500 feet of the subject property.

### PROPERTY INFORMATION

Subject Property: 911 W Grove Street  
Applicants: Judith Webster  
Existing Zoning: R-2 Mixed Residence District  
Existing Land Use: Single-family home  
Property Size: 37' x 120' (4,400 square feet)  
PIN: 21-05-434-034

**SURROUNDING ZONING AND LAND USES**

	<b>Zoning</b>	<b>Land Uses</b>
North	R-2, B-2 Local Commercial	Single-family housing, vacant commercial
South	R-2, R-1C Single-Family Residence	Single- and multi-family housing
East	R-2	Single- and multi-family housing
West	R-2, M-2 General Manufacturing	Single- and two-family housing, Union-Pacific Railroad

**PROJECT DESCRIPTION**

*Background:*

The subject property, 911 W Grove Street, is located in west Bloomington. It constitutes Lot 2 of Moulton’s Addition, a subdivision established in 1890, and originally measured 146’ x 240’, with frontages on both Grove Street and Front Street. Lot 2 has since been subdivided into six parcels, most of which are considered legal nonconforming as they do not meet the required minimum lot width of 50 feet.

The subject property is improved with a single-family home built in 1925. A shared driveway measuring nine feet in width is located between the subject property and 911 ½ W Grove Street to the west, with approximately 4.5 feet of driveway on either side of the property line. The occupants of 911 ½ W Grove Street are the sole users of the shared driveway; due to its limited width, the drive cannot accommodate two cars side by side.

*Petitioners’ request:*

The applicant seeks to build a separate driveway on the property for their own use, while preserving the portion of the “shared” driveway that lies on their property to maintain the neighbors’ access to off-street parking. To facilitate the construction of this separate driveway, they are requesting the following variance:

- The construction of a second driveway opening on a residential property less than 100 feet in width. (Ch. 44, 12-6A)

**STANDARDS FOR REVIEW**

The petitioner has outlined the request for variation in the attached application and drawings. The Zoning Board of Appeals have the power to authorize variations to this code. Such variances shall be granted only when the variation would be in harmony with this Code’s general purpose and intent. The Zoning Ordinance requires that the petition meet each of the findings of fact as outlined below.

1. *That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.* Due to the legal non-conforming lot widths and side yard setbacks of 911 and 911 ½ W Grove, there are limited options for providing off-street parking to residents of both properties. The existing shared driveway cannot accommodate two cars side-by-side, and eliminating the portion of the shared drive that lies on the subject property would prevent the residents at 911 ½ W Grove from utilizing it. **The standard is met.**
2. *That the variance would be the minimum action necessary to afford relief to the applicant.* Expanding the width of the shared drive would require a variance, as does creating a separate driveway on the subject property. Other possible alternatives,



such as replatting and redeveloping the subject and adjoining properties, are infeasible. **The standard is met.**

3. *That the special conditions and circumstances were not created by any action of the applicant.* The original parcel's subdivision as well as the installation of the shared driveway were done prior to the applicant's residence at the subject property. **The standard is met.**
4. *That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.* The requested variance would enable the applicant to fulfill the provision of off-street parking required of residential uses (one space per dwelling unit, as stipulated in Ch. 44, 12-8E), bringing the property into compliance in this respect. Additionally, a degree of leniency has previously been granted to parcels that are considered legal non-conforming in terms of their bulk standards. **The standard is met.**
5. *That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.* The variance, if granted, would improve public welfare as well as the ability to use or develop adjoining properties. The proposed driveway would be set back three feet from the eastern property line and permit occupants of 911 ½ W Grove to continue parking off-street. It would also enable the applicant to park off-street, allowing for snow removal to occur along this block of W Grove Street uninterrupted. **The standard is met.**

#### STAFF RECOMMENDATION

Staff finds that the application meets the standards for variance and recommends approval of the variance. Staff recommends the Board take the following actions:

Motion to establish findings of fact that the subject property does not meet the variance criteria in Chapter 44.17-8 of the City Code.

Motion to approve the requested variance from Chapter 44, Division 12-6A to allow for the construction of a second driveway opening on a residential property less than 100 feet in width, in the R-2 (Mixed Residence) zoning district, for the property located at 911 W Grove Street, Bloomington, IL 61701, PIN: 21-05-434-034 (Ward 6).

Respectfully submitted,

Caitlin Kelly  
Assistant City Planner

#### Attachments:

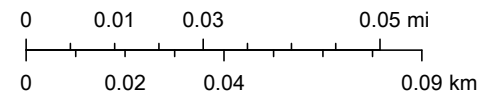
- Aerial map
- Zoning map
- Neighborhood notice and map

# Z-19-21 Aerial Map



7/9/2021, 10:52:29 AM

1:2,257



McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,

Web AppBuilder for ArcGIS

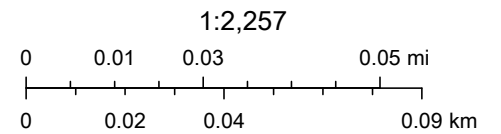
McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | <http://www.McGIS.org/License> | Mclean County Museum of History | McGIS | FEMA, McGIS | City of Bloomington |



# Z-19-21 Zoning Map



7/9/2021, 10:56:38 AM



McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,



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

July 2, 2021

Dear Property Owner or Occupant:

The Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a virtual public hearing on Wednesday, July 21, 2021 at 4:00 PM at [www.cityblm.org/live](http://www.cityblm.org/live) on an application submitted Judith Webster

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

The applicant is requesting approval for a variance from Chapter 44, Division 12-6 to allow for the construction of a second driveway opening on a residential property less than 100 feet in width, in the R-2 (Mixed Residence) zoning district, for the property located at 911 W Grove Street, Bloomington, IL 61701, PIN: 21-05-434-034 (Ward 6).

The application is online at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). To provide testimony on this item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/government/boards-commissions/register-for-public-comment>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to [publiccomment@cityblm.org](mailto:publiccomment@cityblm.org).

Members of the public may attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely.

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

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

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

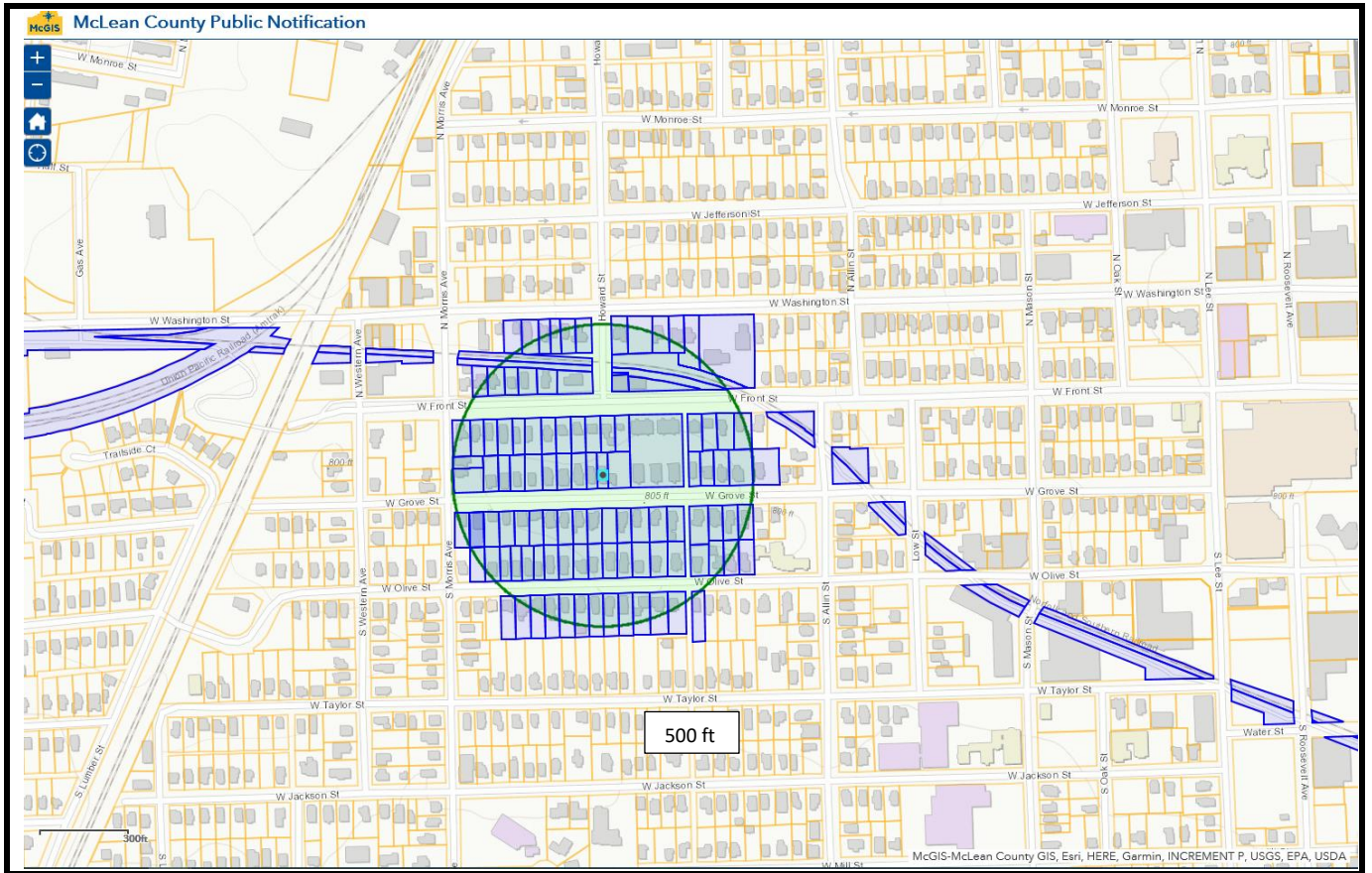
Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at [www.cityblm.org](http://www.cityblm.org).

Sincerely,

Planning Division staff



Map of notified properties within 500 ft of subject property





## ZONING BOARD OF APPEALS

---

**TO:** Zoning Board of Appeals  
**FROM:** Economic & Community Development Department  
**DATE:** July 21, 2021  
**CASE NO:** SP-05-21, Special use  
**REQUEST:** Public hearing, review, and action on a petition submitted by Tim Dearman on behalf of Oldacre McDonald, LLC for a special use permit for vehicle repair and service in the B-1 General Commercial District, for the property located at 1106 S Veterans Parkway Rear, Bloomington, IL 61704, PIN(S): 21-11-351-024, 21-11-351-025 (Ward 8).

---



**Above:** 1106 S Veterans Parkway, outlined in black.

### NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Saturday, June 3, 2021. Courtesy notices were mailed to 8 property owners within 500 feet of the subject property.

### PROPERTY INFORMATION

Subject Property: 1106 S Veterans Parkway, Rear  
Applicants: Tim Dearman, Oldacre McDonald  
Existing Zoning: B-1, General Commercial  
Existing Land Use: Vacant  
Property Size: Approx. 1.77 acres (combined)  
PIN: 21-11-351-024, 21-11-351-025

**SURROUNDING ZONING AND LAND USES**

	<b>Zoning</b>	<b>Land Uses</b>
North	B-1, R-3B Multiple-Family Residence	Out lot, financial services, retire community
South	B-1	Restaurants, vacant, hospitality
East	M-1 Limited Manufacturing	Vacant, insurance
West	B-1, M-2 General Manufacturing, R-1B Single-Family Residence	Commercial, restaurants, vehicle sales and services, single-family housing

**PROJECT DESCRIPTION**

*Background:*

The subject property, 1106 S Veterans Parkway, is made up of two parcels in southeast Bloomington, bounded by Veterans Parkway, Mercer Avenue, and Village Lane. The parcels make up Lot 402 of the developing Parkway Village subdivision, which is being constructed in phases. The subject property and some surrounding parcels within the subdivision are vacant; staff have no record of prior development at 1106 S Veterans Parkway.

The proposed development is located along a primary commercial corridor featuring several auto-oriented businesses, including at least eight major car dealerships and five auto repair shops within 1.5 miles of the proposed use.

*Petitioners' request:*

The petitioner is seeking a special use permit to develop the subject property as an automotive repair shop. The proposed structure will measure 16,000 square feet in area, with shop space comprising the bulk of the floor area. The structure will feature 20 service bays.

Vehicle Repair is regulated by Division 10-34 of the City Code. This section outlines additional bulk, height, and use provisions for the repair facility. According to Exhibits 1 and 2 included in the petitioner's submittal for SP-04-21, all repair services are to be conducted inside the building, and larger engine/transmission repairs are contracted to other local businesses. The average storage time for a vehicle is seven days.

*Compliance with the Comprehensive Plan:*

The subject property is identified as a Tier 1-Infill Redevelopment Priority. The Future Land Use map shows the site as Regional Commercial, consistent with the property's B-1 Zoning Classification. Approval of the special use permit and requested variance(s) aligns with the following goals of the Comprehensive Plan:

- Goal ED-1. Ensure a broad range of employment opportunities for all residents.
  - Objective ED-1.2 Leverage community assets in attracting businesses.
- Goal ED-4 Enhance the image of Bloomington as a business-friendly community.
  - Objective ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City.

**STANDARDS FOR REVIEW**

The requested special use is subject to the standards for granting a special use (Chapter 44, 17-7), as well as to the use provisions pertaining to vehicle repair and service specifically (Chapter 44, 10-34). The Board will establish findings of facts for both sets of standards.

*Ch. 44, 17-7 Special uses.*

For each special use application, the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the 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 Board of Zoning Appeals for approval unless all of the following factors are found:

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 petitioner has indicated that all repair work will be performed inside the shop, limiting the impact of the proposed use's level of activity. Additional screening requirements apply to the subject property as they relate to parking and inoperable vehicles, further reducing the special use's potential impact on general welfare. The proposed use is similar in nature to surrounding uses. **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.* Given the commercial character of the area and the prevalence of auto-oriented uses, the proposed use is compatible with surrounding uses and thus should not be detrimental to the operation or value of nearby properties. **The standard is met.**
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.* Establishment of the proposed special use at the subject property will contribute to the development of vacant land in an area classified as Tier 1 Infill Priority by the Comprehensive Plan's Land Use Priorities map. The proposed use is comparable to existing uses in the general area; potential impacts unique to vehicle repair shall be mitigated by additional screening and use requirements. Further, the Parkway Village subdivision's internal circulation network diverts vehicle traffic from Veterans Parkway and Mercer Avenue, both major arterials. **The standard is met.**
4. *That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.* An eight-inch watermain extends onto the subject property from the west, and a private storm sewer cuts through the parcels, ultimately leading to a drainage basin on the outlot to the north. An eight-inch sanitary sewer extends just north of the subject property and can plausibly be extended to the proposed development. The subdivision has an internal circulation system which takes access off Mercer Avenue, and which can likewise be extended to the proposed development at the time of construction. **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.* Village Lane provides interior circulation within the Parkway Village subdivision, taking access from Mercer Avenue. **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 Board of Zoning Appeals. (Ordinance No. 2006-137).* The proposed special use is subject to and adherent with both the regulations



of the B-1 District as well as the use provisions specific to vehicle repair and service. **The standard is met.**

*Chapter 44, 10-34 Vehicle repair and service*

A. *Location. Not more than two automobile service stations shall be permitted on the quadrants of an intersection and shall not be located closer than 120 feet of a Residential District boundary.* The subject property is not located within 120 feet of a Residential District, nor are there any other automobile service stations sited within the southeast quadrant of the intersection between Veterans Parkway and Mercer Avenue. **The standard is met.**

B. *Site standards.*

a. *No curb cuts shall be permitted within 10 feet of a side lot line or 20 feet of a street intersection. Pending a revised site plan to be submitted by the applicant; an amended memorandum will follow.*

b. *Any area where inoperative vehicles are intended to be stored for a period of more than 10 days shall be fully screened in accordance with Article XIII of this Code to prevent such vehicles from being viewed from a public street or area.* According to a memo submitted by Oldacre McDonald, LLC in case SP-04-21, vehicles are kept on-site for an average of seven days. Vehicles to be repaired will be kept behind a six-foot screening fence. **The standard is met.**

c. *All service equipment (lubrication equipment, hydraulic lifts, etc.) and repair and maintenance work shall be inside the principal building.* Per the petitioner's application (Exhibit 1), all repair work will occur inside the principal structure. **The standard is met.**

d. *The following activities are expressly prohibited in conjunction with, or accessory to, an automobile service station: aviation sales, automobile sales, boat sales, farm implement sales, house-car trailer sales, mobile home sales, recreation vehicle sales or auto body work, straightening of auto body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than otherwise typical of automobile service stations.* None of the aforementioned activities are proposed at the subject property. **The standard is met.**

C. *Outdoor lighting. In addition to the standards of § 44-911, all exterior lighting fixtures shall be directed away from a Residential District and shall not increase the intensity of light within 10 feet of a Residential District boundary line by more than 1/2 footcandle.* The subject property is not in proximity to a Residential District. **The standard is met.**

D. *Building height. The maximum permitted building height shall be 20 feet or one story, whichever is lower.* Based on the site plan provided in Exhibit 6, the building is one story tall and measures 22 feet in height. **The standard is met.**

E. *The following minimum site and bulk standards shall be required for the siting and development of any automobile service station.*

**Table 1034: Automobile service station site and bulk standards**

Standard	Required	Provided	Comments
Min. Lot Area (sq ft)	10,000	77,101	Compliant
Min. Lot Width (feet)	70	395	Compliant
Min. Lot Depth (feet)	N/A	775	Compliant
Front Yard (feet)	40	TO BE PROVIDED BY THE APPLICANT; AMENDED MEMO WILL FOLLOW	
Side Yard (feet)	15		
Rear Yard (feet)	20		

**STAFF RECOMMENDATION**

Staff recommends the Board take the following actions:

Motion to establish findings of fact.

Motion to approve or deny the petition for a special use permit for vehicle repair and service in the B-1 General Commercial District, for the property located at 1106 S Veterans Parkway Rear, Bloomington, IL 61704, PIN(S): 21-11-351-024, 21-11-351-025 (Ward 8).

**A recommendation will be submitted to the ZBA upon receipt of additional site plan materials.**

Respectfully submitted,

Caitlin Kelly  
Assistant City Planner

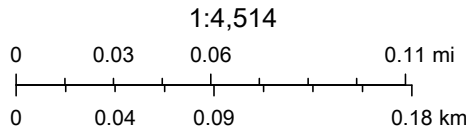
Attachments:

- Aerial map
- Zoning map
- Neighborhood notice and map

# SP-05-21 Aerial Map



7/9/2021, 10:41:44 AM

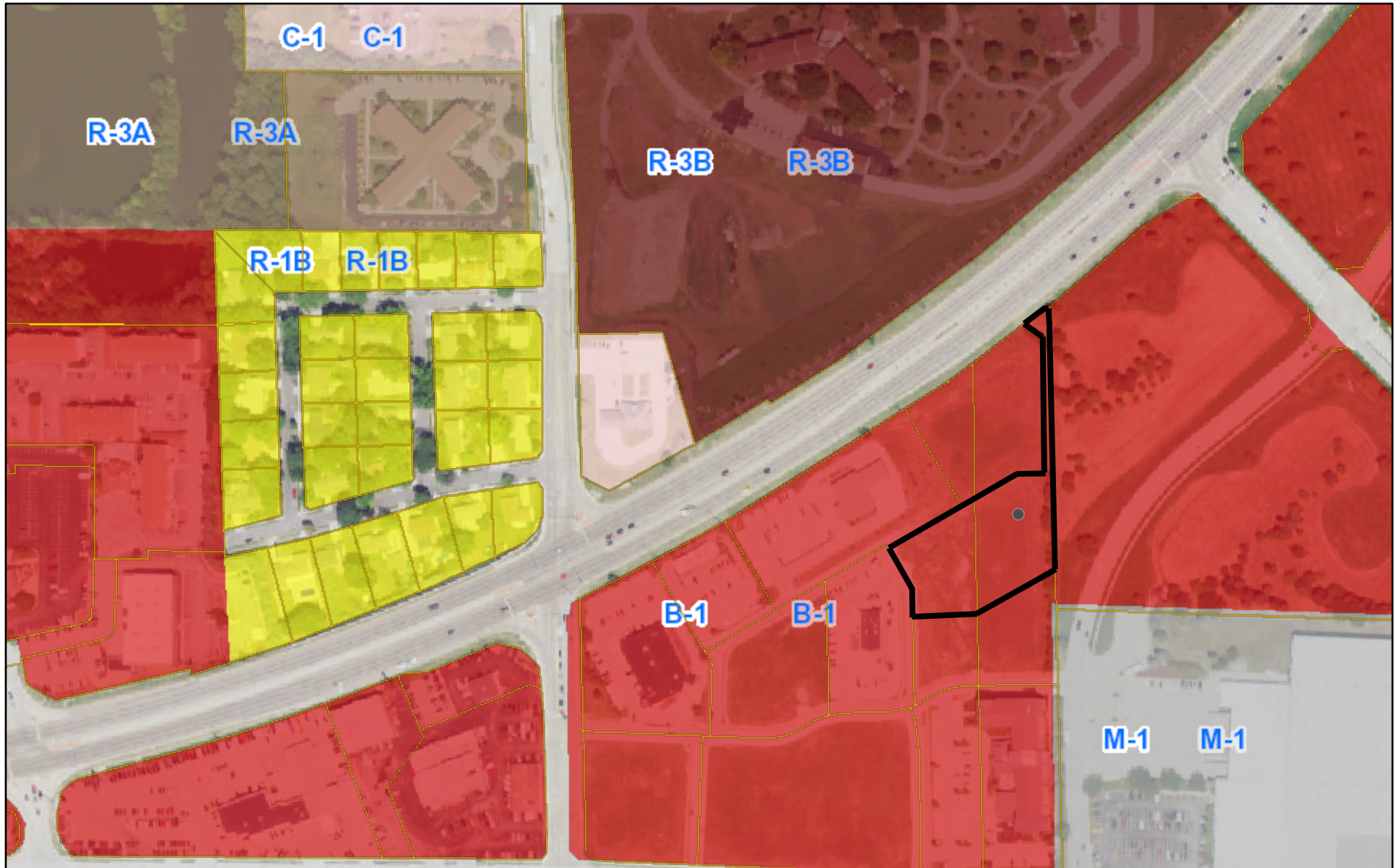


McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,

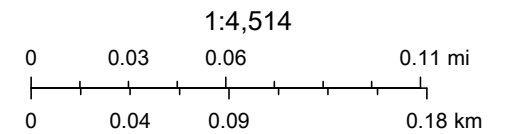
Web AppBuilder for ArcGIS



# SP-05-21 Zoning Map



7/9/2021, 10:42:56 AM



McGIS-McLean County GIS, Esri, HERE, Garmin, INCREMENT P, USGS,

Web AppBuilder for ArcGIS



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

June 30, 2021

Dear Property Owner or Occupant:

The Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a virtual public hearing on Wednesday, July 21, 2021 at 4:00 PM at [www.cityblm.org/live](http://www.cityblm.org/live) on an application submitted by Tim Dearman on behalf of Oldacre McDonald, LLC (3841 Green Hills Village Dr., Suite 400, Nashville, TN 37215).

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

The applicant is requesting approval for a for a special use permit for vehicle repair and service in the B-1 General Commercial District, for the property located at 1106 S Veterans Parkway Rear, Bloomington, IL 61704, (Owner: JSM Living, 505 S. Fifth Street, Champaign, IL 61821): PIN(S): 21-11-351-024, 21-11-351-025.

The application is online at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org/zoning](http://www.cityblm.org/zoning). To provide testimony on this item please register at least 15 minutes in advance of the start of the meeting at <https://www.cityblm.org/government/boards-commissions/register-for-public-comment>. Public comments can also be emailed at least 15 minutes prior to the start of the meeting to [publiccomment@cityblm.org](mailto:publiccomment@cityblm.org).

Members of the public may attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely.

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

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

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

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

Sincerely,

Planning Division staff



Map of notified properties within 500 ft of subject property

