



Zoning Board of Appeals - Regular Session Agenda
Government Center Boardroom, 4th Floor, Room #400
115 E. Washington St., Bloomington, IL 61701
Wednesday, July 15, 2026 - 4:00 PM

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda are listed and voted on separately.

A. **Review and approval of the Minutes of the February 18, 2026, regular meeting of the Bloomington Zoning Board of Appeals** (Recommended Motion: Motion to accept the minutes, as presented.)

B. **Review and approval of the Minutes of the April 15, 2026, regular meeting of the Bloomington Zoning Board of Appeals.** (Recommended Motion: Motion to accept the minutes, as presented.)

5. Regular Agenda

A. **V-01-26 - Public hearing, review, and action on a request submitted by Gregg Bauer, for Variances from § 44-403 (Table 403B) of the Zoning Code, to allow construction of a Two-Family Dwelling, including: 1) a reduced required front yard, 2) a reduction in minimum buildable lot width, and 3) a reduction in minimum buildable lot area, in the R-2 (Mixed Residence) District, for the property located at 1115 W. Oakland Ave. (PIN: 21-05-463-015).** (Recommended Motion: Motion to establish findings of fact that the standards for approval of a Variance are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve the requests for Variances to § 44-403 (Table 403B), as presented.)

B. **V-02-26 - Public hearing, review, and action on a request submitted by William Brady, for approval of Variances from: 1) § 44-908D(1) to permit an accessory structure to encroach into a portion of a required secondary front yard, and 2) § 44-910B(3) and § 44-910C(3) to allow a fully opaque fence in a required secondary front yard, for the property located at 1202 E. Jefferson St. (PIN: 21-03-327-001).** (Recommended Motion: Motion to establish findings of fact that the standards for approval of a Variance are met, that carrying out the strict letter of the

Code does create a practical difficulty or particular hardship for the Applicant, and to approve the request for Variance to § 44-908D(1) to allow an accessory detached garage and associated carport to encroach into the secondary front yard with a final setback from the road of 9-ft instead of 15.5-ft.

Motion to establish findings of fact that the standards for approval of a Variance may or may not be met, that carrying out the strict letter of the Code may or may not create a practical difficulty or particular hardship for the Applicant, and to approve or deny the request for Variances to § 44-910B(3) and § 44-910C(3), as presented.)

6. New Business

7. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or mhurt@cityblm.org.



For Zoning Board of Appeals: July 15, 2026

Ward Impacted: City Wide

Subject: Review and approval of the Minutes of the February 18, 2026, regular meeting of the Bloomington Zoning Board of Appeals

Recommended Motion: Motion to accept the minutes, as presented.

Strategic Plan:

Core Government Function. This item fulfills a statutory, regulatory, fiduciary, or essential operational responsibility necessary to maintain continuity of municipal services and sound governance.

Background: In compliance with the Open Meetings Act, Board Minutes must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later. Only one ZBA meeting has been held since the meeting associated with the Minutes presented for approval; all other Regular Meetings have been cancelled.

Community Groups/Interested Persons Contacted: N/A

Financial Impact: N/A

Attachments:

1. Draft Minutes
2. Minutes - Speaker's Exhibit A
3. Minutes - Speaker's Exhibit B
4. Minutes - Exhibit C



**DRAFT MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, FEBRUARY 18, 2026, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:00 PM, February 18, 2026. Board Chair Ballantini called the meeting to order.

Roll Call

Attendee Name	Title	Status
Matt Steinkoenig	Board Member	Present
Becky Welch	Board Member	Present
Melissa Woods	Board Member	Present
Victoria Harris	Board Member	Present
Nikki Williams	Board Vice Chair	Present
Terry Ballantini	Board Chair	Present
John Poling	Board Member	Present

City staff present included Jon Branham, Planner II; Marcus Ricci, Planner III; Alissa Pemberton, Planning Manager; Kelly Pfeifer, Director of Development Services; George Boyle, Assistant Corporation Counsel.

Public Comment

There was no public comment.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Board Member Poling made a motion, seconded by Board Member Harris, to approve the Consent Agenda as submitted.

AYES: Ballantini, Harris, Williams, Poling, Woods, Welch, Steinkoenig

Motion carried (viva voce).

Item 4.A. Review and approval of the minutes of the November 19, 2025, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Agenda

The following items were presented:

Item 5.A. **SP-08-25** - Public hearing, review, and action on a request submitted by Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communications Facility

in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive, PIN: 13-36-401-001.

Mr. Ricci presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses. He described the characteristics of the property and details of the request, including how the property would be subdivided and utilized. He also reviewed the standards and use provisions as outlined in the staff report.

Board Chair Ballantini inquired who would be responsible for extending the portion of Enterprise Drive that was mentioned. Mr. Ricci stated existing roads would be utilized for the project, and that Enterprise Drive is planned for eventual extension, but not in the immediate future.

Board Member Poling stated he had questions but would wait for the applicant's testimony.

Board Chair Ballantini opened the public hearing.

Jason Riggs (Representing Applicant, Project Consultant), provided further background on the project. He stated the key reasons for the request were for improved communication and capacity for T-Mobile. He identified current issues in the area and that there have been temporary activities to try to alleviate the issues. He stated this would allow for a more permanent solution.

Board Member Harris stated the submittal package was very extensive and informative.

Anna Ziegler (Representing Owner of Property), expanded on the request and stated support for the project. She stated her Board of Directors had already provided approval.

Board Chair Ballantini inquired about the length of the contract. Ms. Ziegler stated she believed it was for 25 years.

Board Member Poling inquired whether current access would support construction. Ms. Ziegler stated she believed so, as existing roads are mostly concrete, although some are gravel. She stated it would not interfere with other property operations.

Bailey Shepperd (Representing the Owner of a Wireless Communications Facility located at 2201 W. College Avenue, Normal, IL), stated she had a legal brief prepared, and distributed copies to the Board. She stated she disagreed with staff's recommendation. She stated that all other options have not been investigated. She noted the applicant's need for a 150-foot tower. She stated her client's tower is located 0.8 miles away from the proposed tower, and that tower is 140 feet tall and could be increased in height. She stated there is comparable coverage at both sites. She stated T-Mobile had not provided a "good faith" effort to work with her client. She stated there is no basis for approval. She stated the applicant presented no evidence that they have met the standards and cannot co-locate on the existing tower. She requested the Board deny the request.

Mr. Boyle clarified that Exhibit 1 and Exhibit 2 were submitted for the record. He inquired whether individuals identified in the brief were available to speak. Ms. Shepperd stated they were not present. Mr. Boyle noted that in-person testimony provided ability to cross-

examine which is important for due process, so the Board should keep that in mind when considering the provided exhibits.

Board Chair Ballantini inquired if the principal reason for the opposition was to encourage T-Mobile co-locate on the existing tower. Ms. Shepperd stated that her client would like to have that conversation. Ms. Pemberton clarified that the applicant is Vertical Bridge.

Board Chair Ballantini inquired if they had reached out to Vertical Bridge. Ms. Shepperd stated they had not reached out to the competitor.

Ms. Pemberton stated the Board should give the applicant an opportunity to review and respond to the comments.

Mr. Riggs stated they had reviewed the existing sites and map area. He noted the existing tower being referenced is too close to another tower on which T-Mobile has active service. He outlined how they conducted their search and restated the coverage issues in the area for T-Mobile.

Board Member Harris inquired about the feasibility of adding height to an existing tower. Mr. Riggs stated it could be difficult and costly.

Board Member Woods inquired about the ability for additional services on the proposed tower. Mr. Ricci confirmed additional services could be allowed at the new tower without requiring additional Board approval.

Board Member Woods inquired if there were any concerns about the subdivision aspect of the application. Ms. Pemberton stated it was a simple plat, and she did not expect any issues.

Board Member Poling inquired about the delay in the public hearing. Mr. Ricci stated there were delays due to plat clarification and noticing / affidavit timing requirements.

Board Chair Ballantini closed the public hearing.

Board Member Poling stated he was comfortable making a motion based on the staff recommendation.

Board Member Poling made a motion, seconded by Board Member Harris, to adopt findings of fact that the proposal met all of the requirements for a Special Use Permit and to recommend approval of the item as presented.

Roll call

AYES: Ballantini, Williams, Poling, Woods, Harris, Welch, Steinkoenig

Motion passed.

Mr. Ricci stated the item would proceed to City Council on March 9th.

New Business

There was no new business reported.

Adjournment

Board Member Harris made a motion, seconded by Board Member Williams, to adjourn the meeting.

AYES: Ballantini, Harris, Williams, Poling, Woods, Welch, Steinkoenig

Motion passed (viva voce).

The meeting adjourned at 4:47 p.m.

Exhibits

- Speaker's Exhibit A – Petition Against Cell Tower Special Use Permit
- Speaker's Exhibit B – Proposed Tower / Existing Tower Site Map
- Exhibit C – PowerPoint Presentation

CITY OF BLOOMINGTON

Terry Ballantini, Board Chair

Alissa Pemberton, Staff Liaison

TO THE ZONING BOARD OF APPEALS

CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION)

OF)

VERTICAL BRIDGE, APPLICANT)

AND PROPOSED LESSEE)

AND)

MCLEAN COUNTY FARM BUREAU, OWNER)

AND PROPOSED LESSOR)

DATE: February 18, 2026

PETITION AGAINST CELL TOWER SPECIAL USE PERMIT

I.

DEFINITIONS

1. "City" shall mean the City of Bloomington, Illinois.
2. "Code" shall mean the City's municipal code.
3. "Co-location" shall have the same meaning given it by Section 44-1604 of the Code, "to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole."
4. "Petitioner" shall mean Vertical Bridge and the McLean County Farm Bureau, or any of their affiliates.
5. "Petitioner's Application" shall mean all documents submitted to the City in support of the required Special Use Permit for the wireless communication facility to be located at or near 1106 Interstate Drive, Bloomington, Illinois.
6. "Special Use Permit" ("SUP") shall mean a permit issued by the City and subject to an approved application and any special conditions determined by the Zoning Board of Appeals to be appropriate under Section 44-1037 of the Code.
7. "Wireless Communication Facility" ("WCF") shall have the same meaning given it by Section 44-1624 of the Code, "structures and equipment involved in transmitting and receiving telecommunications signals from mobile communication sources, such as private and commercial mobile radio service facilities, personal communication service towers, and cellular telephone towers."
8. "Zoning Board of Appeals" shall mean the City of Bloomington Zoning Board of Appeals.
9. All other terms as defined in the Code, or if not defined, then the generally accepted definition for said term.

II.

ISSUE PRESENTED FOR REVIEW

Does the Petitioner's Application comply with the requirements outlined in Section 44-1037 of the Code for the placement of a WCF at or near 1106 Interstate Drive, Bloomington, Illinois and should the Petitioner's Application and SUP be granted by the ZBA?

III.

LEGAL AUTHORITY

The Code that is authorized by the City pursuant to 65 ILCS 5/11-13- to exercise zoning authority and the Telecommunications Act of 1996, 47 U.S.C.A. 332(c)(7).

IV.

STATEMENT OF FACTS

On September 24, 2025, Petitioner submitted a Special Use Permit Application to the Zoning Board of Appeals for review regarding the construction of a WCF at 1106 Interstate Drive in Bloomington, Illinois. The proposed WCF would be 155' in height. There is an existing WCF located at 2201 W. College Avenue in Normal, Illinois, which is approximately 0.8 miles from the proposed WCF site. The Petitioner's Application does not make reference to this existing WCF.

V.

ARGUMENT

The Petitioner's Application is not in conformance with the requirements set forth under Section 44-1037 of the Code and the SUP should be denied for the following reasons:

1. Petitioner has failed to demonstrate investigation of all possible avenues of co-location required under Section 44-1037(E)(2) of the Code.

Section 44-1037(E)(2) of the Code requires that **"Applicants for new wireless towers shall demonstrate that *all possible avenues* for co-location of antennas on existing towers or base stations have been investigated. (emphasis added)"**

The Staff Report states that Petitioner has met the (E)(2) requirement, however, we respectfully disagree. To this date, the Petitioner has offered no evidence that they have investigated all possible avenues for co-location. Staff supports its position by pointing to a statement from Petitioner's T-Mobile radio frequency engineer ("Petitioner's Engineer") who states that there "are no existing tower structures or feasible building structures with a suitable height of 150' within the desired area of coverage need." However, this statement is insufficient to evidence that all possible avenues for co-location have been investigated.

Petitioner has failed to include any reference to the existing 140' WCF, which can potentially accommodate the suitable height of 150' cited by Petitioner's Engineer, and which is located approximately 0.8 miles away from the proposed site (the "Existing WCF").

While Petitioner and Petitioner's Engineer make no mention of the Existing WCF, an independent study by a radio frequency engineer (the "Independent Engineer") concluded that the Existing WCF, if reasonably modified, would provide comparable coverage to the same geographical area that Petitioner would receive from a new 155' WCF at the proposed site. The Independent Engineer also states that installation of an additional WCF in such close proximity to the Existing WCF would be considered an "overbuild" or impractical given the coverage overlap. (*see Exhibit A, attached hereto and incorporated herein by reference*).

To further showcase that Petitioner has not investigated all possible avenues for co-location, Petitioner has not contacted the owner of the Existing WCF (that being SBA Towers IX, LLC, hereinafter referred to as "SBA") to discuss co-location. In fact, SBA has reached out to Petitioner's carrier, T-Mobile, on several occasions regarding T-Mobile's purported coverage needs near the Existing WCF and has received no good-faith response. (*see Exhibit B, attached hereto and incorporated herein by reference*). SBA's Site Marketing Manager, Charles Hiltz, states that he has made multiple attempts to communicate with T-Mobile and any response from T-Mobile has seemingly been in an effort to further delay conversations with SBA. Mr. Hiltz affirms that SBA welcomes a discussion with Petitioner and T-Mobile to better understand their coverage needs near the Existing WCF.

The Existing WCF has the capability to be modified to accommodate T-Mobile's equipment. Petitioner and Petitioner's Engineer searched the area near the proposed site for WCFs 150' in height. In doing so, they have missed the Existing WCF which can be modified up to a height of 160'. Licensed Structural Engineer, John N. Kabak, ("SBA's Engineer") finds that the Existing WCF can be extended 20' and remain compliant with industry standards. (*see Exhibit C, attached hereto and incorporated herein by reference*). SBA's Engineer also confirms that the Existing WCF can accommodate additional equipment for T-Mobile and other carriers.

SBA remains ready and willing to discuss co-location at the Existing WCF with Petitioner and/or T-Mobile.

2. Under Section 44-1037(E)(7)(c) of the Code, there is no basis to approve Petitioner's Application.

Petitioner must meet one of the factors provided in Section 44-1037(E)(7)(c) of the Code, which would allow the Zoning Board of Appeals to find a new WCF cannot be co-located. Petitioner has not met any of the factors.

Section 44-1037(E)(7)(c) of the Code requires that the Zoning Board of Appeals find that a new WCF cannot be co-located within the coverage area of the proposed WCF if any one of four factors is met. The first of which reads, "**The planned antenna or transmission equipment**

would exceed the structural capacity of all existing or approved towers or buildings, as documented by a qualified and licensed professional engineer, and all of the existing or approved towers cannot be reinforced, modified, or replaced to accommodate the planned or equivalent antennas or transmission equipment at a reasonable cost.” Petitioner has provided that there are no existing towers or structures of sufficient height available for co-location. However, Petitioner has made no mention of the Existing WCF or a potential modification to the Existing WCF. As set forth in Exhibit C, SBA’s Engineer has established that the Existing WCF can be modified and is suitable for a 20’ extension and T-Mobile’s equipment needed to load T-Mobile on the Existing WCF as a carrier. This 20’ extension would bring the Existing WCF to a height of 160’. Therefore, this factor has not been met.

The second factor reads, **“The planned antenna would cause interference materially impacting the usability of other existing or planned antenna at a tower or building as documented by a qualified and licensed engineer and such interference cannot be prevented at a reasonable cost.”** Petitioner has again only provided that there are no existing towers or structures of sufficient height in the area. Petitioner has provided no evidence that a modification to the Existing WCF would cause interference with any other towers or antennas. Petitioner’s Engineer, SBA’s Engineer, and the Independent Engineer do not raise any interference issues. Therefore, this factor has not been met.

The third factor reads, **“Existing or approved towers and buildings within such the coverage or capacity area cannot accommodate the planned antenna or transmission equipment at a height necessary to function according to the documented coverage or capacity needs as determined by a qualified and licensed professional engineer.”** Petitioner has again only provided that there are no existing towers or structures of sufficient height in the area. Petitioner has provided no evidence that the Existing WCF cannot accommodate T-Mobile’s equipment at a height necessary to achieve their coverage and capacity needs. As set forth in Exhibit A, Independent Engineer found that the modification of the Existing WCF would provide coverage comparable to the coverage of the proposed WCF. Therefore, this factor has not been met.

The last of which reads, **“Other unforeseen reasons that make it unfeasible to locate the planned antenna or transmission equipment upon an existing or approved tower or building.”** Petitioner has again only provided that there are no existing towers or structures of sufficient height in the area. Petitioner has provided no evidence that it is unfeasible to co-locate on an existing tower. Co-location is feasible. As set forth in Exhibit C, SBA’s Engineer finds that the Existing WCF can be extended 20’ and accommodate T-Mobile while still remaining compliant with industry standards. Therefore, this factor has not been met.

Nothing in Petitioner’s Application or the evidence submitted to date has shown that any of the four factors has been met. In the absence of clear and convincing evidence satisfying at least

one of these factors, the ZBA cannot lawfully conclude that the proposed WCF cannot be accommodated on an existing tower, particularly the Existing WCF.

VI.

CONCLUSION

In conclusion, the City has taken time and used careful planning for the placement of WCFs within its jurisdiction by drafting and enacting the current Code. The Code has been used and depended on as the authority for WCF placement throughout the City. Petitioner's Application does not comply with the purpose of the Code in that it would construct another WCF less than a mile from the Existing WCF without significant benefit to the citizens or the future of the City. Additionally, Petitioner's Application does not comply with Section 44-1037(E)(2) of the Code in that no evidence has been presented that all possible avenues for co-location on existing towers or base stations have been investigated nor did the Petitioner make good-faith efforts to maintain open communications with the Existing WCF owner to co-locate on the Existing WCF, hence, eliminating the need for another WCF only 0.8 miles away, approximately. Petitioner clearly has not met the purpose or standards set forth under the Code; and therefore, Petitioner's Application should be denied.

Respectfully submitted,

By: Meyer Capel, A Professional Corporation

By:  _____

Jenny H. Park, One of Its Attorneys

Meyer Capel,
A Professional Corporation
306 West Church Street
Champaign, IL 61820
(217) 352-1800 Telephone
(217) 352-1083 Facsimile

EXHIBIT A
Independent Radio Frequency Engineer Letter

TO: SBA

Subject: RF Coverage Plot Analysis: City of Bloomington, IL

Date: February 17, 2026

1. **METHODOLOGY.** The attached plots depict broadcast radio frequency (RF) coverage from the existing site to City of Bloomington, IL and a proposed site approximately 0.8013 miles to the south. At each location, cellular industry typical LTE operating parameters were considered for omnidirectional antennas mounted at 155 feet above ground level at the existing site, and at 155 feet above ground level for the proposed site. Ground elevations are 776 and 809 feet above mean sea level, respectively.

The provided predictive coverage plots were created using established radiowave propagation models with terrain and clutter data, implemented by qualified engineers specializing in this discipline and having years of US Industry experience.

Plots for both locations were generated for 700, 850, 1900 and 2100 MHz operations. The signal levels depicted are associated with LTE service reliability where the strong coverage levels in green and blue occur near the towers and decrease with distance from the sites and intervening terrain obstructions. Signal levels greater than -70 dBm shown as blue are associated with feasible coverage within buildings. Marginal coverage is provided in the regions depicted in yellow between -90 dBm and -80 dBm and signal levels between -100 dBm and -90 dBm shown as red represent poor coverage associated with call failures.

A comparison of coverage performance for each site is based on low band (700 and 850 MHz) and high band (1900 and 2100 MHz) prediction results. Radiowave propagation conditions between these bands differ because of terrain and ground clutter (e.g. vegetation) effects at different frequencies. Generally, low band operations provide greater area coverage. Therefore, high band operations provide additional customer traffic capacity closer to the cellular site.

2. **COMPARISON.** The sites considered in these coverage plots provide service to the depicted locations and roads leading to City of Bloomington, IL. For low band operations for antennas mounted at 155 feet, the existing site provides strong coverage to non-contiguous areas from 1 to 3 miles from the site. This includes 1 mile of Highway 55. The proposed site also provides strong coverage to non-contiguous areas from 1 to 3 miles from the site. This includes 0.5 miles of Highway 55. Coverage differences may be attributed to the separation distance between tower locations.

For high band operations, the existing site provides strong coverage to non-contiguous areas from 1 to 2 miles in all directions. The proposed site provides strong coverage to non-contiguous areas from 1 to 2 miles in all directions.

3. **CONCLUSION.** Based on the coverage comparison presented above, the proposed site provides comparable coverage to City of Bloomington, IL due to its close proximity to the existing site. For wireless operators with antennas mounted on the existing site, the installation of additional antennas on the proposed site would be considered to be an "overbuild" or impractical given the coverage overlap.

EXHIBIT B
Affidavit of Charles Hiltz, Site Marketing Manager

STATE OF ILLINOIS)
)
COUNTY OF McLean) SS

AFFIDAVIT OF CHARLES HILTZ

The undersigned affiant, being first duly sworn, for himself on oath deposes and says that he is of legal age, under no legal disability, and resides in the County of Oakland in the State of Michigan

CHARLES HILTZ (the "Affiant"), states as follows:

The Affiant states that he is employed by SBA Towers IX, LLC, a Delaware limited liability company ("SBA") as a Site Marketing Manager.

The Affiant further states that as part of his duties as Site Marketing Manager, he routinely interacts with carriers, such as T-Mobile, who have located, or are interested in locating, onto an SBA cell tower.

The Affiant further states that he maintains open lines of communication with carriers to discuss tenancy on SBA towers, including but not limited to collocation, new equipment, centerline placement of equipment, and other matters related to SBA towers.

The Affiant further states that such communications with carriers include communications regarding the cell tower SBA has owned, operated, and maintained since December 2015 on real property commonly known as 2201 W. College, Normal, IL 61761 (the "Existing Cell Tower").

The Affiant further states that an application for a Special Use Permit to construct a new 155-foot monopole with T-Mobile as the named carrier (the "Application") requests said monopole be constructed only 0.8 miles (4,224 feet) from the Existing Cell Tower.

The Affiant further states that in the course of his duties as Site Marketing Manager, he regularly communicates with T-Mobile, and he has not been contacted by T-Mobile regarding T-Mobile possibly collocating on the Existing Cell Tower nor whether the Existing Cell Tower could accommodate T-Mobile equipment.

The Affiant further states that in the course of his duties as Site Marketing Manager, he contacted T-Mobile to discuss equipment needs in the Bloomington area and collocation opportunities on October 9, 2025, November 3, 2025, November 12, 2025, November 17, 2025, December 8, 2025, and February 16, 2026.

The Affiant further states that T-Mobile provided on December 8, 2025 that T-Mobile was unsure if equipment was still going to be added near the Existing Cell Tower and to anticipate a response from T-Mobile in early January 2026 after year's end budget determinations.

The Affiant further states that his last communication from T-Mobile was on February 16, 2026 stating that T-Mobile could provide more information in March 2026.

The Affiant further states that he requested an expedited response from T-Mobile prior to the public hearing to be held on February 18, 2026.

The Affiant further states that SBA's corporate records confirm the Existing Cell Tower can accommodate T-Mobile as an additional carrier, including T-Mobile's 5G equipment, at a height of up to 160 feet to provide the same or better coverage as the cell tower proposed in the Application.

The Affiant further states that the Existing Cell Tower was initially constructed to house multiple tenant carriers at one time.

The Affiant further states that T-Mobile is currently a tenant on over 11,000 SBA cell towers across the nation.

The Affiant further states that T-Mobile is a current tenant on 257 cell towers in Illinois, with T-Mobile being a current tenant on a cell tower only 4.98 miles from the Existing Cell Tower.

The Affiant further states that SBA currently has pre-negotiated rates in place with T-Mobile for cell tower tenancy.

The Affiant further states that SBA is willing to work with T-Mobile to allow for collocation on the Existing Cell Tower to prevent unnecessary proliferation of cell towers in the area.

The Affiant further states the purpose of making this affidavit is to provide a record of outreach and information for consideration in connection with the Zoning Board of Appeals' review of the Special Use Permit Application.

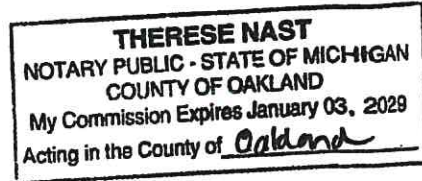
Dated this 17th day of February, 2026.

Further Affiant Sayeth Not.



CHARLES HILTZ

STATE OF ^{Michigan} ~~ILLINOIS~~)
)
COUNTY OF Oakland) SS



I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY, that CHARLES HILTZ, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 17th day of February, 2026.

Exhibit C
Structural Opinion Letter of Engineer John N. Kabak

140' Self Support Tower w/ 20' Proposed Extension

February 18, 2026

2201 W. College Ave
Normal, IL 61761
40.5050 N, 89.0378 W

SBA Site Name: I-74 & Rte 9
SBA Site ID: IL17530-A

GPD Project Number: 2026778.17530.02

GPD is pleased to submit this **"Structural Opinion Letter"** for the structural integrity of the aforementioned tower. The purpose of the opinion letter is to determine the suitability of the tower with the proposed 20-foot tower extension and proposed T-Mobile loading as specified below. This opinion is consistent with the standards and guidelines of TIA-222-H and the 2021 International Building Code based on a 3-second gust wind speed of 108 mph c with no ice and a 40 MPH 3-second gust wind speed with 2 inches of radial ice, Risk Category II, Exposure Category C, and Topographic Category 1.

Proposed T-Mobile Loading:

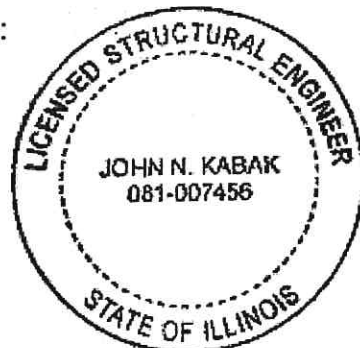
Elevation (ft)	Equipment Descriptions
145	Cellular Antenna Array 150 sqft Equivalent Project Area 2500 lb plus Weight

The addition of the proposed 20-foot tower extension and proposed T-Mobile loading will require structural upgrades. However, once the required structural upgrades are installed, the tower shall be compliant with the TIA-222-H standard and adequate to support the proposed tower extension and T-Mobile loading.

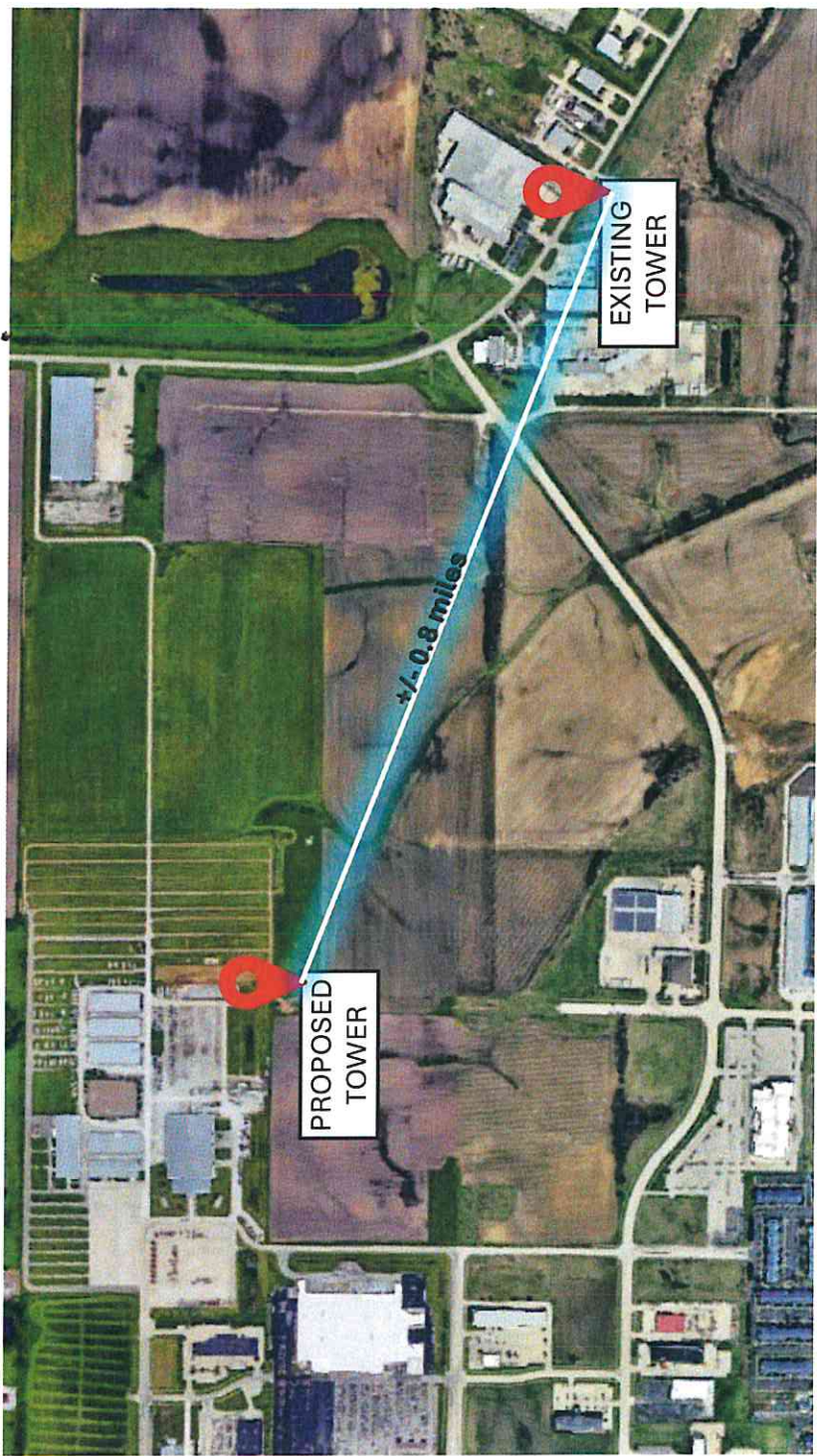
We at GPD appreciate the opportunity of providing our continuing professional services to you. If you have any questions or need further assistance on this or any other projects, please contact us.

Respectfully submitted by:

John N. Kabak, SE
Illinois #: 081-007456
184-007100




Signature
2/18/2026
Date
11/30/2026
Exp. Date





City of Bloomington

Zoning Board of Appeals

February 18, 2026

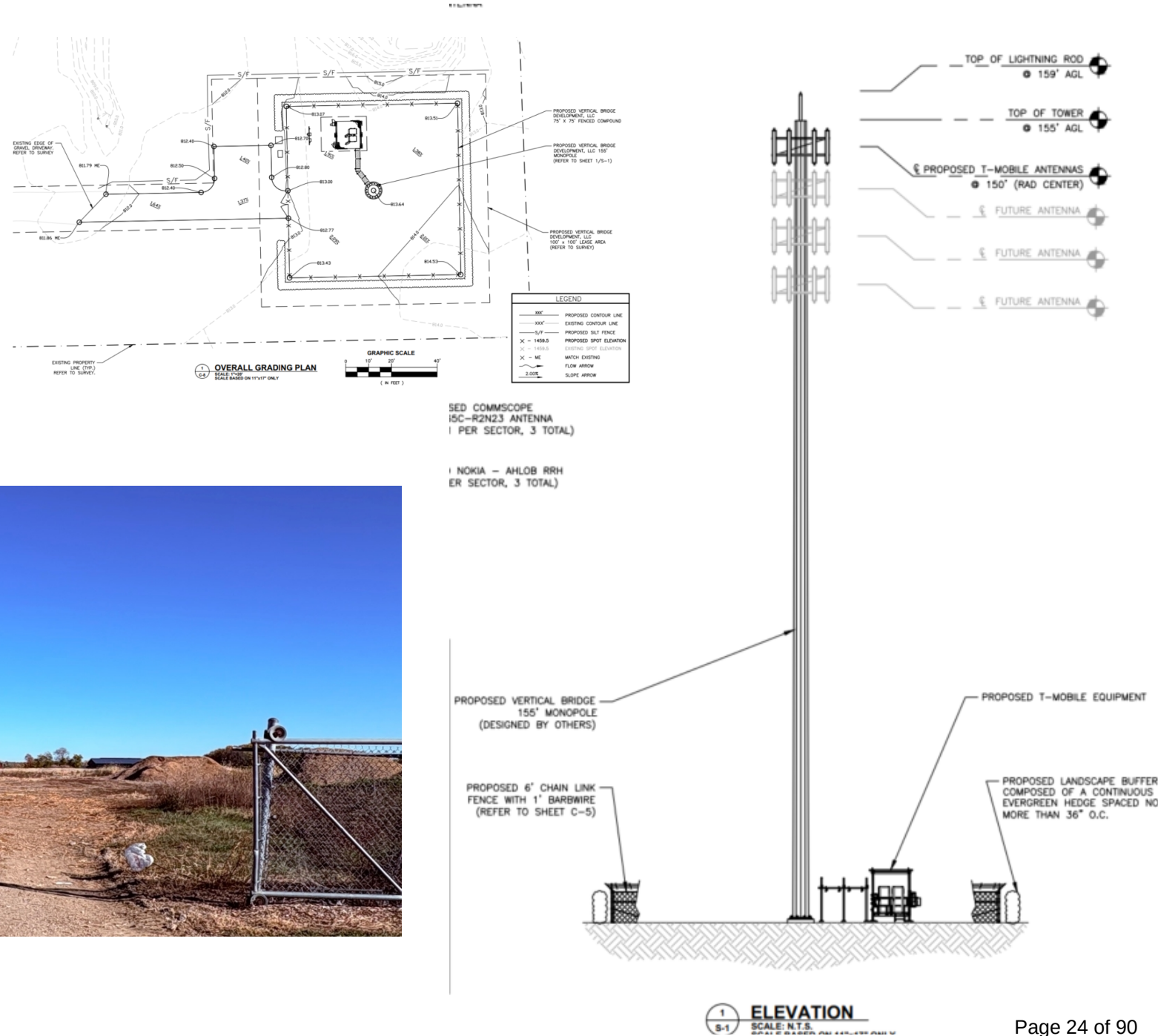


CITY OF BLOOMINGTON
ZONING BOARD OF APPEALS
FEBRUARY 18, 2026

Regular Agenda

Item	Case Number	Description
5.A.	SP-08-25	Public hearing, review, and action on a request submitted by Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001)

SP-08-25 WIRELESS COMMUNICATION FACILITY



SP-08-25

Public hearing, review, and action on a request submitted Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001

LOCATION MAP



Public hearing, review, and action on a request submitted Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001

OWNER/SUBDIV
McLean County AG Exp
2247 Woodgate Drive
Bloomington, IL 61708
Ph. (309) 663-6497

SURVEYOR
MeritCorp Group, LLC
4222 Meridian Parkway, Suite 112
Aurora, Illinois 60004
Ph. (309) 564-6658

E SE1/4 OF SEC. 36-T24N-R1E
E OF ENTERPRISE DR

FND 3/4" IRON ROD
0.02'N
0.05'W

(L=102.77' R=555.00'
CH.=S83°33'46"E 102.62')
L=102.78' R=555.00'
CH.=S85°25'58"E 102.63'

127.11'

15' U.E.
(PER DOC. NO. 2004-00015809)

15' U.E.

FND 3/4" IRON ROD
0.13'S
0.03'E

UNSUBDIVIDED
ZONED "M-1"

LOT 2
66,586 SF
1.529 AC
SEE NOTE 5

N210°54'W 730.65'
N210°54'W 351.68'
(PER DOC. NO. 2015-00022115)

20' P.U.E.
HEREBY GRANTED

10'

15' P.U.E.
HEREBY GRANTED

10'

FND 5/8" IRON ROD
AT CORNER

SIP

S88°54'14"W 115.52'

15'

LOT 3
13,456 SF
0.309 AC

SIP

S110°5'46"E 115.39'

S88°53'59"W 111.31'

S88°53'59"W 229.02'
(N89°13'45"W 229.00')

117.71'

15' U.E.
(00015809)

FND 5/8" IRON ROD
AT CORNER

S210°48"E 340.74'
(S078°41'E 340.72')

225.34'

115.40'

LOT 1
VERNON SQUARE STREET
SUBDIVISION
(REG. 06/24/2019 AS DOC.
NO. 2019-00013738)

Page 26 of 90

SP-08-25

Public hearing, review, and action on a request submitted Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001

SITE PHOTOS



SP-08-25

Public hearing, review, and action on a request submitted Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001

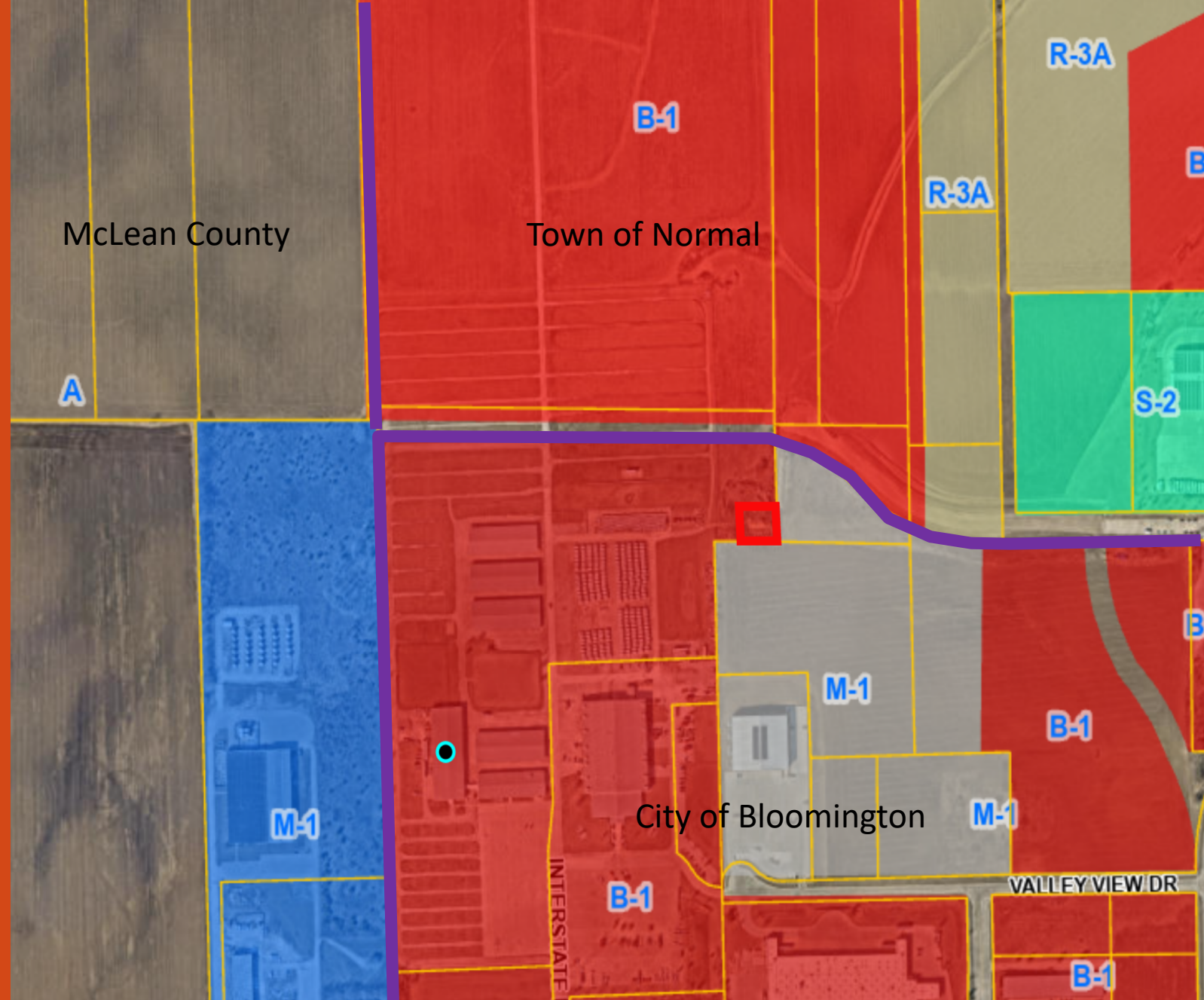
SITE PHOTOS



SP-08-25

Public hearing, review, and action on a request submitted Vertical Bridge Development, LLC, for a Special Use Permit for a Wireless Communication Facility in the B-1 (General Commercial) District, for the property located at 1106 Interstate Drive (PIN: 13-36-401-001

ZONING MAP



Findings of Fact – Special Use

Standard	Finding
1. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.	<i>Standard is met.</i>
2. 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.	<i>Standard is met.</i>
3. 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.	<i>Standard is met.</i>
4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.	<i>Standard is met.</i>
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.	<i>Standard is met.</i>
6. 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.	<i>Standard is met.</i>

Use Provisions – Wireless Communications Facilities

Standard - § 44-1037.

A. Applicability of regulations: proposed facility is not exempt.	<i>Standard is met.</i>
B. Application: submitted application provided all of the required information.	<i>Standard is met.</i>
C. & D. Residential facilities & Non-Substantial changes: not applicable.	<i>Standard is met.</i>
E. New wireless towers.	<i>Standard is met.</i>
1) Location: the proposed cell tower complies with the allowance as a special use in the B-1 district.	<i>Standard is met.</i>
2) Co-location. The applicant has demonstrated that all possible avenues for co-location of antennas on existing towers or base stations have been investigated.	
3) Bulk standards. The proposed cell tower meets requirements for lot size, setbacks, and separation requirements from other towers over a 70-foot height.	<i>Standard is met.</i>
4) Capacity. The proposed cell tower provides space for two additional service providers.	<i>Standard is met.</i>
5) Concealment: the proposed cell tower would be located away from residential zones, would be an off-gray finish, and be shielded by evergreen hedges.	<i>Standard is met.</i>
6) Review period: the City must approve or deny the application within 150 days of submission.	<i>Standard is met.</i>
7) Review findings: the Planning Commission’s decision must be made in writing and based upon substantial evidence. Conditions may be based on the following:	
a) RF emissions: City may NOT impose conditions based on RF emissions.	
b) Property values: Findings related to property values must be documented by expert testimony of a qualified professional.	<i>Standard is met.</i>
c) Need for a new tower: the need cannot be accommodated on an existing structure, as no towers of the minimum 150’ height are in the search area.	
F. The proposed sell tower must be all requirements of the Bloomington Building Code.	<i>Standard is met.</i>
G. The proposed cell tower will have only site identification signage, emergency contact information, and “No Trespassing” and safety signage.	<i>Standard is met.</i>
H. The Applicant will remove the proposed cell tower at their own cost if it is unused for one year.	<i>Standard is met.</i>



Staff Recommendation

CASE SP-08-26

Staff finds that the application meets all the standards for a Special Use Permit and meets all of the Use Provisions for a Wireless Communications Facility.

Recommended Action(s)

Motion to establish findings of fact that all standards for approval of a Special Use Permit are met and to recommend approval of the request for a Special Use Permit for a Wireless Communications Facility, as presented, in the B-1 (General Commercial) District, on a one-third-acre (0.33 ac) parcel to be known as Lot 3 Interstate Center Subdivision Lot 1, 2nd Resubdivision, subject to minor modifications and technical corrections required for plat approval.



Next ZBA Meeting: March 18, 2026



For Zoning Board of Appeals: July 15, 2026

Ward Impacted: City Wide

Subject: Review and approval of the Minutes of the April 15, 2026, regular meeting of the Bloomington Zoning Board of Appeals.

Recommended Motion: Motion to accept the minutes, as presented.

Strategic Plan:

Core Government Function. This item fulfills a statutory, regulatory, fiduciary, or essential operational responsibility necessary to maintain continuity of municipal services and sound governance.

Background: In compliance with the Open Meetings Act, Board Minutes must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later. This is the first meeting after the April 15, 2026, meeting of the Board; all other Regular Meetings have been canceled.

Community Groups/Interested Persons Contacted: N/A

Financial Impact: N/A

Attachments:

1. Draft Minutes
2. Minutes - Exhibit A - Presentation
3. Minutes - Exhibit B - Public Comment



**DRAFT MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, APRIL 15, 2026, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:02 PM, April 15, 2026. Board Chair Ballantini called the meeting to order.

Roll Call

Attendee Name	Title	Status
Matt Steinkoenig	Board Member	Present
Becky Welch	Board Member	Present
Melissa Woods	Board Member	Present
Victoria Harris	Board Member	Absent
Nikki Williams	Board Vice Chair	Absent
Terry Ballantini	Board Chair	Present
John Poling	Board Member	Present

City staff present included Jon Branham, Planner II; Marcus Ricci, Planner III; George Boyle, Assistant Corporation Counsel.

Public Comment

Mr. Ricci stated one public comment was received via email and was provided to the Board earlier today. Mr. Boyle added background and clarification regarding process for public comments received.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Board Member Poling made a motion, seconded by Board Member Steinkoenig, to approve the Consent Agenda as submitted.

AYES: Ballantini, Poling, Woods, Welch, Steinkoenig

Motion carried (viva voce).

Item 4.A. Review and approval of the minutes of the February 18, 2026, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Agenda

The following items were presented:

Item 5.A. **SP-01-26** - Public hearing, review, and action on a request submitted by Brian Plath dba Sneaker Box, LLC for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) District, for the property commonly known as 716 E. Empire St., Suite 2. PIN: 14-33-482-032.

Mr. Ricci presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses. He described the characteristics of the property and details of the request, including the proposed use and hours of operation. He described how parking functions for the multi-tenant property and the direct area. He also reviewed the standards and use provisions as outlined in the staff report.

Board Member Poling inquired about the history of the area. Mr. Ricci stated he believed it was historically industrial but that the previous use was a place of worship.

Board Chair Ballantini opened the public hearing.

Brian Plath (Applicant, 100 North Avenue, Normal, IL), provided further background on the project. He confirmed there had previously been a railroad that serviced manufacturing uses in the area years ago. He stated the retail business began online-only, but now they are wanting to open a physical location. He stated there was not a heavy traffic volume at the site.

Board Chair Ballantini inquired further about the project. He asked if there would be any impact to parking in the area. Mr. Plath stated that eventually, if successful, they may seek additional space. He noted there was not a problem with parking as there was a good balance with the existing businesses. He stated it was only stressed in certain limited situations. He added his business would be operated during daytime hours.

Board Chair Ballantini inquired if the Applicant had reviewed the proposal with any neighbors or received any negative comments. Mr. Plath stated he had received support from others and had not received any negative comments.

Board Member Poling inquired about the square footage of the tenant space. Mr. Plath stated the space was 2,000 square feet and that half of the space would be converted to the retail use, and that the hours of operation are expected to be 9am or 10am to 5pm.

Board Member Poling inquired about the public comment received. Mr. Boyle stated it was from a resident who lived near the property.

The Board provided Mr. Plath with the public comments received.

Mr. Plath stated he did not agree that parking is a chronic issue.

Mr. Ricci reviewed the parking at the site and in the area again.

Board Chair Ballantini identified other available nearby parking sites.

Board Member Woods stated she wanted to address the public comments. She understood but did not think the comments were relevant to the application. She stated public parking lots are not specific to types of uses. She stated she was in support of staff's findings.

Board Chair Ballantini closed the public hearing.

Board Member Poling made a motion, seconded by Board Member Woods, to recommend approval of the item as presented.

Roll call

AYES: Ballantini, Poling, Woods, Welch, Steinkoenig

Motion passed.

Mr. Ricci stated the item would proceed to City Council on May 11th.

New Business

Commissioner Poling noted there may be a few term limits approaching for some Board members. Staff stated they would review and report back to the Board. Staff also noted the expected upcoming future meeting cases and agendas.

Adjournment

Board Member Poling made a motion, seconded by Board Member Steinkoenig, to adjourn the meeting.

AYES: Ballantini, Poling, Woods, Welch, Steinkoenig

Motion passed (viva voce).

The meeting adjourned at 4:34 p.m.

CITY OF BLOOMINGTON

Terry Ballantini, Board Chair

Marcus Ricci, Staff Liaison

Exhibits

- Exhibit A – PowerPoint Presentation
- Exhibit B – Emailed Public Comment (Siegel)



City of Bloomington

Zoning Board of Appeals

April 15, 2026



CITY OF BLOOMINGTON
ZONING BOARD OF APPEALS
APRIL 15, 2026

Agenda

Item	Case Number	Description
4A	N/A	Review and approval of the Minutes of the February 18, 2026, special meeting of the Bloomington Zoning Board of Appeals Commission.
5A	SP-01-26	SP-01-26 - Public hearing, review, and action on a request submitted by Brian Plath dba Sneaker Box, LLC, for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) District, for the property commonly known as 716 E. Empire St., Suite 2, PIN: 14-33-482-03.

SP-01-26

SP-01-26 - Public hearing, review, and action on a request submitted by Brian Plath dba Sneaker Box, LLC, for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) District, for the property commonly known as 716 E. Empire St., Suite 2, PIN: 14-33-482-03

LOCATION MAP





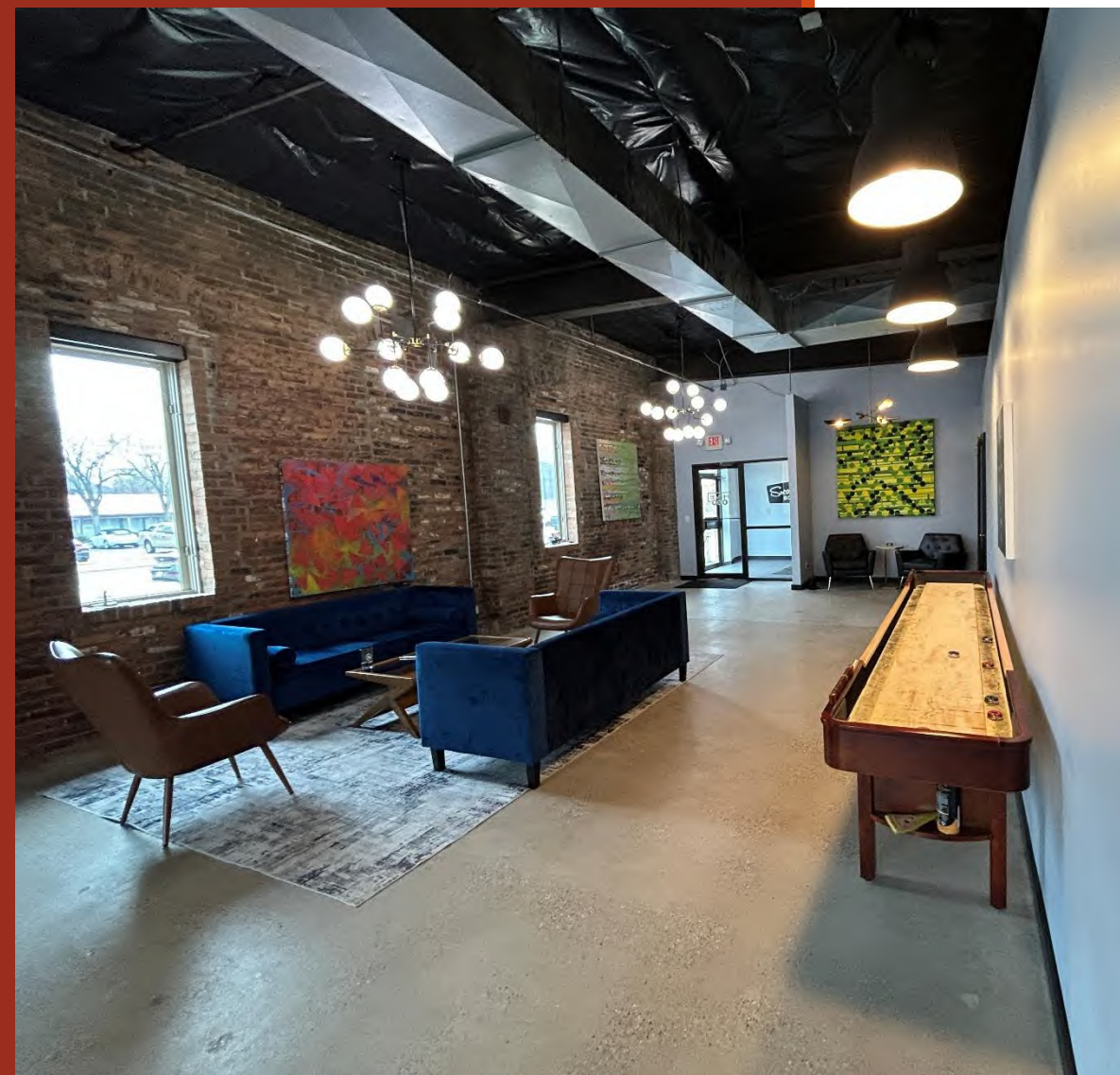


SP-01-26

SP-01-26 - Public hearing, review, and action on a request submitted by Brian Plath dba Sneaker Box, LLC, for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) District, for the property commonly known as 716 E. Empire St., Suite 2, PIN: 14-33-482-03

ZONING MAP









Findings of Fact - Special Use Permit

Standard	Finding
1. That the establishment, maintenance, or operation of the proposed General Retail Sales use would not be detrimental to the public health, safety, comfort, or general welfare, as its location within the existing office use would be appropriate for this location of mixed manufacturing, personal care, and fitness facility uses.	Standard is met.
2. That the proposed General Retail Sales would not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish property values within the neighborhood, as it would not generate increased noise or excessive traffic, and it may positively affect activity at the neighboring uses by stimulating cross-traffic between uses.	Standard is met.
3. That the establishment of the proposed General Retail Sales use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district, as it would be consistent with the character of other uses in the area.	Standard is met.
4. That the proposed General Retail Sales use would be adequately served by the existing utilities, access roads, and drainage, and would not generate additional stormwater runoff.	Standard is met.
5. That the proposed General Retail Sales use would minimize traffic congestion in the public streets by using the two existing access points along E. Empire St.	Standard is met.
6. That the proposed General Retail Sales use within the footprint of the existing Office use would meet the standards of the M-1 District.	Standard is met.



Staff Recommendation

CASE SP-01-26

Staff finds that the application meets all of the standards for a Special Use Permit.

Recommended Actions:

Motion to establish **findings of fact** that all standards for approval for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) **are met**, and to **recommend approval** of the request.

If forwarded, this case would be heard at City Council on May 11, 2026.



Next Meeting

Wednesday, May 20, 2026, 4 p.m.
Government Center Board Room

Marcus Ricci

From: Jon Branham
Sent: Wednesday, April 15, 2026 1:37 PM
To: Marcus Ricci
Subject: Public Comment for ZBA

Marcus - FYI this was received from the public comment inbox today.

To: Bloomington Zoning Board of Appeals, April 15, 2026
RE: SP-01-26 - Public hearing, review, and action on a request submitted by Brian Plath dba Sneaker Box, LLC, for a Special Use Permit for General Retail Sales in the M-1 (Restricted Manufacturing) District, for the property commonly known as 716 E. Empire St., Suite 2, PIN: 14-33-482-03

I am unable to attend this meeting of the Zoning Board of Appeals, but I wish to question the basic policy assumptions that would allow additional uses in the overcrowded area at Empire and Linden Streets.

There are already parking problems at 716 E. Empire Street. Customers of the Keg Grove Brewing Co. have filled not only the designated parking area but use the city park at Empire Junction across the highway for its business parking. In fact, before the city erected a fence, customers filled nearly the entire grassy area of the park with cars.

I do not understand why the question of business parking on city park land has not been addressed. Does this mean that any business can expect city parks to provide parking for its business? Are business parking requirements now being discarded? The approval of this proposal would indicate that they are.

I don't see how the addition of a retail store in an already crowded, fully developed area can avoid additional parking problems.

Thanks,

Marty Seigel



Jon Branham
City Planner
Development Services
Phone: 309-434-2611
Email: jdbbranham@cityblm.org
115 E. Washington Street
Bloomington, IL 61701



For Zoning Board of Appeals: July 15, 2026

Ward Impacted: Ward 6

Subject: V-01-26 - Public hearing, review, and action on a request submitted by Gregg Bauer, for Variances from § 44-403 (Table 403B) of the Zoning Code, to allow construction of a Two-Family Dwelling, including: 1) a reduced required front yard, 2) a reduction in minimum buildable lot width, and 3) a reduction in minimum buildable lot area, in the R-2 (Mixed Residence) District, for the property located at 1115 W. Oakland Ave. (PIN: 21-05-463-015).

Recommended Motion: Motion to establish findings of fact that the standards for approval of a Variance are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve the requests for Variances to § 44-403 (Table 403B), as presented.

Strategic Plan:

Goal 5. Great Place - Livable, Sustainable City

Objective 5a. Well-planned City with necessary services and infrastructure

Background: The Applicant seeks a Variance from § 44-403(B), Bulk and Site Standards for the R-2 (Mixed Residence) District, the requirement of a minimum 25-foot front yard setback, to allow an 18-foot front yard setback along W. Oakland Avenue. The Applicant also seeks Variances from § 44-403(B) for a reduced minimum buildable lot area (from 7,000 SqFt to 5,750 SqFt) and a reduced minimum buildable lot width (from 75-ft to 50-ft). The Applicant proposes to construct a Two-Family Dwelling at the subject property. Each unit would have two floors with a separate entry and separate garage area. Vehicular access would be from Livingston. City water and sewer are available adjacent to the property.

The size of this lot is nonconforming for the District and would require at least one Variance to allow the construction of even a Single-Family Dwelling. Due to the further increased requirement for a Two-Family Dwelling, the proposal requires an additional Variance, despite the proposed structure having a very similar bulk and location to the others in the area.

Community Groups/Interested Persons Contacted: The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in The Pantagraph on June 20, 2026. Courtesy notices were mailed to 98 property owners within 500 feet of the subject property.

Financial Impact: N/A

Attachments:

1. Staff Report with Attachments 1 - 6
2. Attachment 7. Concept Site Plan

TO: ZONING BOARD OF APPEALS

FROM: Development Services Department

DATE: July 15, 2026

CASE NO: V-01-26, Variance from § 44-403 (Table 403B) of the Zoning Code

REQUEST: Public hearing, review, and action on a request submitted by Gregg Bauer (owner), for Variances from § 44-403 (Table 403B) of the Zoning Code, to allow construction of a Two-Family Dwelling, including: 1) a reduced required front yard, 2) a reduction in minimum buildable lot width, and 3) a reduction in minimum buildable lot area, in the R-2 (Mixed Residence) District, for the property located at 1115 W. Oakland Ave., PIN: 21-05-463-015.

BACKGROUND

Request

The Applicant seeks a Variance from § 44-403(B), Bulk and Site Standards for the R-2 (Mixed Residence) District, the requirement of a minimum 25-foot front yard setback, to allow an 18-foot front yard setback along W. Oakland Avenue. The Applicant also seeks Variances from § 44-403(B) for a reduced minimum buildable lot area (from 7,000 SqFt to 5,750 SqFt) and a reduced minimum buildable lot width (from 75-ft to 50-ft). The Applicant proposes to construct a Two-Family Dwelling at the subject property. Each unit would have two floors with a separate entry and separate garage area.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on June 20, 2026. Courtesy notices were mailed to 98 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The subject property is comprised of one lot of record. At approximately 5,750 square feet (0.13 acres), this property is substandard for the District which requires a minimum buildable lot area of 6,600 SqFt for any use. The property is located at the northeast corner of W. Oakland Avenue and S. Livingston Street in the Citizen's Addition to the City of Bloomington. The lot is currently vacant. The surrounding properties are classified with the R-2 (Mixed Residence) District zoning. The surrounding land uses consist primarily of single-family residential uses, but includes a mix of two-family and multiple-family dwellings as well.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-2 (Mixed Residence)	Single-Family Residential
South	R-2 (Mixed Residence)	Single-Family Residential
East	R-2 (Mixed Residence)	Single-Family Residential
West	R-2 (Mixed Residence)	Single-Family Residential

Description of Current Zoning District

The R-2 Residence District is intended to accommodate development characterized by a mixture of housing types at a high single-family and a low multiple-family dwelling unit density. Densities of up to approximately 13 dwelling units per acre are allowed. This district allows for the conversion of dwelling units in older residential areas of mixed dwelling unit types in order to extend the economic life of these structures and allow owners to justify expenditures for repairs and modernization and serves as a zone of transition between lower density residential districts and residential districts that permit greater land use intensity and dwelling unit density.

Subject Code Requirements

§ 44-403-A. Site dimensions table. All development in Residential Districts District must comply with the requirements in Tables 403A through 403D and Diagram 403A unless otherwise expressly stated (see below).

Table 403B: Bulk and Site Standards R-2 District							
District	Lot Characteristics		Site Design			Development Intensity	
	Min. Buildable Lot Width (W)*	Min. Buildable Lot Area (square feet)*	Front Yard (F) Min.	Side Yard (S) Min.	Rear Yard (R) Min.	Max. Building Height	
						Feet	Stories
R-2							
Detached Residential ¹	50 feet	6,600	25 feet	6 feet	25 feet	35 feet	3
Attached and Multi-Residential ²	75 feet	7,000	25 feet	6 feet	25 feet	35 feet	3
Other Uses	50 feet	7,000	25 feet	6 feet	25 feet	25 feet	2

Notes:

- * May include multiple Lots of Record, according to a subdivision.
- 1. Includes single-family and two-family stacked structures.
- 2. Includes single-family attached, two-family side-by-side, and multiple-family.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Zoning Board of Appeals shall have the power to authorize Variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.

From the Applicant: Unless we have enough square footage to have basic amenities, the property improvements would not be desirable.

From Staff: This property was platted early in the history of the City and all of the adjacent lots that host single- or two-family dwellings are also substandard for the R-2 (Mixed Residence) District's Minimum Buildable Lot Area. Per Ch. 24 (Subdivision) in the Manual of Practice Section 3.03H.2, if it were platted today, this Lot would also be required to be 30% wider than the 50-ft interior lots on the block due to the additionally restrictive nature of requiring two front yards and the complexity of safely locating curb cuts when taking the intersection into consideration. Due to the reorientation of the adjacent intersection in the 1980s, a curb cut will not be provided off Oakland Avenue and the orientation of the project must accommodate vehicular access from what would normally be the "side," Livingston Street. There are also proximity and grade issues related to the driveway of the property directly to the east, as it currently encroaches onto the subject property and has a two-foot grade differential. **Standard is met.**

2. That the Variance would be the minimum action necessary to afford relief to the applicant.

From the Applicant: The minimal variances we are asking for fit the existing neighborhood setbacks.

From Staff: Due to the substandard size at platting, the construction of *any* dwelling on this property would necessitate a Variance for Minimum Buildable Lot Area. Granting the Variance for a reduced front yard (18-ft) allows the proposed project to meet all remaining Site Design and Development Intensity Standards for the District, and sets the new building back at a distance from the road that is more consistent with the character of existing properties and the character of development intended at the time this neighborhood was developed. Alternative plans, which meet all setback and bulk requirements, could have been considered, but would likely significantly affect floor plans and living space, causing the project to become infeasible. ***Standard is met.***

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

From the Applicant: This is an empty lot. Building a duplex on this lot will complete the aesthetics of the neighborhood.

From Staff: The existing issues with the property to the east somewhat limit the options for conforming development which contributed to the need to elongate the dwellings and encroach into the front yard setback; this condition was not created by the action of the Applicant.

The Variance for Minimum Buildable Lot Width is necessary due to the Use proposed for the property, as the R-2 District requires additional lot width for “Attached and Multi-Residential” uses, regardless of whether other standards can be met. The condition of requiring a 75-ft width could be considered “created by the applicant,” as the construction of a Single-Family Dwelling would not require the extra width, but the extra width requirement may also be overly burdensome based upon the reality of today’s cost of construction and character of the area. Meeting today’s Code requirements to construct a two-family dwelling would necessitate the aggregation of multiple parcels on any block in this subdivision, despite being in a District that permits the use by right. ***Standard may be met.***

4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.

From the Applicant: We are not asking for any special privileges as what we are asking for in variances [is] already existing in the neighborhood.

From Staff: A privilege would not be given to the Applicant which has not been provided to others in the neighborhood where most residences have front yard setbacks of only 15-18-ft and at least five (5) other Two-Family (or higher intensity) properties exist within a two-block radius of the subject property, on other non-conforming/substandard lots. The Applicant is seeking to blend in with the scale and massing of the current neighborhood while making reasonable use of the subject property. ***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 or development of adjoining properties.

From the Applicant: We are trying to avoid issues with the shared driveway on W. Oakland Avenue. We are also trying to simulate what the neighborhood is already doing.

From Staff: The granting of the Variance would not be detrimental or alter the essential character of the neighborhood. Adjacent properties will not be prevented from reasonable use of their lands, nor will public welfare be placed at risk, and active occupancy of the property will reduce the likelihood of common property maintenance issues associated with vacant properties that can actively cause damage to adjacent structures, including weeds (and resulting infestations), rubbish, and occupancy by unhoused individuals. The development is not expected to impact any identified utility or drainage easements or features.

The surrounding area is comprised of similar sized structures and uses, with similar setbacks as that proposed if the Variance for the reduced front yard setback is granted. The view of the building from the street, once the project is completed, will be similar in scale to others in the neighborhood.

Standard is met.

STAFF RECOMMENDATION

Staff finds that the application may meet all the standards for granting Variances and recommends that the Zoning Board of Appeals take the following actions, pending additional testimony during the public hearing:

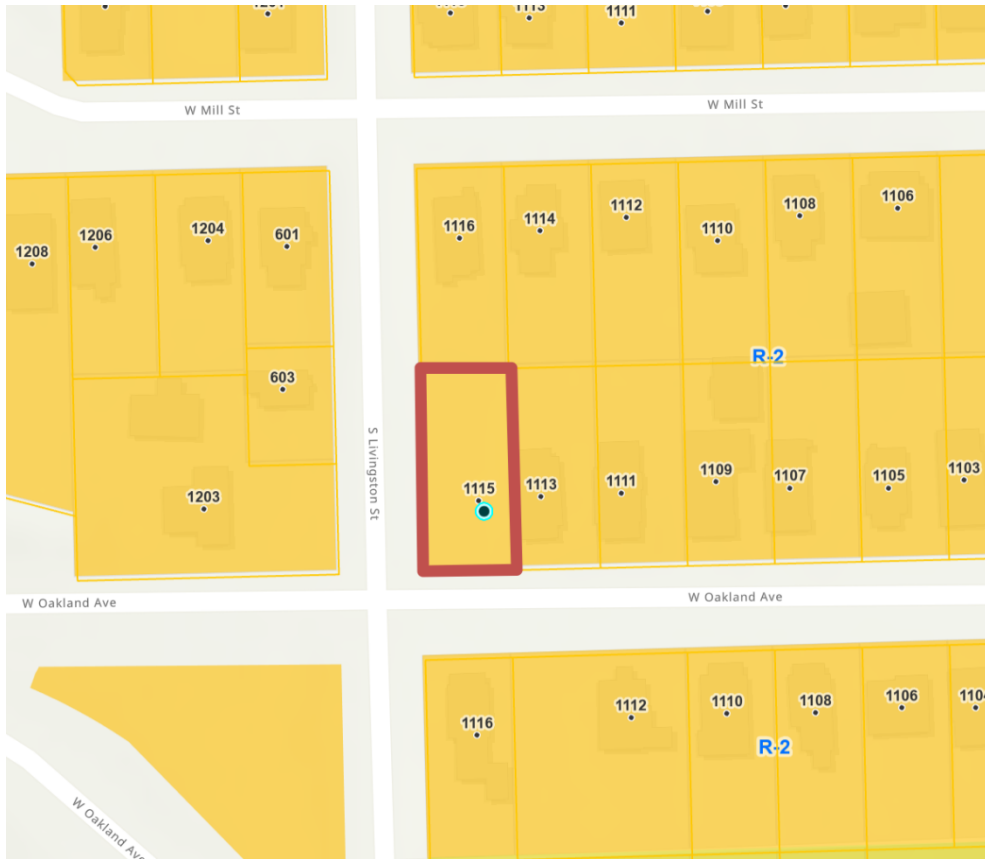
Motion to establish findings of fact that the **standards for approval of a Variance are met**, that carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the requests** for Variances to § 44-403 (Table 403B), as presented.

Respectfully submitted,
Alissa Pemberton
Planning Manager

Attachments:

1. Zoning Map
2. Aerial Image
3. Existing Land Use (2024 Tax Year)
4. Ground-Level Views
5. Neighborhood notice map
6. Concept Elevation
7. Concept Site Plan (Separate Document)

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image



Attachment 3 – Existing Land Use (2024 Tax Year)

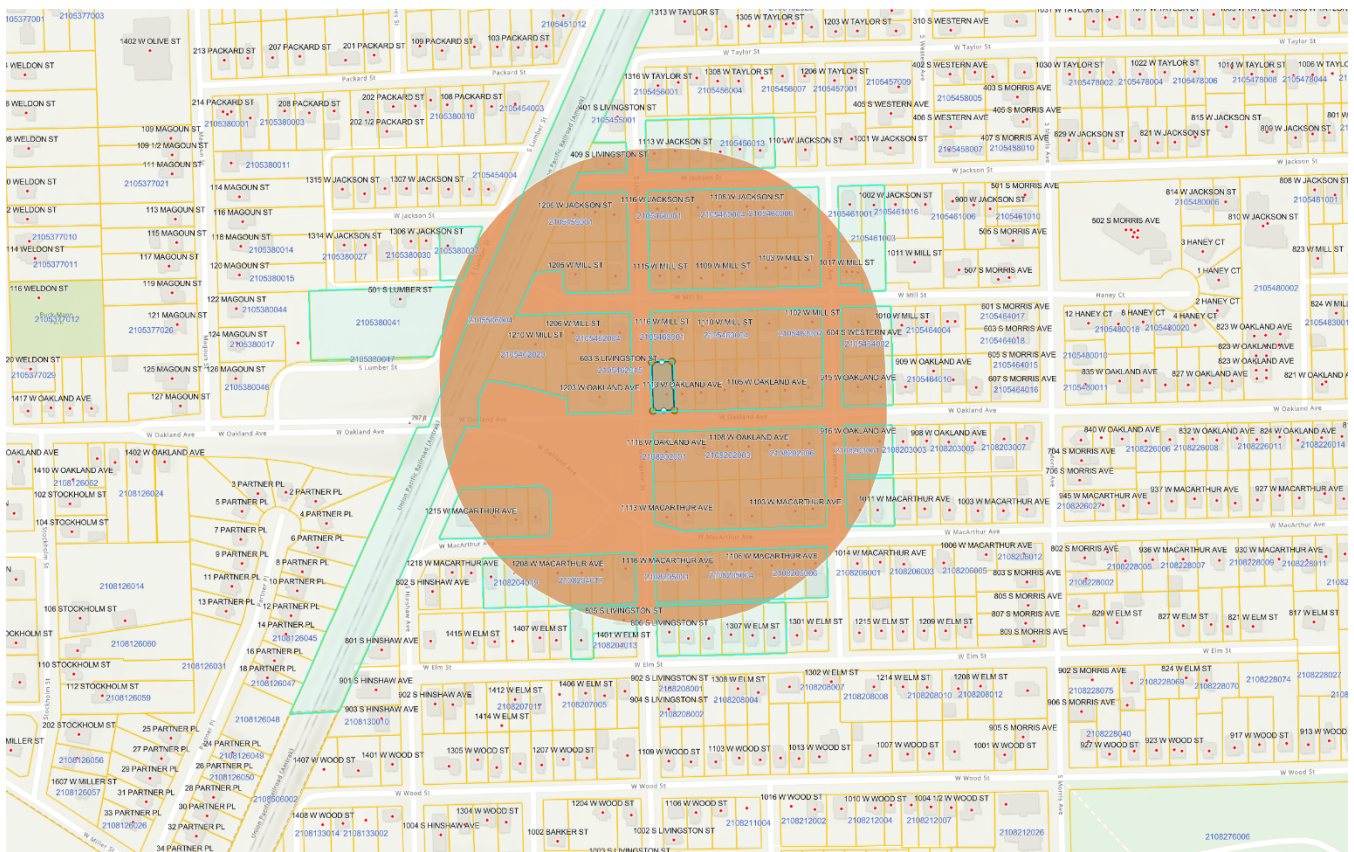


Attachment 4 – Pictures of the Subject Property





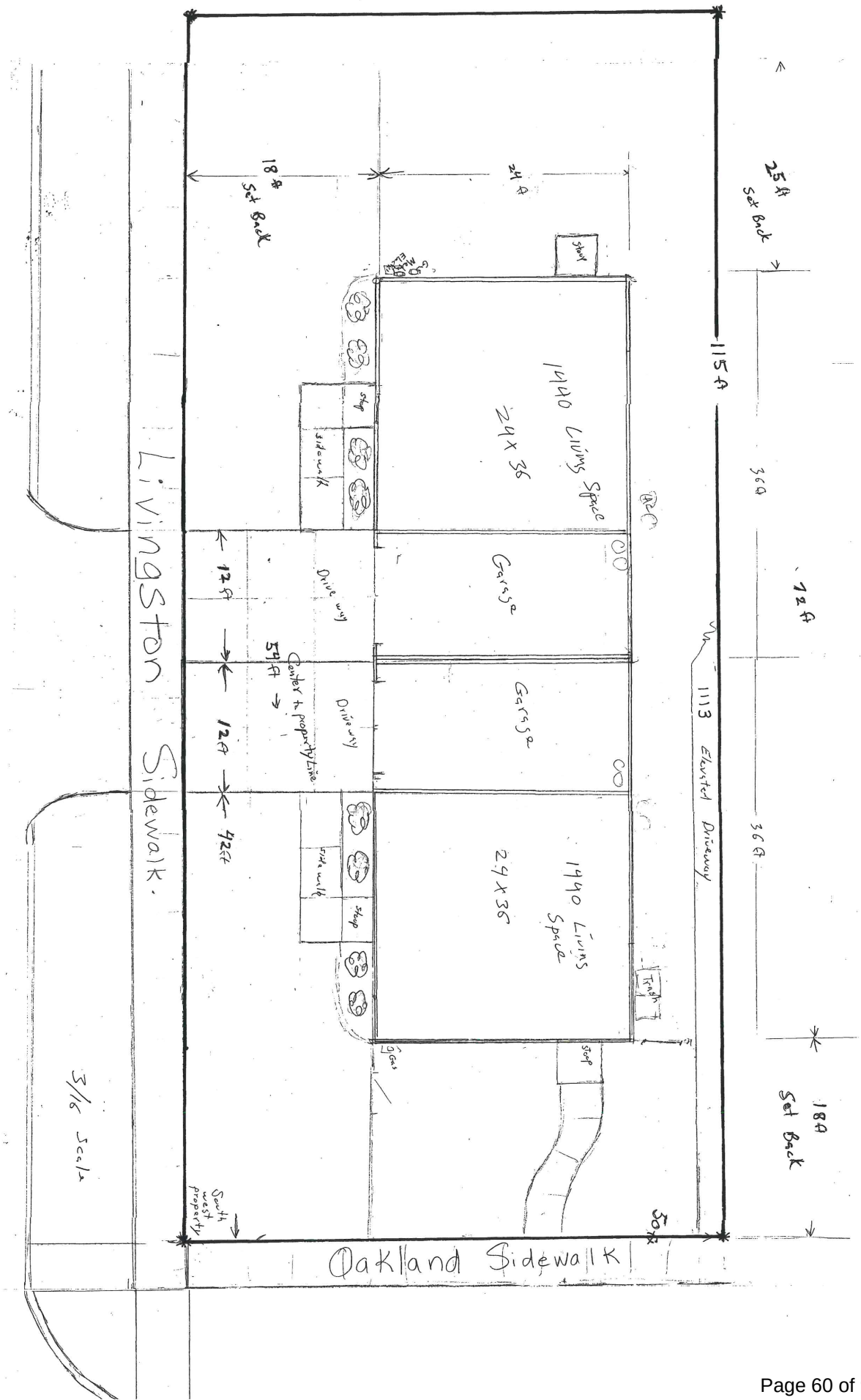
Attachment 5 - Neighborhood notice map



Attachment 6 – Concept Elevation



1116 Mill St Fence



Parcel # 21-05-463-015

Gregg + Tammy Bauer

1115 W. Oakland Ave

Bloomington



For Zoning Board of Appeals: July 15, 2026

Ward Impacted: Ward 4

Subject: V-02-26 - Public hearing, review, and action on a request submitted by William Brady, for approval of Variances from: 1) § 44-908D(1) to permit an accessory structure to encroach into a portion of a required secondary front yard, and 2) § 44-910B(3) and § 44-910C(3) to allow a fully opaque fence in a required secondary front yard, for the property located at 1202 E. Jefferson St., (PIN: 21-03-327-001).

Recommended Motion: Motion to establish findings of fact that the standards for approval of a Variance are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve the request for Variance to § 44-908D(1) to allow an accessory detached garage and associated carport to encroach into the secondary front yard with a final setback from the road of 9-ft instead of 15.5-ft.

Motion to establish findings of fact that the standards for approval of a Variance may or may not be met, that carrying out the strict letter of the Code may or may not create a practical difficulty or particular hardship for the Applicant, and to approve or deny the request for Variances to § 44-910B(3) and § 44-910C(3), as presented.

Strategic Plan:

Priority Area 2: Housing. As a component of community revitalization, this includes addressing blight, preserving existing housing, supporting rehabilitation, advancing housing affordability, promoting proactive code enforcement, and improving residents' sense of safety and stability in their homes and neighborhoods. The need for additional housing within the community includes but is not limited to affordable housing, market-rate housing, and housing for seniors.

Background: The Applicant seeks a Variance from § 44-908D(1) to allow an accessory structure (carport associated with detached garage) to encroach into in a portion of a required secondary front yard. The Applicant is also seeking Variances to allow a fully opaque (privacy) fence along the west side of the secondary front yard, to the rear of the front face of the primary structure; this requirement is implemented by § 44-910B(3) and § 44-910C(3) (per Ord. No. 2026-051 is not yet reflected in the online Code, but has been attached to this report for reference).

This property is odd-shaped, with the northern lot width nonconforming for the Zoning District (41-ft instead of 50-ft), and it does not reflect the additional 30% width that would be required by today's Subdivision standards (Ch. 24, Manual of Practice Section 3.03H.2). Because of this dual reduction in width, the primary and accessory structures are closer to Towanda Avenue (a minor collector) than what would be typical of today's development standards and the noise of the traffic may be more impactful than it would be for other similar properties with more conforming lot widths.

Community Groups/Interested Persons Contacted: The application was filed in

conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on June 30, 2026. Courtesy notices were mailed to 66 unique property owners within 500 feet of the subject property.

Financial Impact: N/A

Attachments:

1. Staff Report, with Attachments 1-5
2. Attachment 6 - Proposed Site Plan
3. Attachment 7 - ORD. NO. 2026-051

TO: ZONING BOARD OF APPEALS
FROM: Development Services Department
DATE: July 15, 2026
CASE NO: V-02-26, Variances from § 44-908 and § 44-910 of the Zoning Code
REQUEST: Public hearing, review, and action on a request submitted by William Brady, for approval of Variances from: 1) § 44-908D(1) to permit an accessory structure to encroach into a portion of a required secondary front yard, and 2) § 44-910B(3) and § 44-910C(3) to allow a fully opaque fence in a required secondary front yard, for the property located at 1202 E. Jefferson St., PIN: 21-03-327-001.

BACKGROUND

Request

The Applicant seeks a Variance from § 44-908D(1) to allow an accessory structure to encroach into a portion of a required secondary front yard. The Applicant is also seeking Variances to allow a fully opaque (privacy) fence along the west side of the secondary front yard, to the rear of the front face of the primary structure; this requirement is implemented by § 44-910B(3) and § 44-910C(3) (per Ord. No. 2026-051 which is not yet reflected in the online Code, but has been attached to this report for reference).

From the Applicant: I have worked with the city staff on the functionality of this carport to make sure visibility and access are available while exiting onto Towanda. The carport will be approximately 11'x 19', which includes the overhang. The reason for the carport is, due to the fact that the house, which was designed by Arthur Pillsbury and built in 1903, was built with a garage that does not allow for two cars, even though it appears to be a two car garage; two cars cannot fit in it today.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on June 30, 2026. Courtesy notices were mailed to 66 unique property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The subject property is comprised of one odd-shaped lot of record, this ~0.27-acre parcel is located at the northeast corner of Towanda Ave. and E. Jefferson St., in the East Side Addition to the City of Bloomington. The property is improved with a Single-Family Dwelling and accessory detached garage. The immediately-surrounding properties are also improved with Single-Family Dwellings; across Towanda or a block to the south, higher intensity zoning and uses begin.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-1A (Single Family Residence)	Single-Family Residential
South	R-1C (Single Family Residence)	ROW, Single-Family Residential
East	R-1C (Single Family Residence)	Single-Family Residential
West	R-1C (Single Family Residence)	ROW, Single-Family Residential

Description of Current Zoning District

The R-1C Residence District is intended to provide primarily for the establishment of areas of higher density single-family detached dwelling units while recognizing the potential compatibility of two-family dwelling units as special uses. Densities of approximately eight dwelling units per acre are allowed. This district may be applied to newly developing areas as well as the older residential areas of the City where larger houses have been or can be converted from single-family to two-family residences to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization (§ 44-401C).

Subject Code Requirements

§ 44-908D(1) Except for roadside markets, no accessory building or structure shall be permitted within the required front or side yards of a lot, as set forth in each district.

§ 44-910B(3) On Residential District corner lots, in the required Secondary Front Yard behind the rear face of the principal structure closest to the street, fences are allowed to extend up to six (6) feet in height; see Diagram 910. If increased above four (4) feet in height, a minimum setback of three (3) feet from the front property line shall be provided. All fences in any required front or secondary front yard must be at least 50% transparent and must still comply with clear sight triangle requirements per § 44-909.

§ 44-910C(3) Fences located in a required primary or secondary front yard or in a clear sight triangle – either at a street intersection or a driveway or alley intersection – must have a minimum transparency (area you can see through) of at least 50% above two-and-a-half (2.5) feet from the ground, per § 44-909.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Zoning Board of Appeals shall have the power to authorize Variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.

From the Applicant: The properties physical characteristics, due to the garage's position, built in 1903, makes strict adherence to the code in providing a carport impossible anywhere else.

From Staff: This property is odd-shaped, with the northern lot width nonconforming for the Zoning District (41-ft instead of 50-ft), and it does not reflect the additional 30% width that would be required by today's Subdivision standards (Ch. 24, Manual of Practice Section 3.03H.2). Because of this dual reduction in width, the primary and accessory structures are closer to Towanda Avenue (a minor collector) than what would be typical of today's development standards and the noise of the traffic may be more impactful than it would be for other similar properties with more conforming lot widths.

Construction of the proposed modification to the existing detached garage requires encroachment into the secondary front yard of 6.5 feet (15.5-ft required to 9-ft constructed); if this part of the property were conforming with today's standards this rear lot width would be 50-ft, providing an additional 9-ft of width that would more than accommodate the planned improvement. ***Standard is met for the Variance from § 44-908.***

There are no physical characteristics of the property that make adherence to this section of the Code difficult. However, the intent of the maximum transparency standard for fences in front yards is related to the quasi-public nature of a front yard which should provide comfort for pedestrians and contribute to the protection of light and air in the community. Some question remains about whether this secondary front yard actually functions as “quasi-public” space since no sidewalk exists, or has the capacity to exist in the future, due to the makeup of the street. ***Standard may be met for the Variances from § 44-910.***

2. That the Variance would be the minimum action necessary to afford relief to the applicant.

From the Applicant: In working with staff, we believe the variance would be the minimum action necessary to provide for this carport.

From Staff: Staff has worked with the Applicant to identify a project that meets his needs while identifying the least number of Variances required to achieve his goals. The City’s Traffic Engineer and Development Director have administratively allowed a reduction of the Clear Sight Triangle by 1-ft due to the nature of the access; the placement of the structures does not require a Variance to accommodate the location in that respect. The Variance is for encroachment of the accessory structure into the secondary front yard—not a reduction of the secondary front yard—so would be restricted in application to only the project at hand. In all other respects, the proposed fence meets the requirements of the Code; no location, height, or materials Variances are requested. ***Standard is met.***

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

From the Applicant: I bought the property "as is" and haven't done anything to create this problem.

From Staff: The size and shape of the Lot, and the lack of area available to utilize in the rear yard are a direct result of the initial platting of this property; they were not created by any action of the Applicant. ***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.

From the Applicant: I don't believe this gives us any other special privileges; in working with staff this seems to be [the] simplest way to meet our needs.

From Staff: This property is quite unique compared to others in the surrounding area. Many of the surrounding properties have already been updated to accommodate two (2) modern cars. Most of the properties adjacent to Towanda also have an alley to the rear, providing true secondary access from a lower-traffic area that allows a more traditional layout. The granting of the Variance associated with the detached garage expansion will certainly not give the Applicant any special privilege that is denied to others by the Code. Staff was unable to identify any other properties that would have as significant an impact from the Towanda Avenue traffic; it is likely granting of the Variances associated with the fence will not give the Applicant any special privilege that is denied to others by the Code. ***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 or development of adjoining properties.

From the Applicant: We worked with both traffic staff and planning staff to ensure this would not be detrimental to public welfare.

From Staff: The proposed setback on the fence and the detached garage are significant enough that they should not present an issue for passing traffic. The primarily front-out nature of the driveway on the Towanda Avenue side of the property reduces safety concerns for exiting motor vehicle traffic, and no pedestrian traffic should exist to come into conflict at this location. This property has had visual issues at this corner for a significant period of time (typically vegetation), and the proposed improvements are likely to retain visibility at this part of the roadway in a more consistent manner than has previously occurred. **Standard is met.**

STAFF RECOMMENDATION

Staff finds that the application may meet all the standards for granting Variances and recommends that the Zoning Board of Appeals take the following actions:

Motion to establish findings of fact that the **standards for approval of a Variance are met**, that carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the request** for Variance to § 44-908D(1) to allow an accessory detached garage and associated carport to encroach into the secondary front yard with a final setback from the road of 9-ft instead of 15.5-ft.

Motion to establish findings of fact that the **standards for approval of a Variance may or may not be met**, that carrying out the strict letter of the Code **may or may not create a practical difficulty** or particular hardship for the Applicant, and to **approve or deny the request** for Variances to § 44-910B(3) and § 44-910C(3), as presented.

Respectfully submitted,
Alissa Pemberton
Planning Manager

Attachments:

1. Zoning Map
2. Aerial Image
3. Aerial Image with Required Yards Marked
4. Aerial Image with Clear Sight Triangles Marked
5. Neighborhood notice map
6. Proposed Site Plan (Separate Attachment)
7. Ordinance Number 2026-051 (Separate Attachment)

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image



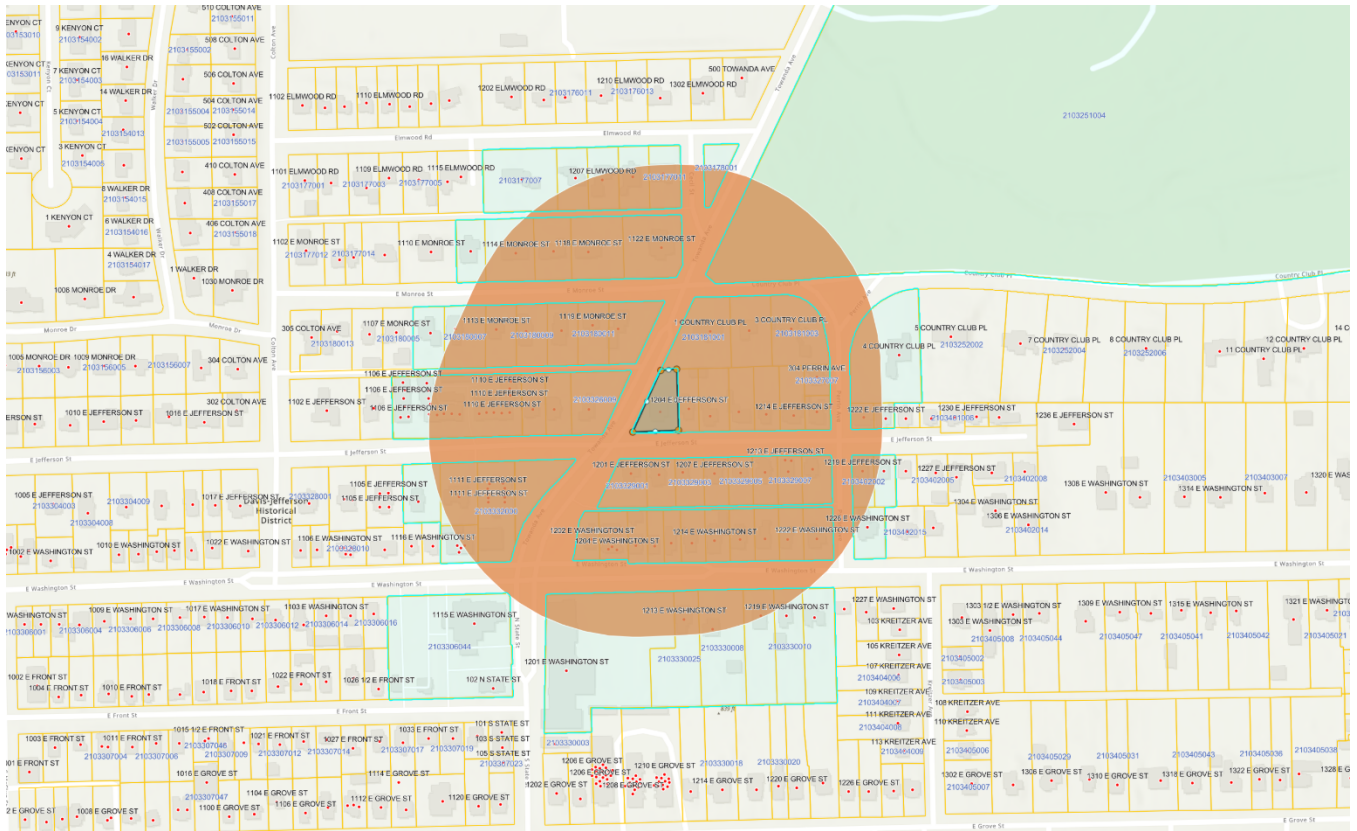
Attachment 3 - Aerial Image with Required Yards Marked



Attachment 4 - Aerial Image with Clear Sight Triangles Marked



Attachment 5 - Neighborhood notice map





CITY OF BLOOMINGTON

2026 - 051

AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE CHAPTER 44 WITH TEXT AMENDMENTS, MODIFICATIONS, AND ADDITIONS TO THE ZONING CODE, RELATING TO (1) DEFINITIONS, (2) USE PERMISSIONS AND USE PROVISIONS FOR MINI WAREHOUSES, (3) SCREENING FOR ROOF-MOUNTED MECHANICALS, (4) SIGHT DISTANCE REQUIREMENTS, (5) CREATION AND IMPLEMENTATION OF A SECONDARY FRONT YARD (6) OFF-STREET PARKING AND LOADING, (7) FENCE REGULATIONS, AND (8) GENERAL ADMINISTRATIVE CORRECTIONS

**Adopted by the City Council
of the City of Bloomington
on May 26, 2026**

Published in pamphlet form by the authority of the City Council of the City of Bloomington, McLean County, Illinois, on May 27, 2026.

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)
) ss.
CITY OF BLOOMINGTON)

CERTIFICATE

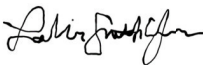
I, Leslie Smith-Yocum, certify that I am the duly appointed and qualified municipal clerk, custodian of the records for the municipality, and the keeper of the corporate seal of the City of Bloomington, County of McLean, Illinois.

I further certify that the Corporate Authorities of the above stated municipality have passed and approved Ordinance No. 2026 - 051, entitled, an Ordinance Amending the Bloomington City Code Chapter 44 with Text Amendments, Modifications, and Additions to the Zoning Code, Relating to (1) Definitions, (2) Use Permissions and Use Provisions for Mini Warehouses, (3) Screening for Roof-Mounted Mechanicals, (4) Sight Distance Requirements, (5) Creation and Implementation of a Secondary Front Yard (6) Off-Street Parking and Loading, (7) Fence Regulations, and (8) General Administrative Corrections, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on the date listed below, and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

I further certify that the attached Ordinance is a true, correct, and exact copy of Ordinance No. 2026 – 051.

Dated at Bloomington, Illinois, on 05/27/2026



Leslie Smith-Yocum
City Clerk

ORDINANCE NO. 2026 - 051

AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE CHAPTER 44 WITH TEXT AMENDMENTS, MODIFICATIONS, AND ADDITIONS TO THE ZONING CODE, RELATING TO (1) DEFINITIONS, (2) USE PERMISSIONS AND USE PROVISIONS FOR MINI WAREHOUSES, (3) SCREENING FOR ROOF-MOUNTED MECHANICALS, (4) SIGHT DISTANCE REQUIREMENTS, (5) CREATION AND IMPLEMENTATION OF A SECONDARY FRONT YARD (6) OFF-STREET PARKING AND LOADING, (7) FENCE REGULATIONS, AND (8) GENERAL ADMINISTRATIVE CORRECTIONS

WHEREAS, the City of Bloomington, McLean County, Illinois (hereinafter "City") is an Illinois home-rule municipality with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, pursuant to § 44-1706B, staff of the Development Services Department initiated a request to amend the text of the Zoning Code [Chapter 44] relating to (1) Definitions, (2) Use Permissions and Use Provisions for Mini Warehouses, (3) Screening for Roof-Mounted Mechanicals, (4) Sight Distance Requirements, (5) Creation and Implementation of a "Corner Side Yard" which later became called a "Secondary Front Yard," (6) Off-street Parking and Loading, (7) Fence Regulations, and (8) General Administrative Corrections; and

WHEREAS, the Bloomington Planning Commission ("COMMISSION"), after proper notice was given, on May 7, 2026, conducted a public hearing on said request for text amendments to the Zoning Code, as set forth in Exhibit A ("AMENDMENTS"); and

WHEREAS, following said public hearing, the COMMISSION adopted Findings of Fact, attached hereto as Exhibit B (""), that the proposed AMENDMENTS are in the public interest with minor modifications as described in the FINDINGS and voted to recommend that the City Council pass this Ordinance; and

WHEREAS, the AMENDMENTS attached to this Ordinance reflect the COMMISSION's recommended changes to the initially presented amendment language; and

WHEREAS, the City Council is responsible for managing the City Code; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve said AMENDMENTS.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

SECTION 1. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. The City Council hereby adopts the FINDINGS of the COMMISSION and the request for AMENDMENTS to Chapter 44, as set forth in Exhibit A, is hereby approved.

SECTION 3. That Chapter 44 of the Municipal Code of the City of Bloomington, Illinois, 1960, as amended, is hereby amended to read as set forth in Exhibit A (additions underlined and deletions stricken).

SECTION 4. The Bloomington City Code is hereby further amended by renumbering, redesignating, and reformatting the chapters and subsections as needed to conform to the above-referenced amendments and removals.

SECTION 5. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 6. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 7. This Ordinance shall take effect immediately after its approval and publication as required by law.

SECTION 8. This Ordinance is enacted pursuant to the home rule authority of the City of Bloomington granted by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 26th day of May 2026.

APPROVED this 27th day of May 2025.

CITY OF BLOOMINGTON



Dan Brady, Mayor

ATTEST



Leslie Smith-Yocum, City Clerk



EXHIBIT A

Amendments to (Ch.44) the Zoning Code of the City of Bloomington, Illinois

(Additions are indicated by underlining; deletions are indicated ~~strikeout~~.)

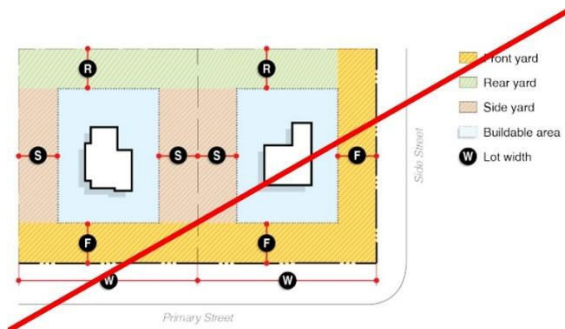
§ 44-201B(2) Residential Districts:

R-1A Single-Family Residence District
 R-1B Single-Family Residence District
 R-1C Single-Family Residence District
 R-2 Mixed Residence District
 R-3A Multiple-Family Residence District
 R-3B Multiple-Family Residence District
 R-4 Manufactured Home Park District
R-D Downtown Residence District
 GAP 1
 GAP 2
 GAP 3
 GAP 4

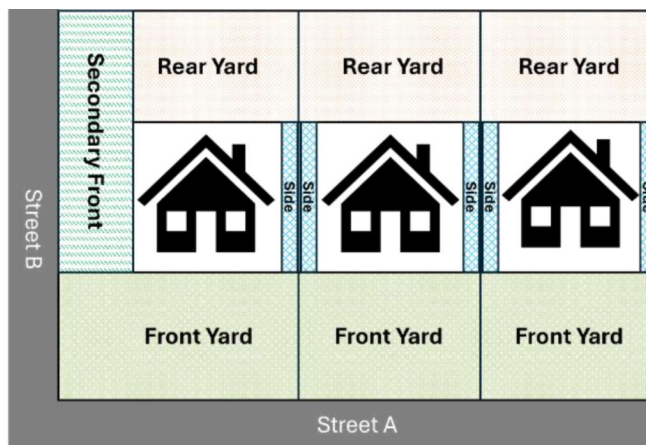
§ 44-303 Agricultural bulk and site standards.

- A. Site Dimensions Table. All development in Agricultural District must comply with the requirements in Table 303A and Diagram 303A unless otherwise expressly stated.
- B. Where a Front Yard and Secondary Front Yard exist, the required minimum Secondary Front Yard shall be the average of the minimum required Front Yard and minimum required Side Yard for the subject District.

REPLACE DIAGRAM 303A



WITH DIAGRAM 303A:

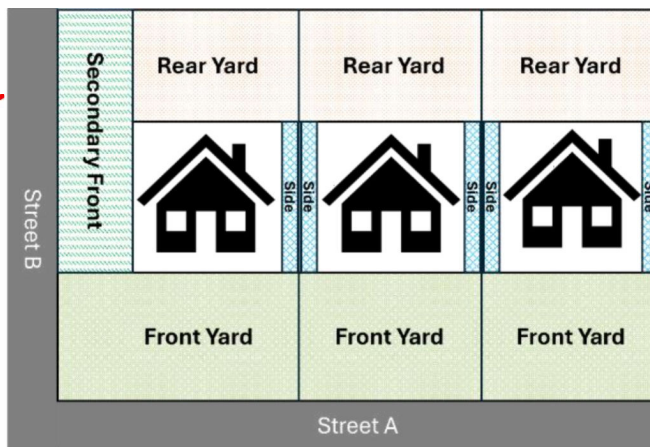
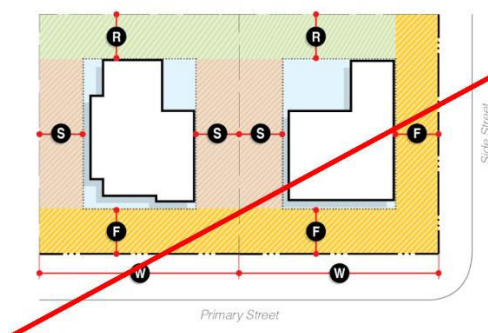


§ 44-403 Residential bulk and site standards.

- A. Site dimensions table. All development in Residential Districts District must comply with the requirements in Tables 403A through 403D and Diagram 403A unless otherwise expressly stated.
- B. Where a Front Yard and Secondary Front Yard exist, the required minimum Secondary Front Yard shall be the average of the minimum required Front Yard and minimum required Side Yard for the subject District.

REPLACE DIAGRAM 403A

WITH DIAGRAM 403A:



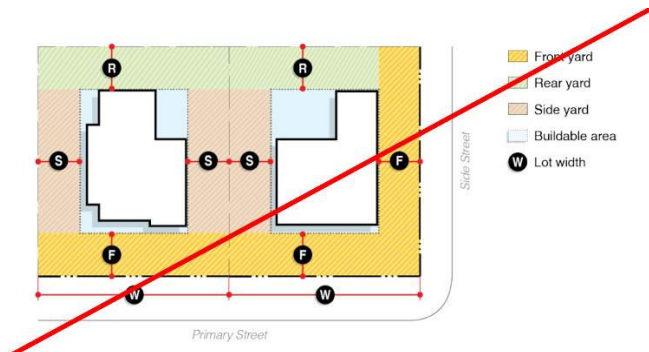
§ 44-502B. Allowed Uses Table

	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Storage and Equipment Yards							
Mini Warehouses	S			<u>S</u>	<u>S</u>	<u>S</u>	§ 44-1026
Parking Lot, Commercial	S	S	S	S	S	S	
Warehouse	P ¹		S			P	

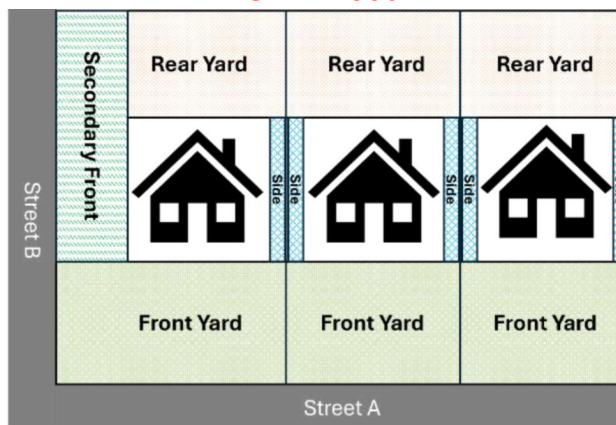
§ 44-503 Business district bulk and height standards.

- A. Site Dimensions Table. All development in Business Districts must comply with the requirements in Tables 503A and 503B and Diagram 503A, unless otherwise expressly stated.
- B. Where a Front Yard and Secondary Front Yard exist, the required minimum Secondary Front Yard shall be the average of the minimum required Front Yard and minimum required Side Yard for the subject District.

REPLACE DIAGRAM 503A



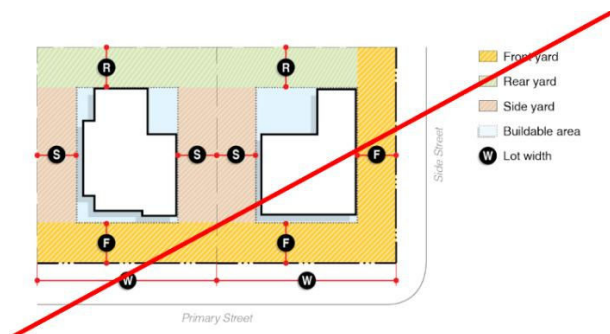
WITH DIAGRAM 503A:



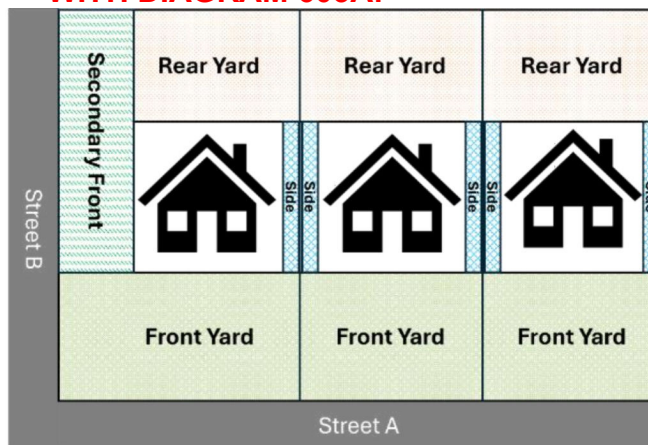
§ 44-603 Site development standards.

- Site Dimensions Table. All development in Manufacturing Districts must comply with the requirements in Table 603A and Diagram 603A unless otherwise expressly stated.
- Where a Front Yard and Secondary Front Yard exist, the required minimum Secondary Front Yard shall be the average of the minimum required Front Yard and minimum required Side Yard for the subject District.

REPLACE DIAGRAM 603A



WITH DIAGRAM 603A:

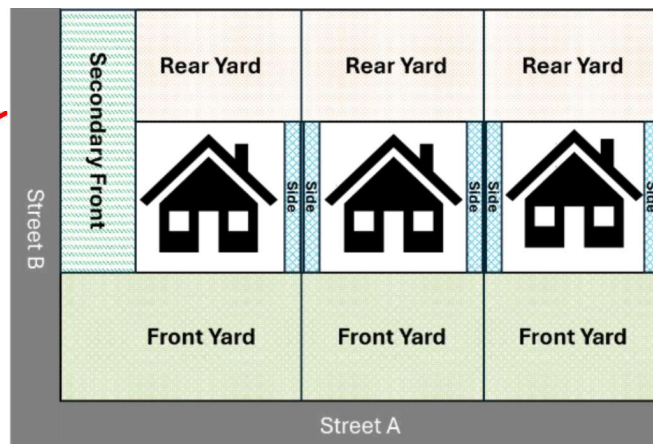
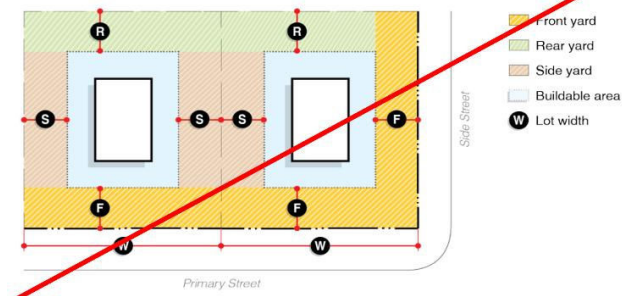


§ 44-703 Site development standards.

- Site Dimensions Table. All development in Public Interest Districts must comply with the requirements in Table 703A and Diagram 703A unless otherwise expressly stated.
- Where a Front Yard and Secondary Front Yard exist, the required minimum Secondary Front Yard shall be the average of the minimum required Front Yard and minimum required Side Yard for the subject District.

REPLACE DIAGRAM 703A

WITH DIAGRAM 703A:



§ 44-906 Access for buildings.

Every building hereafter erected or moved shall be on a lot that abuts upon a public street, or with access to an approved private street, public place, or lot in common ownership, and all structures shall be so located on lots as to provide safe and convenient access for servicing, rescue and fire protection vehicles and required off-street parking.

§ 44-908 Accessory buildings and uses other than fences.

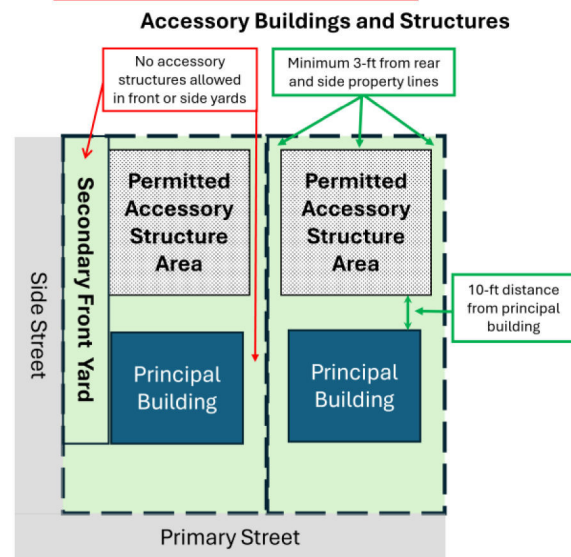
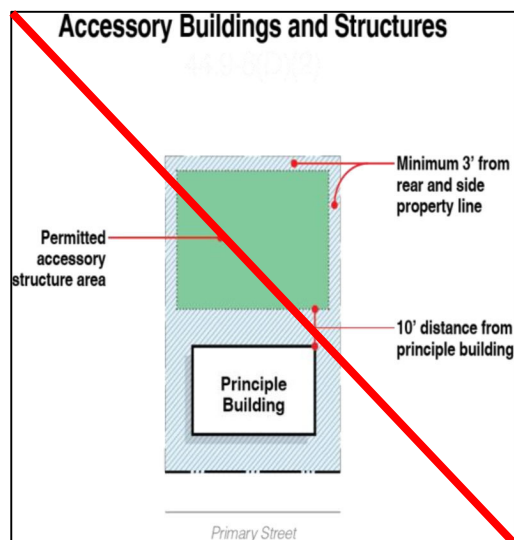
...

D. Except for fences, an accessory building or structure hereafter constructed, erected, placed, structurally altered, enlarged, or moved, except as otherwise permitted in this Code shall be subject to the following bulk requirements:

- (1) Except for roadside markets, no accessory building or structure shall be permitted within the required front or side yards of a lot, as set forth in each district. This restriction applies to required primary and secondary front yards.
- (2) Accessory buildings and structures shall comply with Table 908...

REPLACE DIAGRAM 908D(2)

WITH DIAGRAM 908D(2)



(3) The foregoing height limits shall not apply to telecommunication antennas and telecommunication antenna facilities authorized pursuant to Article IV and X of this Code.

(4) The gross floor area of an accessory building or structure to be constructed in any zoning district shall not exceed 30% of the rear yard, nor shall it exceed following:

(a) In an agricultural district or the R-1A, R-1B, R-1C, R1-H, R-2, or R-4 District, the gross floor area of an accessory building or structure shall not exceed the ground floor of the principal building or 1,000 square feet, whichever is less.

(b) In a business district, manufacturing district, public interest district or the R-3A or R-3B District, the cumulative gross floor area of an accessory building or structure in combination with the principal structure(s) shall comply with the gross floor area regulations for the zoning district in which it is located.

(c) Where a secondary front yard exists, the portion of the secondary front yard that is to the rear of the principal structure may be counted as "rear yard" for the purposes of calculating allowable gross floor area of an accessory building or structure. No accessory buildings or structures are allowed in secondary front yards, unless explicitly permitted by § 44-904 (Permitted Encroachments).

§ 44-909 Sight Distance Requirements (Clear Sight Triangle).

All properties shall maintain an area of unobstructed view (the "Clear Sight Triangle") at every intersection of an adjoining street with other streets, alleys, and driveways. Clear sight triangles are three-dimensional zones clear of visual obstruction at the intersection of two streets, or a street and a path of access to private property, to provide for the safe movement of vehicles and pedestrians.

A. Height. Clear sight triangles shall be free of structures and other opaque, or substantially opaque, objects between a height of two-and-a-half (2.5) and 10 feet, measured from the nearest street top-of-curb (or edge of pavement where curbs are not present).

B. Horizontal Measurement. The distances used to determine the size of a clear sight triangle shall be measured from the private property line adjacent to the street being protected by the triangle. In cases where public sidewalks are located on private property (instead of right-of-way), distances shall be measured from the back (building-side) of the sidewalk.

(1) At street intersections. Except in the D-1 (Central Business) District, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede visibility between a height of 2 1/2 feet and 10 feet above the top curbline grades of At the intersection of two (2) or more public or private streets, the horizontal footprint of the clear sight triangle shall be the area formed distance from the intersection of the private property lines (formed by the intersecting streets), outward along said lines for the required distance (see Table § 44-909B), with the hypotenuse (third side of the triangle) created by connecting the two end points, as illustrated in Figure 909. in the area defined by the visibility triangles illustrated in Figure 909.

(2) At the intersections of streets with alleys and or driveways. Except in the D-1 Central Business District, at the intersection of a public or private street with a public or private driveway or alley no landscaping shall be placed, planted or

~~allowed to grow in such a manner as to impede visibility between a height of 2 1/2 and 10 feet above the curb top elevation of the street within~~ The visibility clear sight triangle horizontal footprint at alleys and driveways is an area formed by from the intersection of the edge of the driveway and the property line (or any public or private perimeter sidewalk; whichever is further from the street), outward 10 feet along the driveway or alley (into the private property) and 10 feet outward, parallel to the street, the street curbline intersection with the driveway or alley pavement line, and with the hypotenuse (third side of the triangle) created by connecting said curbline and said pavement line at distances from their intersection equal to 20 feet along the driveway or alley line and along the street curbline the two end points, as illustrated in Figure 909.

- C. Landscaping. All landscaping within clear sight triangles described herein shall provide unobstructed cross-visibility. Trees and shrubs shall be allowed, provided they be trimmed in such a manner that no limbs or foliage extend in the clear sight triangle, and provided they are located so as not to create a traffic hazard. Except for required solid sod or ground cover, landscaping shall not be located closer than three (3) feet from the edge of any accessway pavement.
- D. Increased requirements. Nothing in this Code is intended to prohibit the City from requiring a larger clear sight triangle if warranted by topography, utilities, or other items affecting public safety.
- E. Administrative modification. Modifications to Clear Sight Triangle requirements may be approved through Site Plan Review as in § 44-1709, with the approval of the Zoning Administrator and City Engineer, if a determination is made that such modification would 1) be appropriate due to the site topography, right-of-way width, or access characteristics of a particular property, and 2) still provide safe and appropriate ingress and egress for vehicles and pedestrians.
- F. Exemptions.
 - (1) Clear sight triangle requirements are not applicable to the buildable area of a Lot (the area where a principal structure may be located).

REPLACE DIAGRAM 909A:

WITH DIAGRAM 909A:

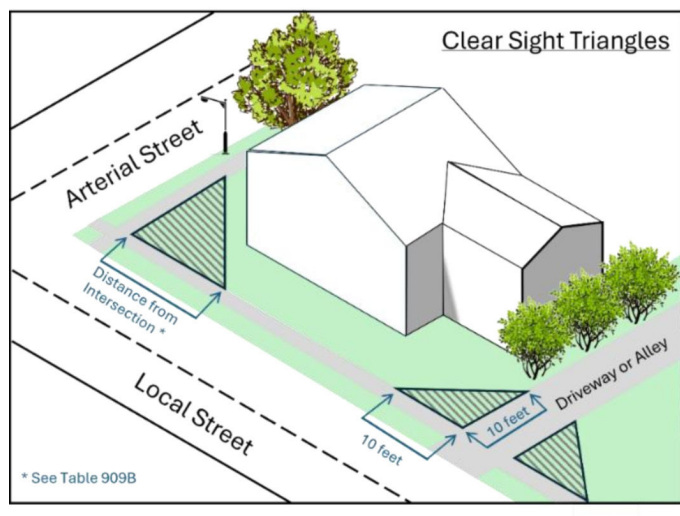
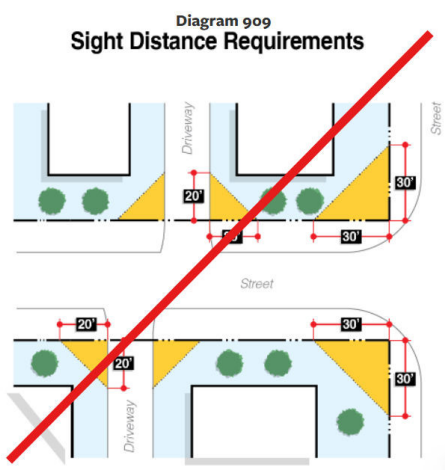


Table § 44-909B

<u>Clear Sight Triangle Requirements</u>	
<u>Intersecting street type</u>	<u>Distance from intersection</u>
<u>Arterial</u>	<u>25 feet</u>
<u>Collector</u>	<u>20 feet</u>
<u>Local</u>	<u>15 feet</u>

§ 44-910 Fence regulations.

A. General standards. Fences erected in the City of Bloomington shall comply with the following standards.

- (1) Subject to compliance with all of the other restrictions of this section, a fence may be located near or on a lot line ~~and but~~ shall not protrude in full or in part onto any adjacent property or right-of-way. At the side or rear property lines, if a fence is not located on the property line a minimum setback of three (3) feet from the property line or other greater required distance to allow for maintenance of the fence and yard area falling outside the fenced area shall be provided. This standard is meant to ensure that reasonable gap is provided between parallel-running fences or other structures on adjoining properties for the purpose of allowing the maintenance of the land and any underlying utilities between fences.
- (2) ~~The fence height shall be measured from the established grade on the fence owner's property to the top-most section of said fence.~~ Prior to installation of any fence a permit shall be acquired from the Development Services Department.
- (3) All supporting poles must be placed on the inside of the property where the fence is erected, and the finished side must face out away from the property.
- (4) It shall be the duty of each property owner to determine property lines and to ascertain that the fence thus constructed does not deviate from the plans as approved by the Development Services Department and the fence does not encroach on another lot or parcel of land. The issuance of the permit by the City shall not be construed as to mean the City has determined the fence is not encroaching on another lot, nor shall it relieve the property owner of the duty imposed on him or her to determine the location of property lines.
- (5) Easements. Fences may be located within easement areas, provided proper permission has been granted.
 - a) ~~No fence shall~~ A fence may be constructed in ~~any~~ drainage or access easement with prior written consent from the City Engineer and all other benefiting party(s) to said easement.
 - b) ~~No fence shall~~ A fence may be constructed in any utility easement ~~except wherein when~~ a release has been given in writing by 1) all organizations having existing utilities in the easement approving the location and construction of the proposed fence, and 2) the owner(s) of the property absolving the City and/or utility company

from all liability and damages resulting from the repair, inspection, maintenance, installation, or removal of utilities. The City and/or utility shall in no way be held liable for the replacement, repair, or re-erection of any fence within said easement.

- c) The process for gaining consent to construct a fence in an easement may require the applicant to provide stamped engineered drawings and/or land surveys, the cost of which will be borne solely by the applicant attempting to acquire such consent.
- d) Proof of consent shall be submitted at the time of application for any associated permit. Failure to submit appropriate consent may result in rejection of the application.
- (6) Lots with an approved access approach that is interior to a subdivision and has an additional frontage on an exterior street, the exterior street frontage shall be considered a rear yard for the purposes of these fencing regulations.

B. Fence Height.

- (1) The fence height shall be measured from the established grade on the fence owner's property to the top most section of said fence.
- (2) Fences in required yards are limited in height; see Table § 44-910C. Fences outside required yards are limited to the height of Accessory Structures in the zoning district in which they are located; see Table § 44-908D(2).
- (3) On Residential District corner lots, in the required Secondary Front Yard behind the rear face of the principal structure closest to the street, fences are allowed to extend up to six (6) feet in height; see Diagram 910. If increased above four (4) feet in height, a minimum setback of three (3) feet from the front property line shall be provided. All fences in any required front or secondary front yard must be at least 50% transparent and must still comply with clear sight triangle requirements per § 44-909.
- (4) Fences may be allowed to exceed the height requirements in Table § 44-910C along interstate, arterial road, or railroad right-of-way, with approval of the Zoning Administrator, provided the fence does not exceed a height of eight (8) feet.

C. Fence materials.

- (1) Residential District fences shall not be constructed of wire mesh, barbed wire, electrically charged fence, or topped with sharp-edged material. In residential districts, chain-link fence may be allowed in the rear or side yard. If viewable from the right of way, chain-link shall have a black, green, or other similar type coating to reduce visual impact.
- (2) In all ~~other~~ districts, except in the ~~a~~Agricultural, ~~m~~Manufacturing and P-3 (Airport) Districts, fences shall not be constructed of chain link unless coated in black, green, or other similar color to reduce visual impact, wire mesh, barbed wire, electrically charged fence, or topped with sharp-edged materials.
- (3) Fences located in a required primary or secondary front yard or in a clear sight triangle – either at a street intersection or a driveway or alley intersection – must have a minimum

transparency (area you can see through) of at least 50% above two-and-a-half (2.5) feet from the ground, per § 44-909.

(4) Materials restricted herein may be considered and approved in accordance with well-established standards or practices related to a particular use, at the discretion of the Director of the Department of Development Services for the City of Bloomington, Illinois, or his or her designee. The City may condition the approval of fences constructed of restricted materials to be removed upon cessation of the associated use.

CD. Maximum fence height in required yards.

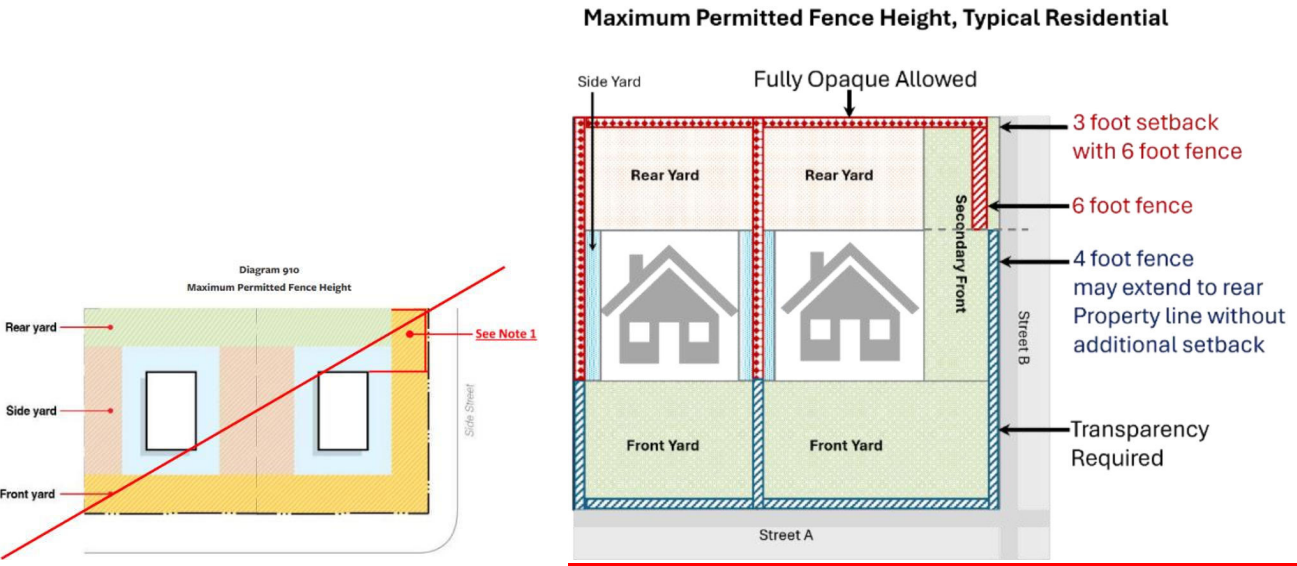
Table 910: Maximum Permitted Fence Height				
Districts	Required Front yard	Required Side Yard	Required Rear Yard	Any Location No Fence Taller Than
Agricultural Districts	8 feet	8 feet	8 feet	8 feet
Residential Districts	4 feet	6 feet	6 feet	6 feet
Business Districts	4 feet	8 feet	8 feet	8 feet
Manufacturing Districts	—	—	—	—
Public Interest Districts	4 feet	8 feet	8 feet	8 feet

Notes:

~~1. On Residential District corner lots, fences are allowed to extend up to six feet in height in the front yard area immediately adjacent to the nearest rear corner of the principal structure closest to the street. Fences over four feet in height must maintain a minimum setback of three feet from the front yard property line and may not impact sight distance requirements per § 44-909.~~

REPLACE DIAGRAM 910

WITH DIAGRAM 910:



§ 44-1026 Mini warehouses.

A. New or Redevelopment

(1) Buffers and screening. In addition to the requirements of Article XIII of this Code, the following minimum buffers and screening shall be required.

- ~~a. A six-foot high opaque fence shall be required around the perimeter of the lot to be used as a mini-warehouse site.~~
- ~~b. A chain link or wire mesh fence interlaced or interwoven with opaque strips may qualify as meeting the requirements for a solid opaque fence, if approved by the Zoning Administrator.~~
- a. Perimeter fencing shall be at least 50% transparent along all public streets, private streets, or public ways.
- b. A landscaping strip, 12 feet in width, shall be provided along all street frontages and along borders where a mini-warehouse site abuts any Residential District. Such buffer shall be provided outside of any fencing surrounding the site.

(2) Site circulation.

- a. All one-way driveways shall provide for one ten-foot wide parking lane and one fifteen-foot wide travel lane. Traffic direction and parking shall be designated by signing or painting.
- b. All two-way driveways shall provide for one ten-foot wide parking lane and two twelve-foot travel lanes.
- c. The parking lanes may be eliminated when the driveway does not serve storage cubicles.

B. Conversion

- (1) Mini warehouses in the Downtown (D-1 and D-2) Districts shall be permitted only when located above the first story above grade.
- (2) New exterior components shall comply with all appropriate screening and setbacks. Existing screening from the right of way by buildings shall replace fencing or landscaping screening requirements.

C. Lighting. As part of any application package for a Mini Warehouse use, the Applicant shall provide a lighting plan demonstrating compliance with § 44-911D (Outdoor lighting), including any operational assumptions or equipment requirements necessary for compliance. The final, approved light plan will become an attachment to any Special Use Permit or Occupancy permit and compliance will be required for the duration of the existence of the use.

~~C. D. Maximum floor area. No storage cubicle shall have a gross floor area greater than 5,000~~
500 square feet.

~~D. Building height. The maximum permitted building height shall be 35 feet or two stories, whichever is lower.~~

~~E. The following minimum site and bulk standards shall be required for the siting and development of any mini-warehouse facility.~~

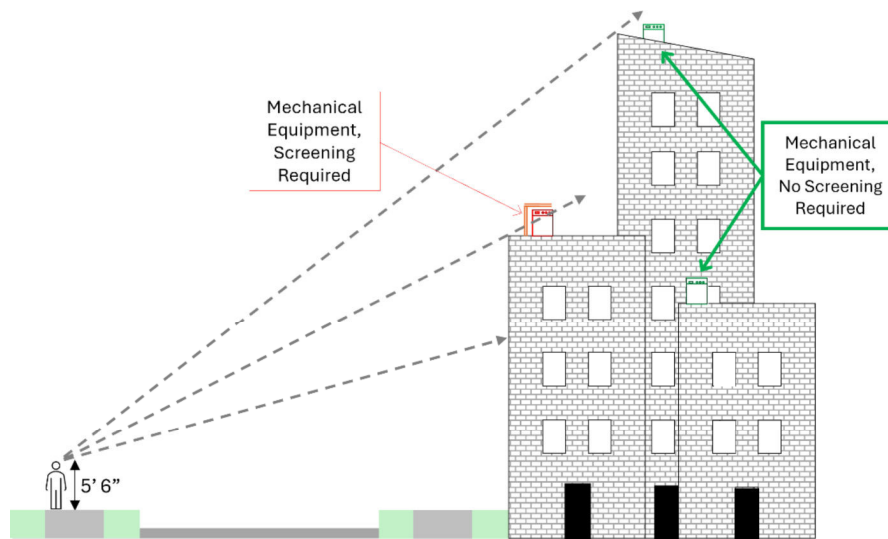
Table 1026: Mini-Warehouses Site and Bulk Standards

Lot Standards		Site Design Standards		
Min. Lot Area	Min. Lot Width	Front Yard	Side Yard	Rear Yard
2 acres	100 feet	20 feet	20 feet	20 feet

§ 44-1308C. Mechanical units.

- (1) Ground mounted mechanical units. Ground-mounted mechanical units, including but not limited to: air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment, that are visible from an adjacent right-of-way shall be screened from public view. The screen shall be designed and established so that the area or element being screened is no more than 20% visible through the screen.
- (2) Roof mounted mechanical units. For all developments other than single-family residential, all roof-mounted mechanical units shall be screened to block all parts of the equipment from visibility from line of sight from the edge of the right-of-way opposite the building, or from a distance of 60-feet on public or private property that serves the function of right-of-way. Line of sight shall be measured from a height of five-feet six-inches (5'6") above grade. their full height by an opaque screening material that is compatible with the architecture of the building or through integrated building architecture, such as a parapet wall.
 - a) Standards.
 - i. The screening must be permanently attached to the building and must meet the requirements of the City's Building Code (Ch. 10).
 - ii. Existing screening which requires major alteration or replacement must meet the requirements of this section.
 - b) Materials.
 - i. Screening material that is compatible with the architecture of the building or through integrated building architecture is required. The use of wood, in whole or in part, as a screening material is not considered architecturally compatible unless the building is constructed with a wood exterior.
 - ii. Such screening shall provide at least 50% visual concealment.
 - c) Exemptions. Solar panels, antennas, exhaust pipes, and chimneys are exempt from this requirement.

Figure § 44-1308C(2)



§ 44-1606 Definitions “E.”

...

ENERGY STORAGE SYSTEM (ESS)

A technology that can capture energy produced at one time and store it for use at a later time. Sizes range from small-scale residential systems that function as accessory mechanicals, to primary-use utility-scale (at least 1 MW) grid-balancing systems. ESS includes Battery Storage, Pumped Hydro Storage, Thermal Storage, and Mechanical Storage. ESSs may be paired or co-located with other generation resources.

...

§ 44-1612 Definitions "K."

...

KENNEL

Any premises or portions thereof on which four or more of the same species of dogs, cats, or other household domestic animals over four months of age are kept, or on which more than two such animals are maintained, boarded, bred or cared for in return for remuneration, or are kept for the purpose of sale.

...

§ 44-1614 Definitions “M.”

...

MECHANICAL EQUIPMENT

Other than public or private utility provider equipment, mechanical equipment includes equipment commonly associated with the heating, cooling, plumbing, or electrical systems of structures (i.e., air conditioning compressors, generators, etc.). Mechanical equipment does not include solar panels.

§ 44-1626 [Ch. 44, 16-26] Definitions "Y."

...

YARD

An open space, on the same lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky, except as ~~otherwise~~ permitted by the bulk and site regulations of the subject District, or by in § 44-904, Permitted encroachments, of this Code.

A. FRONT

A yard between the front lot line and a principal structure. ~~A front yard shall be established along with frontages of a corner lot as required by the bulk and site standards for each zoning district in this Code.~~ The Front Yard (also called the Primary Front Yard) of a corner lot shall be defined as the yard adjacent to the front lot line with least linear frontage. The Primary Front Yard is frequently the yard adjacent to the front of a building.

B. REAR

A yard across the rear of the lot between the rear lot line and a principal structure and extending from one side lot line to the other, or from one side lot line to the Secondary Front Yard.

C. SIDE

A yard extending from the required front yard to the required rear yard or, in the absence of any clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with the public street.

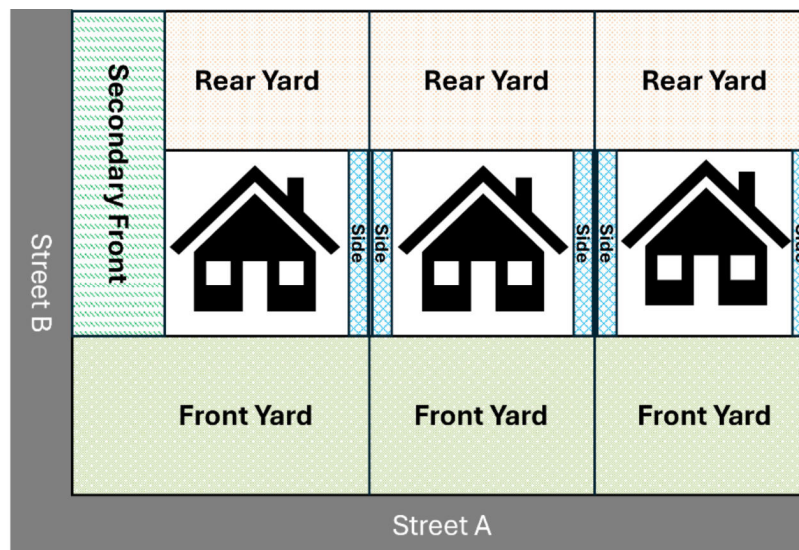
D. SECONDARY FRONT

A yard on a corner lot between a front lot line and a principal structure, adjacent to a secondary street. The Secondary Front Yard of a corner lot shall be defined as the yard adjacent to the front lot line with the most linear frontage.

E. REQUIRED

Any yard on any property that is required by the Bulk and Site Standards of the District. Required yards are measured from the inside of each property line to provide setbacks or build-to lines that result in the buildable area for principal structures on the lot. The dimension of a required yard may be smaller than the dimension of the yard overall.

Figure 44.1626-A. Yard Locations



...

§ 44-1709C(3) The site plan shall be prepared to scale and provide the following information on one or more sheets to permit the review of compliance with the relevant standards and provisions:

- Legal description, or common address and PIN;
- North-points;
- The boundary lines of the property in question, and any encumbrances on the property, including but not limited to future right-of-way, access, drainage, or utility easements;
- Size, location, height, number of stories, building design, and arrangement of proposed buildings and structures and existing buildings and structures...

EXHIBIT B



FINDINGS OF FACT AND RECOMMENDATION OF THE CITY OF BLOOMINGTON PLANNING COMMISSION

This is the findings of fact and the recommendation of the City of Bloomington Planning Commission (COMMISSION) concerning a request from the **City of Bloomington** (APPLICANT), in **case Z-05-26**, related to **Text Amendments** to the Zoning Code relating to (1) Definitions, (2) Use Permissions and Use Provisions for Mini Warehouses, (3) Screening for Roof-Mounted Mechanicals, (4) Sight Distance Requirements, (5) creation and implementation of a "Corner Side Yard," (6) Off-street Parking and Loading, (7) Fence Regulations, and (8) general administrative corrections (REQUEST).

After proper notice was given, as required by law, the COMMISSION held a public hearing(s) on this case on **May 7, 2026**, and hereby report their findings of fact and recommendation as follows:

ANALYSIS OF STANDARDS - After considering all the evidence and testimony presented at the hearing, this COMMISSION makes the following analysis of the standards contained in The Code of the City of Bloomington, Illinois, 1960, regarding the recommendation by the COMMISSION as to whether the City Council should grant or deny the REQUEST of the APPLICANT.

STANDARDS FOR RECOMMENDING TEXT AMENDMENTS:

1. **The extent to which the proposed amendments are consistent with the public interest, giving due consideration for the purpose and intent of this code as set forth in § 44-1701 herein.** This standard is met. The proposed amendments are consistent with the public interest and follow the purpose and intent of the Code. The proposed changes remove barriers that inhibit practical application of the Code (conflicts, lack of clarity), and reduce conflicting interaction of the Zoning Code, Property Maintenance Code, and Manual of Practice. This helps provide a clear and comprehensible development review process that is fair and equitable to all interests. The addition of definitions to provide clarity in administration and the creation of supplemental exhibits is also consistent with this goal. In addition, the amendments codify practices that have been repeatedly implemented via the granting of Variances or waiver of Use Provisions, supporting creative and innovative proposals to enhance the benefits of development to the Bloomington community.
2. **The extent to which property values are diminished by the proposed particular zoning restriction.** This standard is met. Property values should not be diminished by the proposed changes. Corner lots will have greater access to a buildable area of their property, while still protecting the quasi-public nature of streets and sidewalks. Fencing modifications provide more practical application of materials while still lending credence to the potential visual impact of perimeter fencing in urban areas. Fencing and accessory structure location restrictions (as well as processes to override such) have been clarified to protect public utilities and private property owner investment. Clear Sight Triangles have been clarified to allow better community understanding and permitting administration, but also to reduce the burden on the private property owner to the least possible extent that still appropriately protects public safety. Properties adjacent to buildings with rooftop mechanicals may now be able to see equipment from the rear yard that was previously required to be screened on all sides, but those same properties were also required to screen ground-mounted mechanicals only from the right-of-way, so the difference in visual imposition is not significant, while the cost-savings to the developer of the structural support and screening is significant. Not requiring fully surrounded visual screening does not prohibit a requirement for fully surrounded screening related to sound attenuation, if necessary.

3. **The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.** This standard is met. There is not expected to be a decrease in property values due to the proposed amendments. Some assumed reduction in privacy could be interpreted by the new requirement for semi-transparent fencing in front yards, but in actual practice most front yards are not fenced or are already fenced in in materials that would comply. The increased clarity and protection for easements supports public health and general welfare of the public funds responsible for maintaining and repairing potentially impacted utilities; it does not destroy property values but may result in a need for some property owners to adjust expectations related to perimeter fencing which could be seen as not ideal.
4. **Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.** This standard is met. The proposed amendments are in harmony with the 2035 Comprehensive Plan, including the following Goals, Objectives, or Policies: N-1.1a (Update the ordinances and regulations as needed to accomplish the goals of the Comprehensive plan); N-1.2d (Identify and eliminate the barriers for infill development); H-1.1a (Review and improve the current ordinances, codes, regulations, and permitting processes and fees, as needed and desirable, to provide more efficient mechanisms for new developments and redevelopment opportunities); ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City); and ED-4.5 (Identify and reduce barriers for local growth and economic development).
5. **Whether the City needs the additional types of uses or development allowed by the proposed amendment.** This standard is met. The adjustments to Mini Warehouse permissions have been clearly expressed as a desire by developers in the last few years, and the demand is likely to increase as residential development gets smaller in an attempt to make it more affordable. The remaining amendments do not change the uses allowed, but make modifications that improve safety, buildability, and resident comfort.

After considering all the evidence and testimony presented, this COMMISSION finds that the REQUEST is in the public interest, with the following modifications:

1. Replacing the “required yards” diagrams in § 44-303, § 44-403, § 44-503, § 44-603, § 44-703, and § 44-910, instead of replacing the diagram only in § 44-910; and
2. Changing the Downtown Districts in which Mini Warehouses are permitted only when located above the first story above grade to only D-1 and D-2, instead of in all Downtown Districts (D-1, D-2, & D-3; § 44-1026B(1); and
3. Changing language regarding existing screening in § 44-1026B(2) to “Existing screening from the right of way by buildings *shall* replace fencing or landscaping screening requirements,” instead of “...*may* replace fencing or landscaping screening requirements.”

Therefore, this COMMISSION recommends that the REQUEST for Text Amendments to the Zoning Code described above, be granted by the Bloomington City Council.

ROLL CALL VOTE: 7-0-0

AYES: Beyer, Cullen, Lewis, Muehleck, Mosley, Peradotti, Prior

NAYS: None

ABSTENTIONS: None

Respectfully submitted by the City of Bloomington Planning Commission.



Bill Peradotti, Chair

5/13/2026 | 1:41 PM CDT

Date