



MINUTES

PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL

WEDNESDAY, MAY 19, 2021 4:00 P.M.

THIS MEETING WAS HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:

www.cityblm.org/live

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

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

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

The Meeting was called to order by Chairperson Victoria Harris at 4:09 PM and livestreamed to the public at www.cityblm.org/live.

ROLL CALL

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

MEETING MINUTES

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COVID-19

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

PUBLIC COMMENT

No public comment.

MINUTES

Chairperson Harris made one correction to the previous meeting's minutes. Mr. Straza motioned to approve the minutes from April 21, 2021 regular Zoning Board of Appeals meeting as amended. Mr. McFarland seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0).

REGULAR AGENDA

- A. SP-02-21 Public hearing, review, and action on a petition submitted by Gene LeGrand for a special use permit for vehicle sales in the M-1 Restricted Manufacturing District, for the property located at 1321 N Mason Street, Bloomington, IL 61701, PIN: 14-33-302-017 (Ward 7).

Ms. Kelly presented the staff report and staff's recommendation of approving the special use with the condition that the parking lot is screened from view of the street.

Gene LeGrand, the applicant, was sworn in for testimony. He described his proposed project.

Mr. Ballantini asked whether six cars would be the maximum amount stored on the lot. Mr. LeGrand confirmed that would be the case. Mr. Ballantini asked if he would be amenable to extending the fence to screen the parking lot. Mr. LeGrand indicated that he would be willing to screen the parking lot up to the access drive.

Cheryl Dawdy was sworn in for testimony. She spoke to the efficiency of 604 W Division in meeting the provisions of the special use permit they were granted and raised concerns about the impact of a dealership on the neighborhood. Ms. Dawdy was supportive of the suggested condition that the fence be extended to screen the parking lot.

Mr. Ballantini asked whether extending the fence to the driveway would be feasible. Mr. LeGrand affirmed that it would be.

Mr. Ballantini motioned to vote on the Findings of Fact separately. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion was approved (6-0-0).

Roll call vote on the first finding: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met (6-0-0).

Regarding the second finding, Mr. Ballantini motioned to accept the condition and find the standard met. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met with the condition (6-0-0).

Roll call vote on the third finding: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met (6-0-0).

Roll call vote on the fourth finding: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met (6-0-0).

Roll call vote on the fifth finding: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met (6-0-0).

Roll call vote on the sixth finding: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The standard was found to be met (6-0-0).

Mr. Noonan motioned to recommend approval of the special use with the condition that the fence be extended to the opening of the driveway. Mr. Ballantini seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

- B. SP-03-21 Public hearing, review, and action on a petition submitted by Dominique Medley for a special use permit for the keeping of chickens in the R-1B Single Family Residence District, for the property located at 810 Snyder Drive, Bloomington, IL 61701, PIN: 21-11-153-007 (Ward 1).

Ms. Kelly presented the staff report. She stated that staff recommended in favor of approving the special use permit in this case.

Dominique Medley, the applicant, was sworn in for testimony. She described the use as proposed, stating her intention to keep four chickens.

Chairperson Harris inquired as to the method of food storage. Ms. Medley said that chicken feed would be stored in airtight, pest-proof containers.

Three emails in opposition to the special use permit were entered into the record.

Mr. Ballantini motioned to accept the findings of fact in whole. Mr. McFarland seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

Mr. Ballantini motioned to recommend approval of the special use. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

- C. Z-14-21 Public hearing, review, and action on a petition submitted by Laura Edwards for variance(s) from Chapter 44 Division 4-3 to allow the reconstruction of an attached garage with a six-foot reduction in the side yard setback, for the property located at 1409 Fell Avenue, Bloomington, IL 61701, PIN: 14-33-476-007 (Ward 4).

Ms. Simpson presented staff's recommendation that the requested variance be approved. The property is located in a historic district but is not zoned with an S-4 Historic Designation itself. Ms. Simpson further explained that the lot is considered legal nonconforming in its dimensions.

Chairperson Harris spoke to the aesthetic and historic importance of the garages in this neighborhood.

Ms. Laura Edwards, the petitioner, was sworn in for testimony. Mr. Noonan asked whether she would be continuing to use brick for the structure. Ms. Edwards affirmed that she would be.

Ms. Simpson read an email comment in opposition to the garage's expansion into the record. Ms. Edwards replied that she would be amenable to keeping the garage footprint as is.

Mr. Ballantini asked how long Ms. Edwards had lived at the property. She replied that they moved to the property in 2005.

Mr. Ballantini motioned to accept the findings as presented in the staff report. Mr. Straza seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

Mr. Straza motioned to recommend approval of the variance. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

- D. SP-04-21 Public hearing, review, and action on a petition submitted by David Bailey on behalf of Oldacre McDonald, LLC for a special use permit with variance(s) for vehicle repair and service in the B-1 General Commercial District, for the property located at 1025 Wylie Drive, Bloomington, IL 61705, PIN: 14-31-353-006 (Ward 7).

Ms. Simpson presented staff's recommendation in favor of granting the special use permit and variance requested. She explained the physical location and context of the site.

Chairperson Harris mentioned that the lack of noise generated by the proposed activity should be a consideration in granting setback variances.

Tristan Bullington, the petitioner's attorney, was sworn in for testimony. David Bailey, representative of the petitioner, was sworn in for testimony. Mr. Bullington spoke to the suitability of the proposed use for the subject property, suggesting that the building might otherwise remain vacant.

Mr. Bailey, representative of the petitioner, spoke to the business' low impact on neighboring properties at sites where franchises have been installed, due in part to the fact that the shop does not take on totaled cars. He also mentioned the relatively high rate of pay employees of the chain receive.

Chairperson Harris asked how many people are typically employed at a given site. Mr. Bailey replied that there are generally 12 employees to start.

Mr. Straza motioned to accept the findings of fact as presented by staff. Mr. Ballantini seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

Mr. Ballantini motioned to recommend the special use permit and requested variance to City Council. Mr. Straza seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

OLD BUSINESS

There was none.

NEW BUSINESS

A. Election of a Chair

Chairperson Harris nominated Mr. Ballantini for Chair. Mr. Ballantini accepted. No other nominations were offered. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, Chairperson Harris - Yes. The motion carried (6-0-0).

ADJOURNMENT

The meeting was adjourned at 5:52.