



MINUTES
PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS
REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, APRIL 19, 2023 4:00 P.M.

The Zoning Board of Appeals convened in Regular Session in-person in the Government Center Chambers on the 4th floor, Room #400, Wednesday, April 19, 2023, with the following physically present staff members: Mr. Jon Branham, City Planner; Ms. Alissa Pemberton, City Planner; Mr. George Boyle, Assistant Corporation Council.

The meeting was called to order by Chair Straza at 4:00 pm.

ROLL CALL

Attendee Name	Title	Status
Mr. Terry Ballantini	Commissioner	Present
Ms. Victoria Harris	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Ms. Nikki Williams	Commissioner	Present
Mr. Zach Zwaga	Commissioner	Present
Mr. Tim Foley	Commissioner	Present
VACANT	Commissioner	-

Ms. Pemberton called the roll. Mr. Ballantini - Present, Ms. Harris - Present, Ms. Williams - Present, Mr. Zwaga - Present, Mr. Foley - Present, Chair Straza - Present. With six members present, a quorum was established.

PUBLIC COMMENT

Chair Straza opened the floor for public comment, reminding attendees that public comment is typically reserved for items not on the regular agenda. There was no in-person public comment.

MINUTES

Commissioner Ballantini motioned to approve the minutes from the March 15, 2023, regular Zoning Board of Appeals meeting. Commissioner Zwaga seconded. Voice Vote. All Ayes. Motion Passed (6-0).

REGULAR AGENDA

SP-02-23 Public hearing, review, and action on a request submitted by Jake Bennett for approval of a Special Use Permit for Chicken-Keeping for the property located at 42 Ravenswood Circle. PIN: 14-25-205-005. (Ward 9.) *Continued from the MARCH 15, 2023, meeting.*

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He stated the case had been continued from the previous meeting as the Petitioner was unable to attend.

Chair Straza opened the public hearing.

Petitioner, Jake Bennett (42 Ravenswood Circle) stated he does not share the concerns that have been previously raised. He stated he will not have roosters and is happy to speak with any concerned neighbors about potential issues. He stated his brother has raised chickens in the past. He added his children like chickens, so they are interested in having some of their own.

Commissioner Ballantini asked for affirmation that Mr. Bennett has read and understands the relevant rules. Mr. Bennett confirmed.

Terry Miller (2808 Park Ridge Road) stated he opposes the Special Use. He asked for clarification on whether the site plan meets the criteria.

Mr. Branham stated the site plan does not include dimensions from the coop to property lines, but the 10-foot minimum must be met to be permitted.

Mr. Miller stated he has concerns about the chicken food drawing prey animals. He stated that acquaintances at 7 Chloe Court informed him that 10 Chloe Court has a permit and still does cause issues for the neighbors.

Roy Laws (2806 Park Ridge Road) asked how to file a complaint if there do end up being issues with the chickens.

Ms. Pemberton explained for the audience how to file complaints with the City of Bloomington and clarified that there is no approved Special Use for Chicken-Keeping at 10 Chloe Court.

Mr. Laws thanked Staff for the information. He stated that you can smell chicken farms for miles when you drive by in the country. He added he had concerns about attracting other animals and the potential for avian flu.

Mr. Bennett replied that there are strict limits on the number of chickens that you can have on properties in the City; they are not interested in having a chicken farm in their backyard.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Harris made motion to establish findings of fact that all standards for approval of a Special Use Permit are met and recommend approval of the Special Use Permit. Seconded by Commissioner Ballantini.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

Staff noted the case would be before City Council on May 22, 2023.

V-04-23 Public hearing, review, and action on a request submitted by Mark Parker for approval of Variances for Front, Side, and Rear Yard setbacks for the property located at 703 N. Evans Street. PIN: 21-04-276-005.

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted key property conditions, including the nonconforming lot and existing nonconforming structure.

Chair Straza opened the public hearing.

Petitioner, Mark Parker (1101 E. Monroe Street) described the challenge associated with trying to sell the property when the appraisal found the nonconformity. He stated they are not intending to expand or construct additional structures. He stated they need to be allowed to rebuild should the home be damaged, so the contract buyers can obtain the insurance and mortgage for the property.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Ballantini made a 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 petitioner, and to approve the petition for Variances to § 44-403B, as presented. Seconded by Commissioner Harris.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

SP-03-23 Public hearing, review, and action on a request submitted by Hayley Sefton for approval of a Special Use Permit for Chicken-Keeping for the property located at 2721 Essington Street. PIN: 21-18-379-011.

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted key property conditions.

Chair Straza opened the public hearing.

Agent for the Petitioner, Theresa Eubanks (2721 Essington Street) described her extensive experience raising chickens, stating the Petitioner has experience with them as well.

Commissioner Harris asked whether the run has walls and a roof. Ms. Eubanks explained the coop has solid walls like a house, but the run is open wire to allow air and grass access; it does have a roof of the same material.

Commissioner Ballantini asked for clarification whether the Petitioner currently had chickens. Ms. Eubanks stated not currently but had for many years previously.

Commissioner Ballantini asked if there was an existing fence on all sides of the property. Ms. Eubanks confirmed yes.

Commissioner Ballantini inquired whether they had spoken with neighbors. Ms. Eubanks stated they had spoken to both adjacent neighbors who expressed support.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Harris made a motion to establish findings of fact that all standards for approval of a Special Use Permit are met and recommend approval of the Special Use Permit. Seconded by Commissioner Foley.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

Staff noted the case would be before City Council on May 22, 2023.

SP-04-23 Public hearing, review, and action on a request submitted by Hannah Denney for approval of a Special Use Permit for Chicken-Keeping for the property located at 8 Holder Way. PIN: 14-36-333-004.

Mr. Branham stated the request had been withdrawn by the applicant.

SP-05-23 Public hearing, review, and action on a request submitted by Elliot Lusk for approval of a Special Use Permit for Chicken-Keeping for the property located at 1210 W. Mill Street. PIN: 21-05-462-020.

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted characteristics of the property.

Chair Straza opened the public hearing.

Petitioner, Elliot Lusk (1210 W. Mill Street) described his experience with chickens and his intent for the location and construction of the coop. He stated he had reviewed the requirements and will adhere to them.

Commissioner Straza inquired if he had spoken with the neighbors. Mr. Lusk stated the neighbors have opposite work schedules, so he has not spoken to them.

Commissioner Ballantini inquired about the fencing at the property. Mr. Lusk stated a chain link fence surrounded the property.

Commissioner Ballantini asked about the location of food storage. Mr. Lusk stated food would be stored inside the garage in a waterproof container.

Commissioner Ballantini inquired about experience raising chickens. Mr. Lusk stated he had a biology degree and had worked in pest control; he stated he wanted to keep healthy birds.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Harris made a motion to establish findings of fact that all standards for approval of a Special Use Permit are met and recommend approval of the Special Use Permit. Seconded by Commissioner Zwaga.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

Staff noted the case would be before City Council on May 22, 2023.

SP-06-23 Public hearing, review, and action on a request submitted by Alex Welch for approval of a Special Use Permit for Chicken-Keeping for the property located at 612 N. Oak Street. PIN: 21-04-152-019.

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted key property conditions.

Chair Straza opened the public hearing.

Petitioner, Alex Welch (612 N. Oak Street) described his reason for wanting to have chickens. He

stated he has not had chickens before but has done lots of research and is prepared to keep them safe and clean. Has spoken to many of the neighbors.

Commissioner Straza asked where the food would be kept. Mr. Welch stated it will be kept in the garage, dry, and away from other animals.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Harris made a motion to establish findings of fact that all standards for approval of a Special Use Permit are met and recommend approval of the Special Use Permit. Seconded by Commissioner Zwaga.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

Staff noted the case would be before City Council on May 22, 2023.

V-05-23 Public hearing, review, and action on a request submitted by Project Oz for approval of a Variance for Rear Yard setback for the property located at 1105 W. Front Street. PIN: 21-05-410-006.

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted the irregularly shaped property conditions, including a non-linear property line on the north side.

Chair Straza opened the public hearing.

Petitioner, Lisa Thompson (1105 W. Front Street) described the desire to expand to provide a multi-purpose youth center by extending the existing north wall of the building, which would require minor encroachment into the setback.

Commissioner Ballantini asked for clarification whether there would be any impact to the railroad property. Mr. Branham stated there would not be a direct impact.

Commissioner Harris inquired if noise would present an issue. Ms. Thompson stated the issue already exists so there is familiarity; She stated they are extending an existing wall but the new design does includes soundproofing.

No additional testimony was received.

Chair Straza closed the public hearing portion of the case.

Commissioner Harris made a motion to establish findings of fact that all 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 petitioner, and to approve the petition for a Variance to § 44-503A, as presented. Seconded by Commissioner Ballantini.

Mr. Ballantini - Yes, Ms. Harris - Yes, Ms. Williams - Yes, Mr. Zwaga - Yes, Mr. Foley - Yes, Chair Straza - Yes. The motion passed (6-0).

OLD BUSINESS

None.

NEW BUSINESS

Ms. Pemberton noted a new Commissioner will be joining at the next meeting.

ADJOURNMENT

Commissioner Ballantini made the motion to adjourn. Commissioner Harris seconded. Voice vote was held. All were in favor. (6-0)

The meeting was adjourned at 5:05 p.m.