CITY OF Bloomington ILLINOIS

MEETING MINUTES
ZONING BOARD OF APPEALS - SPECIAL SESSION
WEDNESDAY, MARCH 26, 2025, 3:00 PM

The Zoning Board of Appeals convened in regular session at 3:01 PM, March 26, 2025. Chair Straza called the meeting to order.

Roll Call

Attendee Name	Title	Status
Terry Ballantini	Vice Board Chair	Present
Victoria Harris	Board Member	Present
John Poling	Board Member	Present
Matt Steinkoenig	Board Member	Absent
Michael Straza	Board Chair	Present
Nikki Williams	Board Member	Present
Zachary Zwaga	Board Member	Absent

City Staff present included Jon Branham, City Planner; Alissa Pemberton, Planning Manager; John Myers, Assistant City Planner, and George Boyle, Corporation Counsel.

Public Comment

public comment was provided.

Consent Agenda

Item 4.A. Review and approval of the minutes of the January 15, 2025, regular meeting of the Bloomington Zoning Board of Appeals.

Board Member Poling made a motion, seconded by Board Member Harris, to approve the consent agenda as presented.
AYES: Board Chair Straza; Vice Board Chair Ballantini; Board Member Harris, Board Member Poling, Board Member Williams
Motion passed (viva voce).

Regular Agenda

The following item was presented:

Item 5.A. SP-01-25 - Public hearing, review, and action on a request submitted by Christian Kazanowski, for a Special use Permit for Multi-Family Dwellings in the R-2 (Mixed Residence) District, for the property located at 707 E. Empire Street. PIN: 21-04-227-004.

Jon Branham provided a summary of the special use permit request for a Multi-Family Conversion dwelling for three (3) units in the R-2 (Mixed Residence) District. The item was previously continued pending an updated parking plan, which the Applicant has now provided. The plan identifies two parking spaces in, or in front of, the existing detached garage and a third exterior space adjacent to the garage. The Applicant also submitted additional documentation confirming separate electrical services and HVAC systems for each unit, and addressing previous concerns.

Branham shared historical background on the property, noting it was established as a three-unit building in the 1930s and remained so until the early 2000s. After the owner passed away and rentals were not renewed, a Special Use Permit was sought in 2006. City Staff and the Zoning Board of Appeals at that time unanimously recommended approval, but the City Council failed to approve the permit in February 2007. The current owner purchased the property as a three-unit structure a few years ago and registered it as such. Staff continues to recommend approval, believing the request meets all necessary standards.

Board Chair Straza opened the public hearing.

Christian Kazanowski, Applicant, thanked the Zoning Board for their time and presented several key points about the property. He emphasized that the property was purchased as a three-unit building and has continued to operate as such. The structure cannot be easily reconfigured, with three separate gas meters, electric meters, and furnaces, making conversion to a duplex extremely difficult and costly.

Kazanowski highlighted the shortage of affordable apartments in Bloomington, noting that as of February, only nine apartments were listed with rents under $800 per month. Converting the property to a duplex would reduce the supply of affordable housing and negatively impact the current tenants, who would be forced to vacate. He argued that such a conversion would significantly reduce the property's annual operating income, by over $6,000 per year, and potentially decrease the property's value by approximately $55,000.

He addressed previous concerns about shared driveway congestion and traffic, stating that the current parking plan provides adequate space and that converting to a duplex might actually increase parking pressure by increasing the total number of bedrooms in the rentable units. Kazanowski stressed that converting the building to a duplex would not serve the community's best interests, as it would destroy property value, reduce the tax base, potentially increase the number of cars, reduce affordable housing, and force tenant evictions while making long-term property maintenance financially challenging.

Board Vice Chair Ballantini asked for clarification on the parking plan and whether the garage was now accessible for tenant use. Mr. Kazanowski stated that parking can be met without emptying the garage, and that the items being stored are owned by one of the current tenants of 707 and also by the adjacent property owner, so they have not been removed, but can be if required by the Board.

Board Member Harris inquired about expenses to-date and the monthly cost of maintaining the property. Ms. Pemberton noted that questions related to specifics of the Applicant's finances are out of the scope of this hearing. Harris restated her inquiry as to whether the reduction in income related to the reduction in units would still allow the

Applicant to maintain the property. Mr. Kazanowski replied that with property taxes, mortgage insurance, and other fixed costs, a reduction of $6,000 of income per year would make it very difficult for anyone to maintain the property in the long run. In addition, he stated he has spent much more to stabilize and improve the property than has been returned in rents.

Board Vice Chair Ballantini asked whether the Applicant has been contacted regarding any issues or complaints about parking since the last meeting. Mr. Kazanowski replied in the negative, nothing he had asked the property manager to review records for the property and there had been no complaints regarding parking in the last three years.

Board Member Poling asked staff whether the existing third unit would be allowed to remain until the current tenant choses to vacate it if the Special Use Permit was not granted. Ms. Pemberton stated there would be some requirement to provide time to vacate since there are active leases on all three (3) units, but that if the Special Use is not approved the third unit cannot remain in place no matter who is living there. Ms. Pemberton stated specifics of how that action would occur would need to be referred to Corporation Council, but that it is likely that two tenants would need to be removed since associated construction activities to gain compliance would impact the removed unit and the adjoining unit.

Board Member Poling asked the Applicant whether he would consider just leaving the third unit unoccupied rather than pursuing alterations that would require removal of two tenants. Mr. Kazanowski stated the only long-term solution would be to consolidate the two units together. Ms. Pemberton stated the City would be likely to require that if the Special Use was not approved, since vacation of the third unit in 2007 without ensuring structural compliance is how the third unit gained rental registration under this new owner.

Assistant Corporation Council, Mr. Boyle, stated that if the request is denied there would be essentially an illegal unit, but did not speculate on whether the City would be specifically trying to evict a tenant. He noted he was not aware of any authority for grandfathering a unit for a current tenant.

Ashlee Minder (Class Act Realty, Property Manager), reported that after investigating the parking complaints, she found no record of issues from her colleagues or tenants, and was confused by the neighbors' stating they had reached out regarding problems with parking. She reported that a current tenant stated that the neighbors' concerns about parking and children's safety seemed exaggerated, noting the driveway is too narrow for fast driving. Minder emphasized that it took two (2) years to bring the property into compliance with City regulations, and during that time, no one suggested the building should be a two-unit structure. She concluded by noting that Christian has invested a significant amount of money into the property.

Assistant Corporation Council, Mr. Boyle, reminded the Board to take into account when someone is testifying in person and is able to be cross examined, compared to testimony related by another which can be taken into consideration, but given less weight than direct testimony.

Greg Zavitz (304 N. Hershey Road) stated he had previously had the property on the market, and addressed concerns raised in the January meeting. He stated that he never observed anyone parking across the street in the Whites Place area and walking over Empire Street. Zavitz argued that converting the property to a duplex would decrease its value from potentially $175,000 to around $125,000, which would negatively impact taxes and comparable sales in the neighborhood. He noted that the garage was full due to a tenant's previous business storage, and that the neighbor who complained about the traffic and parking issues actually has a key to the garage. Zavitz suggested that, if necessary, they could clear out the garage for parking. He also noted that a "no parking in the driveway" sign had been placed. He reported he had never received a call or complaint related to the property either, and he has had a real estate sign there which includes his phone number.

Lane Norton (709 E. Empire Street) clarified the scooter placement in the garage and said that he would remove it. He stated his concern regarding the proposed parking plan and that there may be an opportunity for residents to cut through his property. He stated many of the concerns were related to previous tenants, and that the current tenants were cooperative. He expressed concern regarding future tenants.

Vice Chair Ballantini asked for clarification regarding current tenant parking. Mr. Norton explained they parked in front of the garage.

Commissioner Harris inquired about access to the alley and Empire Street. Mr. Branham clarified there was access from both points via the shared driveway.

There was discussion regarding the public providing written statements to the Board and ensuring they became part of record as exhibits.

Commissioner Harris stated she was going to recuse herself from the remainder of the hearing due to her personal relationship with some of the attendees providing testimony.

Ms. Pemberton stated there would still be enough Board members to maintain quorum and they could continue the hearing.

Dorothy Deany (711 E. Empire) stated she was upset that the Applicant was attempting to change the property from a two-unit to a three-unit. She stated the City Council had acted on this item several years ago and that the new owner is attempting to disregard that decision. She urged the Board to deny the request. She handed out a copy of an email between the City and local residents from 2022, attached as ***Exhibit A***, and a written copy of her testimony, attached as ***Exhibit B***.

Joe Strano (2 White Place) argued against issuing the Special Use Permit. He noted that the proposed parking plan fails to adequately address existing problems, particularly blocking alley access. He discussed the history of poor maintenance and frequent tenant turnover under former owners, and multiple code violations the current owner was ordered to correct. He discussed property value discrepancies, comparing rental properties to owner-occupied properties and muti-family to nearby single-family homes. He criticized the owner's conduct, citing attempts to convert the property to additional units without proper permits. He argued that granting the Special Use Permit would send a message that City Code compliance is optional, and it would not benefit the neighbors, neighborhood, or the City. He urged the Board to deny the request, believing it would perpetuate the property's decline and potentially harm the community. He provided a written copy of his statement, attached as ***Exhibit C***.

Marty Seigel (615 E. Chestnut) provided a written copy of her statement, attached as ***Exhibit D***. She addressed broader principles regarding community density and non-owner occupancy, emphasizing that individual financial interests should not override neighborhood concerns. She challenged the Applicant's arguments, noting the property was legally a duplex when purchased and that the owner is attempting to reverse a ruling from nearly 20 years ago. She argued that the permit does not require affordable rents and that allowing additional units does not decrease rental prices. She stressed that overloading neighborhoods with rental properties discourages homeownership and undermines neighborhood stability. She emphasized that multi-family properties are typically assessed lower than single-family homes, and providing additional units would not preserve or raise property values. She urged the Board to deny the request.

Ann Adams (90 Old Mill Grove Road, Lake Zurich, IL) stated she grew up in the area but now lives in the Chicago suburbs. She shared her personal experience with neighborhood transformation. She described how her childhood neighborhood gradually declined as more properties turned into rentals, ultimately leading her to move out of Bloomington entirely. Drawing from her professional experience auditing common interest realty associations, Adams emphasized the frequent conflicts between investor interests and community needs. She felt the Board should prioritize the interests of residents over those of investors.

Ms. Pemberton reminded the Board that the request is not tied to ownership. She stated the same property at two-units or three-units could be under condominium ownership and owner-occupied She offered to review the property assessment and valuation item that was addressed in the staff report further. She noted the Board should be clear that the occupancy basis of rental or owner-occupied can not be a consideration if it can not be tied to one of the criteria for review.

Ashley Minder responded to the questions and statements of the opposing testimony. She stated that she registered the property as a three-unit building in 2022 through pen and paper, and has continued to register it electronically as a three-unit building for the past two years. She noted that while the property required significant work when purchased, the owner has made necessary improvements, including replacing every window, to bring the building into compliance.

Christian Kazanowski denied allegations that he tried to convert the property to a five-unit building or avoid dealings with the city. He emphasized that he never changed the structure or walls, and was only informed about potential zoning issues when Mr. Branham sent him an email. He argued that converting to a duplex would force good tenants to leave, which goes against the neighbors' desire for harmony. Kazanowski maintained that reducing the property to a duplex would diminish its value, negatively impact neighborhood property values, reduce the tax base, and potentially cause the property to return to its previous poor condition by reducing the income needed to maintain it. He concluded by asserting that keeping the property as a three-unit would benefit the community by maintaining property value and providing quality housing.

Board Chair Straza closed the public hearing.

Assistant Corporation Counsel, Mr. Boyle, reminded the Board that their decision should be based on the factors that were listed in the staff report and in Chapter 44, Section 1707 related to Special Use Permits.

Board Vice Chair Ballantini inquired about the code violations brought up in testimony. Mr. Branham explained that the violations were identified during a routine rental inspection, conducted by the City, and were related to correctable items inside the units, such as cracked outlet plates or window repairs. He clarified that there have been very few public complaints about the property in the past twenty years. Ms. Pemberton added that it is not uncommon for rentals to have noted violations at inspections, particularly after any sort of status change, and that all identified violations had been corrected in November of 2024.

Board Vice Chair Ballantini asked about the size of the unit related to the use provision waiver. Mr. Branham stated the size of the unit needing the waiver is not changing, and that the unit has existed at the current size for decades. Ms. Pemberton explained the multi-family conversion use standards and that the intent was to keep newer structures from converting inappropriately. There was discussion regarding the minimum dwelling unit size. Mr. Branham stated the size of the unit did not violate current Building Code standards.

Board Chair Straza asked if there were any additional comments or a motion to consider.

Ms. Pemberton explained the new process of adoption findings via Resolution, as a more formalized path for transmitting recommendations. She suggested the Board address each of the findings so it is clear, and Staff can fill in items appropriately.

Mr. Branham asked if the Board would like to review the standards. He read each standard and staff's response to each item.

Mr. Poling stated he felt that the neighbor's testimony has shown that it will be a detriment if it is left as a three unit building.

There was further discussion regarding the standards for the Special Use Permit, focusing on whether the proposed three-unit conversion met the required criteria. Board members expressed concerns about the first two standards, particularly regarding potential detriment to public welfare and potential impairment of property values. Staff reaffirmed the differences between the City of Bloomington's zoning uses, City of Bloomington Township Assessor classifications, and relationship of assessed versus market value, clarifying that differences in assessed value are aligned with rental versus owner-occupied structure, rather than with multiple-family versus single-family structure.

The Board discussed parking issues, shared driveway concerns, and the potential impact on neighborhood density. Ms. Pemberton asked for clarification regarding the exact language to include in the resolution. There was additional discussion related to the specific language.

Vice Board Chair Ballantini asked why the request for a Special Use Permit was denied in 2007. Mr. Branham outlined what had occurred with the previous Special Use Permit case at the property. He stated that staff had recommended approval, the Zoning Board at that time had unanimously recommended approval, yet the Council had denied the item.

There was further discussion regarding each standard. The Board ultimately found that standard two was not met, primarily due to the number of people speaking in opposition, potential parking problems, shared driveway issues, and concerns about overcrowding.

Vice Board Chair Ballantini made a motion, seconded by Board Member Polling, to adopt Zoning Board of Appeals Resolution Number 2025-01, establishing findings of fact and recommending that City Council deny the request for a Special Use Permit for a Multiple-Family Conversion Dwelling (3+ units) in the R-2 (Mixed Residence) District, for the property located at 707 E. Empire St.
Roll call.
AYES: Board Chair Straza; Vice Board Chair Ballantini, Board Member Poling, Board Member Williams
ABSTAIN: Board Member Harris
Motion passed.

Ms. Pemberton stated the item was likely to move forward to the Council on April 14th.

The following item was presented:
Item 5.C. SP-03-25 - Public hearing, review, and action on a request submitted by FMB Holding, LLC, for a Special use Permit for Vehicle Repair & Service in the B-1 (General Commercial) District, for the property located at 11 Currency Drive. PIN: 21-15-103-018.

Mr. Branham presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses. He described the nature of the request, outlining that Vehicle Repair & Service uses require a Special Use Permit in the B-1 (General Commercial) District. He reviewed the property and building history. He noted details of the proposed use, stating the facility would be primarily utilized for vehicle service for the owner's affiliated businesses and that it would not be open to the public. He also reviewed the standards as outlined in the staff report.

Board Chair Straza opened the public hearing.

Joe Dehn (Applicant's Representative) provided further background on the project and explained additional details regarding the site and the proposed operations at the facility.

Board Chair Straza inquired about the Applicant's affiliated businesses that would be serviced by the proposed use. Mr. Dehn stated the Applicant operates a trucking company fleet and auto dealership and those vehicles would be serviced.

Board Member Poling inquired about what types of vehicles would be serviced at the facility. Mr. Dehn provided additional details.

Vice Chair Ballantini inquired whether any vehicle sales would occur at the site. Mr. Dehn stated that sales would not be associated with this facility.

Steven Johnson (Applicant's Representative) stated the facility would be limited to mechanical work on vehicles and that no body work would be performed.

Board Chair Straza noted the structural integrity of the building should be closely monitored and noted a former swimming pool in the former facility which occupied the space.

Board Chair Straza closed the public hearing.

The Board reviewed the draft resolution and noted that the proposal met the standards.

Board Member Harris made a motion, seconded by Board Member Polling, to adopt Zoning Board of Appeals Resolution No. 2025-02, establishing findings of fact and recommending that City Council approve the request for a Special Use Permit for Vehicle Repair & Service in the B-1 (General Commercial) District, for the property located at 11 Currency Drive, as submitted.
Roll call.
AYES: Board Chair Straza; Vice Board Chair Ballantini; Board Member Harris, Board Member Poling, Board Member Williams
Motion passed.

New Business

Mr. Branham noted that Assistant Planner John Myers had accepted another position and would be leaving the City. He thanks Mr. Myers for his service.

Adjournment

Board Member Harris made a motion, seconded by Board Member Williams, to adjourn the meeting.
AYES: Board Chair Straza; Vice Board Chair Ballantini; Board Member Harris, Board Member Poling, Board Member Williams
Motion passed (viva voce).

The Meeting Adjourned at 5:15PM

CITY OF BLOOMINGTON

Terry Ballantini
Terry Ballantini, Vice Board Chair

Jon Branham
Jon Branham, Staff Liaison