



MINUTES
PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, FEBRUARY 16, 2022 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 at 4:04 p.m., Wednesday, February 16, 2022. The meeting was called to order by Chairperson Ballantini.

City Attorney, George Boyle, provided a statement of requirements for virtual meetings under the current Executive Order and Open Meetings Act. Substantive issues will require roll-call votes.

ROLL CALL

Attendee Name	Title	Status
Mr. Terry Ballantini	Commissioner	Present
Ms. Victoria Harris	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Not Present
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Alissa Pemberton	Assistant City Planner	Present
Mr. Jon Branham	City Planner	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present

PUBLIC COMMENT

No public comment was provided.

MINUTES

Mr. Straza motioned to approve the minutes from November 17, 2021 regular Zoning Board of Appeals meeting. Mr. McFarland seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

REGULAR AGENDA

- A. **SP-07-21** Public hearing, review, and action on a petition submitted by Costigan & Wollrab, P.C. on behalf of Chicago Title Company Land Trust No. 8002368759 for a special use permit to allow a sports and fitness establishment in the M-1, Restricted Manufacturing District for the property located at 1601 G.E. Rd, Bloomington, IL 61704, PIN: 14-35-201-005 (Ward 5).
REQUEST TO CONTINUE TO MARCH MEETING.
- B. **Z-02-22** Public hearing, review, and action on a petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701, PIN: 21-03-226-003 (Ward 8).

Assistant City Planner Pemberton presented the staff report, with a recommendation to approve the variance request. Staff clarified that all standards must be met.

David Armstrong, 207 W Jefferson, Suite 400, representing the applicant, provided additional background, highlighting the previous variance to approve a reduced setback, and the maintenance of the visual character through the proposed project.

No additional testimony was provided. The Chair closed the public hearing.

There was no discussion by the Commission.

Ms. Harris made a motion to establish findings of fact that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Petitioner. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Ms. Harris made a motion to approve the petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701. Mr. Straza seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

- C. **Z-03-22** Public hearing, review, and action on a petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705, PIN: 21-18-403-002 (Ward 2).

Ms. Pemberton presented the staff report with a recommendation to approve the variance request. Staff clarified that all standards must be met. One written comment was received in favor of petition. Justin Bellas. 2/8 via email.

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Applicant Morgan Bishop, Halo Solar, Goodfield, IL. Provided additional background. Alternative locations have been explored; this is the only location feasible for the proposed project.

Chairperson Ballantini had a question as to whether location on the roof is an option. Roof installation is possible, per Mr. Bishop, but not something that the owner is interested in pursuing due to the additional structural support that would be necessary, and the possibility of associated issues.

No public comment or additional testimony was provided. The Chair closed the public hearing.

There was no discussion by the Commission.

Mr. McFarland made a motion to establish findings of fact that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Petitioner. Mr. Straza seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Mr. McFarland made a motion to approve the petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705. Ms. Harris seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

NEW BUSINESS

Mr. Branham and Ms. Pemberton both introduced themselves as new City Staff since the previous meetings.

OLD BUSINESS

Ms. Harris inquired about a precedent, with regard to case Z-02-22, since there are many lots in the City that are smaller than what is currently required for the zoning district and each of them could claim the same restriction. Attorney Boyle responded regarding the difference between “Legal Precedent” that is required to be considered when reviewing future cases, compared to setting a precedent for process or behavior. Staff clarified that each of those property owners has access to the same right to request for Variance, but each case would still have to go through the full process of application and hearing to receive it.

ADJOURNMENT

Commissioner Straza motioned to adjourn. Chair Ballantini seconded. All were in favor. The meeting was adjourned at approximately 4:34 P.M.