



**Zoning Board of Appeals - Regular Session Agenda**  
**Government Center Boardroom, 4<sup>th</sup> Floor, Room #400**  
**115 E. Washington St., Bloomington, IL 61701**  
**Wednesday, October 15, 2025 - 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](mailto: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](http://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 August 20, 2025 regular meeting of the Bloomington Zoning Board of Appeals., as requested by the Development Services Department.** (Recommended Motion: Motion to accept the minutes, as presented.)

B. **Review and approval of the Minutes of the September 17, 2025 regular meeting of the Bloomington Zoning Board of Appeals., as requested by the Development Services Department.** (Recommended Motion: Motion to accept the minutes, as presented.)

**5. Regular Agenda**

All license creations, amendments or transfers are contingent upon compliance with all building, health and safety codes.

A. **SP-05-25 - Public hearing, review, and action on a request submitted by Julia Sutherland, for a Special Use Permit for an Accessory Dwelling Unit in the R-2 (Mixed Residence) District, for the property located at 501 E. Olive St., PIN: 21-04-457-001, as requested by the Development Services Department.** (Recommended Motion: Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or denial of the Special Use Permit.)

B. **SP-06-25 - Public hearing, review, and action on a request submitted by FMB Holding, Inc., for a Special Use Permit for Mini Warehouses with waivers of Use Provisions, in the B-1 (General Commercial) District, for the property located at 1402 E. Empire Street, PIN: 14-35-354-012, as requested by the Development Services Department.** (Recommended Motion: Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or

denial of the Special Use Permit.)

- C. **SP-07-25 - Public hearing, review, and action on a request submitted by Kingdom City Boxing for a Special Use Permit for a Sports and Fitness Establishment in the R-3A (Multiple-Family Residence) District, for the property commonly known as 1201 N. Hershey Rd., PIN: 14-36-300-00, as requested by the Development Services Department.** (Recommended Motion: Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or denial of the Special Use Permit.)

**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 [mhurt@cityblm.org](mailto:mhurt@cityblm.org).



**Consent Agenda Item No. 4.A.**

**For Zoning Board of Appeals:** October 15, 2025

**Ward Impacted:** City Wide

**Subject:** Review and approval of the Minutes of the August 20, 2025 regular meeting of the Bloomington Zoning Board of Appeals., as requested by the Development Services Department.

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

**Strategic Plan:**

**Goal:** Financially Sound City Providing Quality Basic Services

**Objective:** Engaged residents that are well informed and involved in an open governance process

**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.

**Community Groups/Interested Persons Contacted:** N/A

**Financial Impact:** N/A

**Attachments:**

1. ZBA Minutes 2025-08-20 DRAFT
2. ZBA 8-20-25 - V-07-25 & V-08-25 - Applicant Exhibits A-C



**DRAFT MINUTES  
ZONING BOARD OF APPEALS - REGULAR SESSION  
WEDNESDAY, AUGUST 20, 2025, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:00 PM, August 20, 2025. Acting Board Chair Ballantini called the meeting to order.

**Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Matt Steinkoenig	Board Member	Present
Victoria Harris	Board Member	Present
Nikki Williams	Board Member	Present
Terry Ballantini	Acting Board Chair	Present
John Poling	Board Member	Present

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

**Public Comment**

No public comment was provided.

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

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion carried (viva voce).**

Item 4.A. Review and approval of the minutes of the June 18, 2025, regular meeting of the Bloomington Zoning Board of Appeals.

**Regular Agenda**

*The following item was presented:*

Item 5.A. V-05-25 - Public hearing, review, and action on a request submitted by Front & Center, LLC, for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the D-1 (Central Business) District, for

the property located at 102 N. Center Street, 110 N. Center Street, and 120 N. Center Street. PINs: 21-04-337-060, 21-04-337-007, and 21-04-337-059.

Mr. Branham presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses. He described the existing conditions, including the intent of the Applicant to demolish the derelict buildings on the south and west areas of the site, and to replace them with a surface parking lot. He noted that many of the downtown parking lots have little to no landscaping as they were created prior to the implementation of current requirements. He also noted that, even with the relief requested by the Applicant, the lot would be improved as compared to the other existing lots by providing a partial level of the required landscaping. He stated that strict compliance with the standards would result in a reduction of approximately 30 parking spaces. He also reviewed the standards as outlined in the staff report.

Acting Board Chair Ballantini opened the public hearing.

**Robbie Osenga (Applicant, 216 E. Grove Street)**, provided further background on the project and provided a summary of project goals.

Acting Board Chair Ballantini closed the public hearing.

The Board discussed the request and reviewed the standards.

**Board Member Harris made a motion, seconded by Board Member Poling, to approve the item as presented.**

**Roll call**

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion passed.**

Item 5.B. V-06-25 - Public hearing, review, and action on a request submitted by Front & Center, LLC, for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the D-2 (Downtown Transitional) District, for the property located at 110 N. Madison Street. PIN: 21-04-337-002.

Mr. Branham presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses. He described the existing conditions, including the intent of the Applicant to demolish the derelict building on the site, and to replace it with a surface parking lot. He noted the similarities of this case to the previous case. He stated the parking lot use was expected to be temporary until a long-term redevelopment opportunity was identified. He also reviewed the standards as outlined in the staff report.

Acting Board Chair Ballantini opened the public hearing.

**Robbie Osenga (Applicant, 216 E. Grove Street)**, provided further background on the project. He noted the project would tie into the existing adjacent City parking lot. He also

noted the northeast corner would include a portion of the existing façade as a historic marker to be incorporated into the landscaping.

Board Member Poling inquired about the long-term maintenance of the site. Mr. Branham stated it would be maintained by the City.

Board Member Steinkoenig inquired whether there would be any parking restrictions. Mr. Branham stated it would be similar to the existing adjacent lot regarding payment requirements.

Acting Board Chair Ballantini closed the public hearing.

The Board discussed aspects of the request and reviewed the standards.

**Board Member Steinkoenig made a motion, seconded by Board Member Williams, to approve the item as presented.**

**Roll call**

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion passed.**

Item 5.C. V-07-25 & V-08-25 - Public hearing, review, and action on a request submitted by Farnsworth Group and Jason Stephens (owner), for Variances from § 44-403 (Table 403B) of the Zoning Code, to allow reduced Rear Yard setback requirements in the R-2 (Mixed Residential) District for the properties located at 1 Stone Mill Court and 2 Stone Mill Court, PINs: 15-32-355-031 and 15-32-355-032.

Mr. Branham presented the staff report with a recommendation to deny. He reviewed the surrounding zoning and land uses. He also reviewed each standard as outlined in the staff report, noting the standards which had been met and unmet, in the staff's opinion. He identified that the Applicant has also addressed each standard for the Board to review and consider. He highlighted the site plans and where the setback encroachments would be located.

Acting Board Chair Ballantini opened the public hearing.

**Greg Troemel (Applicant Representative, 2709 McGraw Drive)**, provided further background on the project and a brief history of changes to the project. He provided handouts, entered into the minutes as "Applicant's Exhibits A-C". He identified the limited buildable areas of the lots due to easements and the cul-de-sac. He noted a letter of support (Exhibit C) from the adjacent property owner.

Board Member Harris requested clarification regarding the width of the street at the cul-de-sac. Mr. Troemel stated the width meets Code requirements but explained the lots at the front of the property are narrower on a cul-de-sac than on a regular street.

Board Member Poling requested clarification regarding items on Exhibit A (site plan). Mr. Troemel explained details of the submittal.

Board Member Poling inquired: if this is approved, would there be further requests for relief by the Applicant? Mr. Troemel again reviewed the property development history and stated no further relief would be requested.

Board Member Harris inquired: if this is approved, would it set a precedent? Mr. Branham stated it would be important to identify the reasons and be specific, which could be noted in the minutes.

Board Member Steinkoenig acknowledged the importance of the letter from the adjacent neighbor and the distance from structures on the neighbor's property.

Acting Board Chair Ballantini closed the public hearing.

The Board discussed several aspects of the request and reviewed the standards. They noted the minimal impact of the request and stated the standards had been met.

**Board Member Harris made a motion, seconded by Board Member Williams, to approve the item as presented.**

**Roll call**

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion passed.**

Item 5.D. V-09-25 - Public hearing, review, and action on a request submitted by Farnsworth Group and Holy Trinity Church (owner), for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the B-1 (General Commercial) District, for the property located at 802 N. Main Street. PIN: 21-04-132-014.

Mr. Branham presented the staff report with a recommendation for approval. He reviewed the surrounding zoning and land uses and existing site conditions. He described the nature of the Variance request was to provide additional parking on the property. He noted the significant parking space reduction which would occur if all landscaping requirements were applied. He also noted that greenspace at the site would still increase from approximately 400 square feet to 4,000 square feet. He also reviewed the standards as outlined in the staff report.

Acting Board Chair Ballantini opened the public hearing.

**Neil Finlen (Applicant Representative, 2709 McGraw Drive)**, provided further background on the project and provided a summary of project goals. He explained a code-compliant lot would result in a reduction of approximately 60 parking spaces, while the proposed lot would provide 87 spaces and improve the existing greenspace.

**Robbie Osenga (216 E. Grove Street)**, spoke in support of the project. He noted the importance of Holy Trinity's property as a gateway to downtown and how important it was to improve the site from the current condition.

Acting Board Chair Ballantini closed the public hearing.

The Board discussed aspects of the request and reviewed the standards.

**Board Member Willams made a motion, seconded by Board Member Poling, to approve the item as presented.**

**Roll call**

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion passed.**

Item 5.E. V-10-25 - Public hearing, review, and action on a request submitted by Prairie Signs, for approval of a Variance from § 3-403A of the Advertising Sign Code, to allow an increased total sign area in the P-1 (University) District, on the property commonly known as 302 E. Emerson St. PIN 14-33-404-021.

Ms. Pemberton presented the staff report with a recommendation to deny. She stated the request is to replace the existing limestone sign with an electronic sign. She reviewed the size requirements that were permitted and the size of the current request. She reviewed the surrounding zoning and land uses. She also reviewed the standards as outlined in the staff report.

Acting Board Chair Ballantini inquired whether the City would be exploring updating the Sign Code in the future. Ms. Pemberton confirmed.

Acting Board Chair Ballantini opened the public hearing.

**Ken Frost (Applicant, Illinois Wesleyan University, 1312 Park Street)** provided further background on the project.

**Jordan Smith, (Prairie Signs, 1215 Warriner Street, Normal, IL)** provide additional information regarding the details of the sign. He stated there would be auto-dimming features for the sign using a photocell and an internal clock.

Board Member Poling requested that the Applicant be sensitive to the neighbors and ensure proper dimming was provided.

Acting Board Chair Ballantini inquired about advertising on the sign.

**Mike Wagner, (Illinois Wesleyan University, 1312 Park Street)** stated there would be no commercial advertising on the sign. He identified an agreement with the Shirk Center that prohibits commercial advertising.

Acting Board Chair Ballantini closed the public hearing.

The Board discussed several aspects of the request and reviewed the standards.

**Board Member Poling made a motion, seconded by Board Member Williams, to approve the item as presented.**

**Roll call**

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion passed.**

### **New Business**

There was no new business reported.

### **Adjournment**

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

**AYES:** Ballantini; Harris; Williams; Poling, Steinkoenig

**Motion carried (viva voce).**

The Meeting Adjourned at 5:35 p.m.

### **CITY OF BLOOMINGTON**

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Terry Ballantini, Acting Board Chair

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Jon Branham, Staff Liaison



# City of Bloomington

# Zoning Board of Appeals

August 20, 2025

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**CITY OF BLOOMINGTON**  
**ZONING BOARD OF APPEALS**  
**AUGUST 20, 2025**

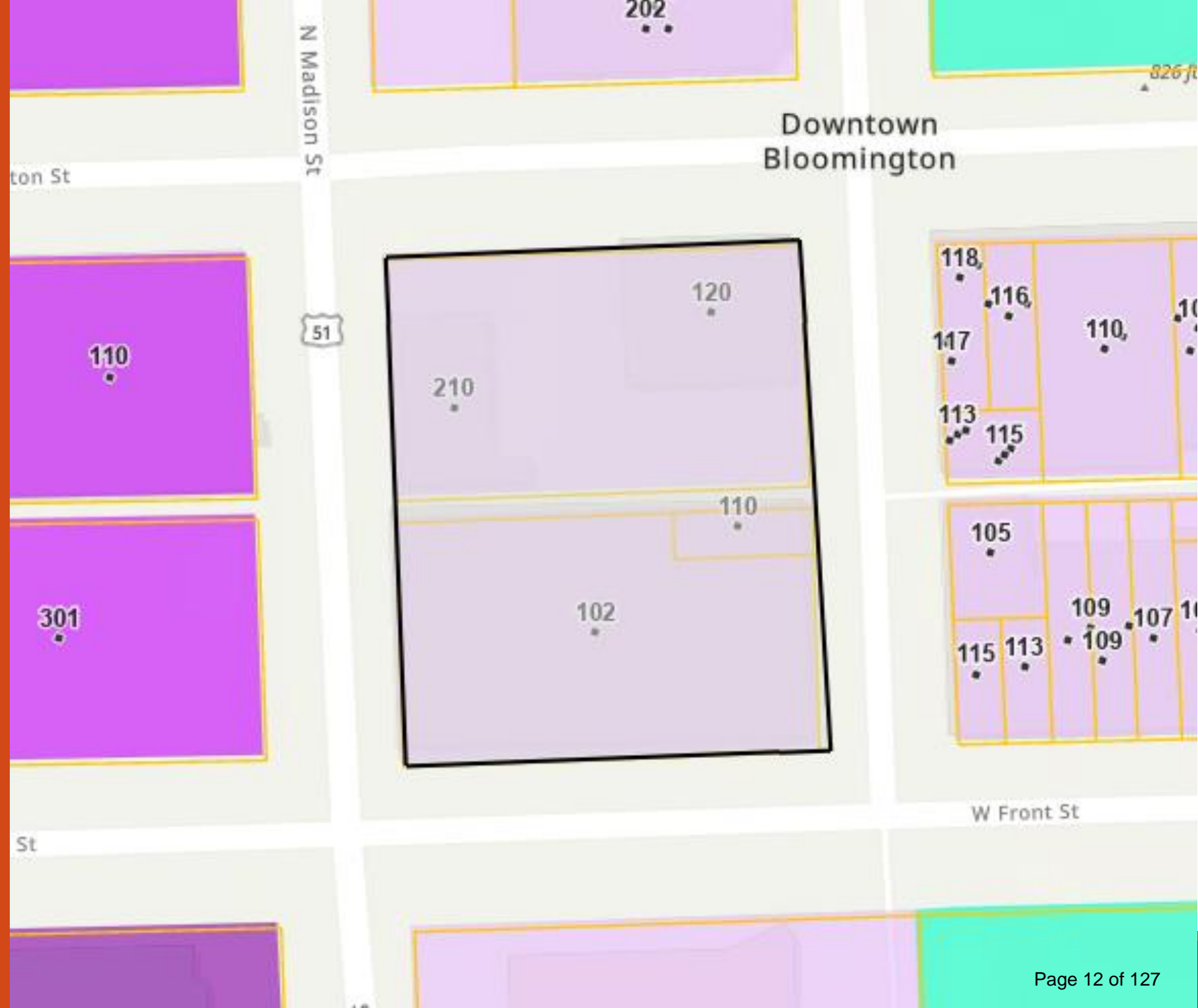
## Regular Agenda

Item	Case Number	Description
5.A.	V-05-25	Public hearing, review, and action on a request submitted by Front & Center, LLC, for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the D-1 (Central Business) District, for the property located at 102 N. Center Street, 110 N. Center Street, and 120 N. Center Street. PINs: 21-04-337-060, 21-04-337-007, and 21-04-337-059.
5.B.	V-06-25	Public hearing, review, and action on a request submitted by Front & Center, LLC, for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the D-2 (Downtown Transitional) District, for the property located at 110 N. Madison Street. PIN: 21-04-337-002.
5.C.	V-07-25 & V-08-25	Public hearing, review, and action on a request submitted by Farnsworth Group and Jason Stephens (owner), for Variances from § 44-403 (Table 403B) of the Zoning Code, to allow reduced Rear Yard setback requirements in the R-2 (Mixed Residential) District for the properties located at 1 Stone Mill Court and 2 Stone Mill Court, PINs: 15-32-355-032 and 15-32-355-032.
5.D.	V-09-25	Public hearing, review, and action on a request submitted by Farnsworth Group and Holy Trinity Church (owner), for Variances from § 44-1205(B)(3) of the Zoning Code, to allow reduced required parking lot setbacks and § 44-1307(B)(1) and § 44-1307(C)(1) of the Zoning Code to allow reduced required parking lot landscaping in the B-1 (General Commercial) District, for the property located at 802 N. Main Street. PIN: 21-04-132-014.
5.E.	V-10-25	Public hearing, review, and action on a request from Prairie Signs, for approval of a Variance from § 3-403A of the Advertising Sign Code, to allow an increased total sign area in the P-1 (University) District, on the property commonly known as 302 E. Emerson St. PIN 14-33-404-021.

# Current & Adjacent Zoning

Surrounding uses:

- North – General Office
- South – County Facilities
- East – Mixed-Use
- West – Vacant / Parking Lot



# Aerial View



# Site Photo



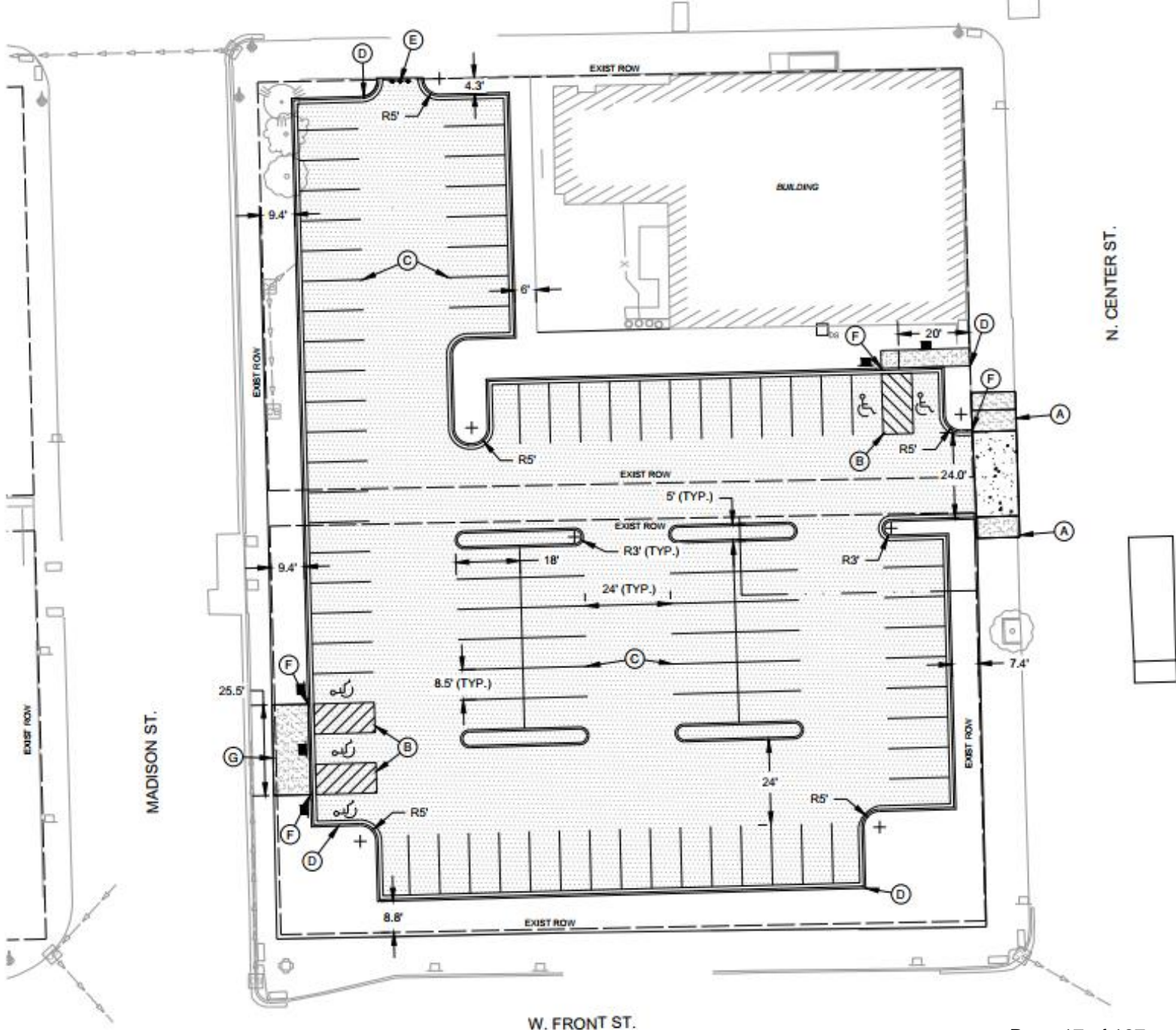
# Site Photo



# Site Photo



# Site Plan



# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-05-25

Staff finds that the application meets all the standards for a Variance.

### Recommended Action(s)

Motion to establish findings of fact that all standards for approval of a Variance are met and to approve a Variance to allow a reduced rear yard setback, as submitted.

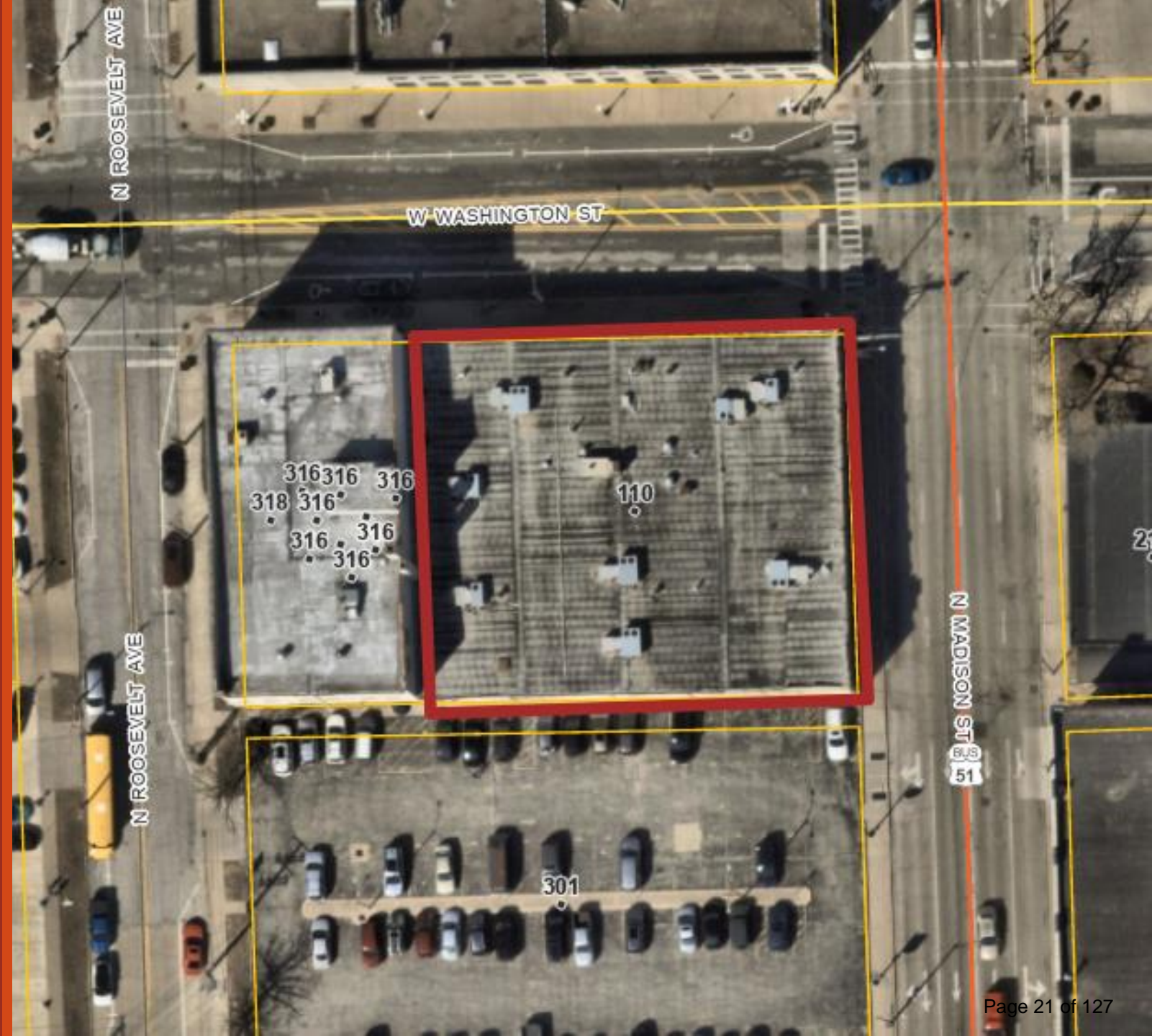
# Current & Adjacent Zoning

Surrounding uses:

- North – School Facility
- South – Parking Lot
- East – Vacant (Former Bank Drive-Through)
- West – Mixed-Use



# Aerial View



# Site Photo



# Site Photo





# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-06-25

Staff finds that the application meets all the standards for a Variance.

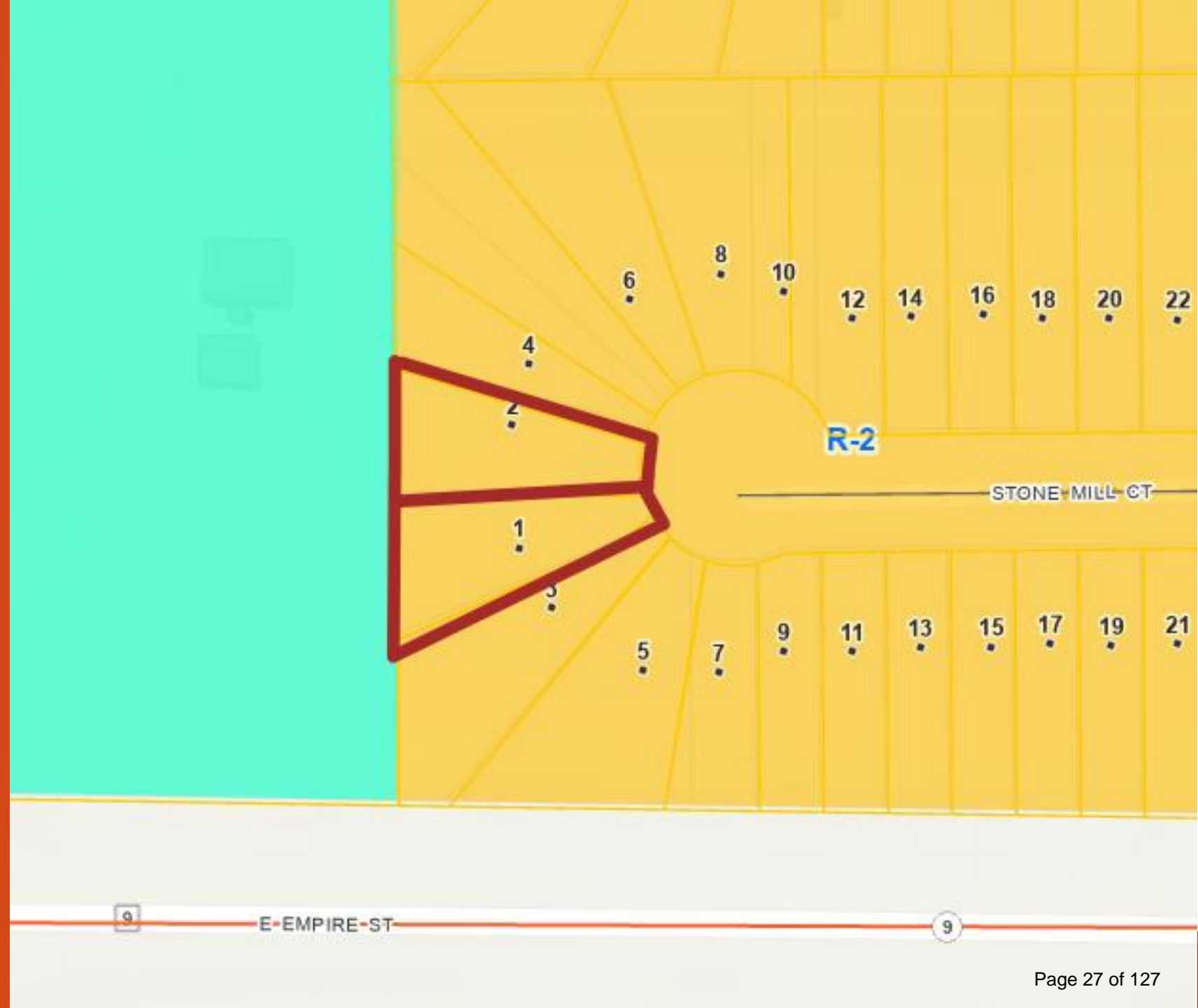
### Recommended Action(s)

Motion to establish findings of fact that all standards for approval of a Variance are met and to approve a Variance to allow a reduced rear yard setback, as submitted.

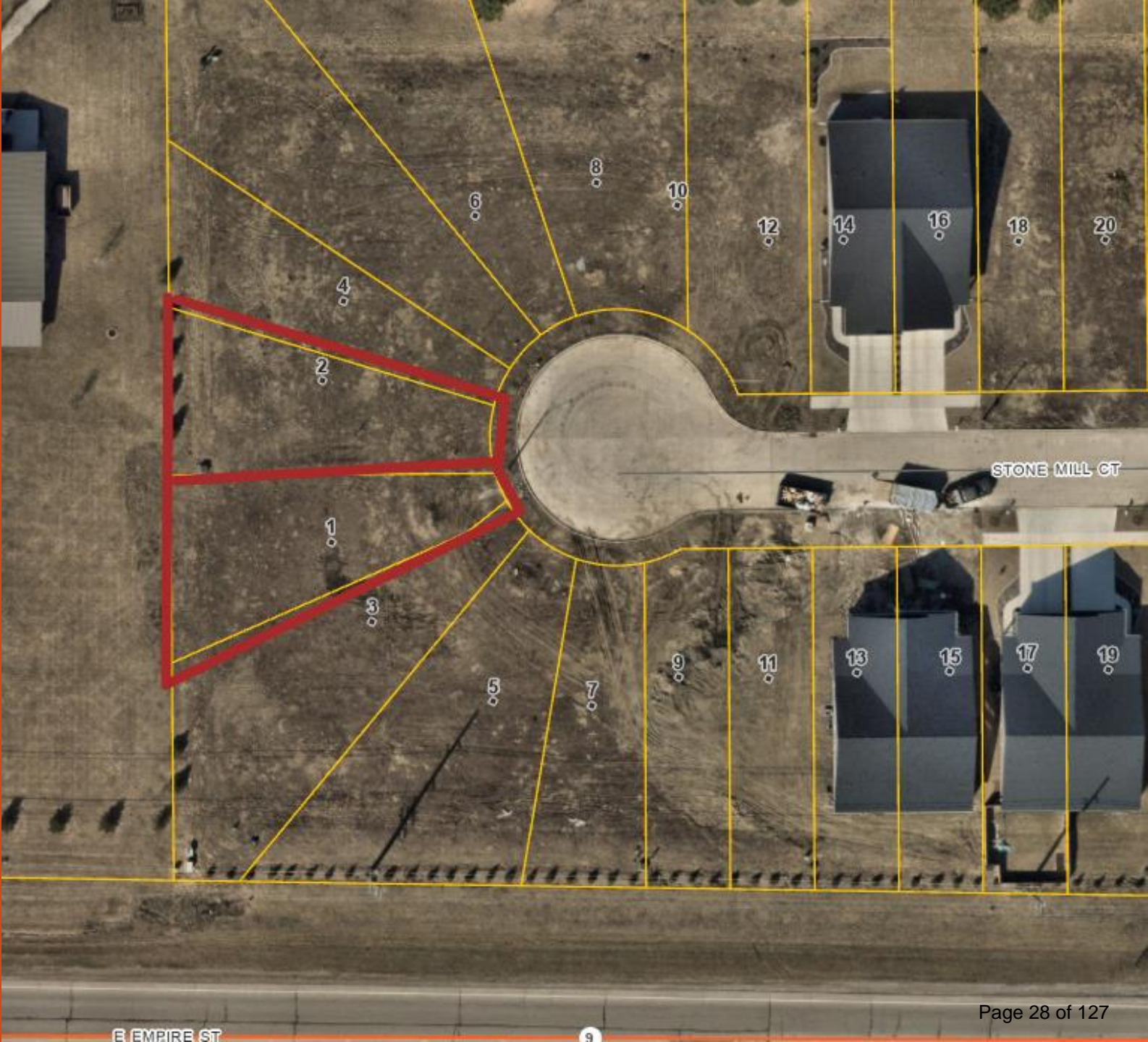
# Current & Adjacent Zoning

Surrounding uses:

- North – Vacant Residential
- South – Vacant Residential
- East – Place of Worship
- West – Vacant Residential



# Aerial View



STONE MILL CT

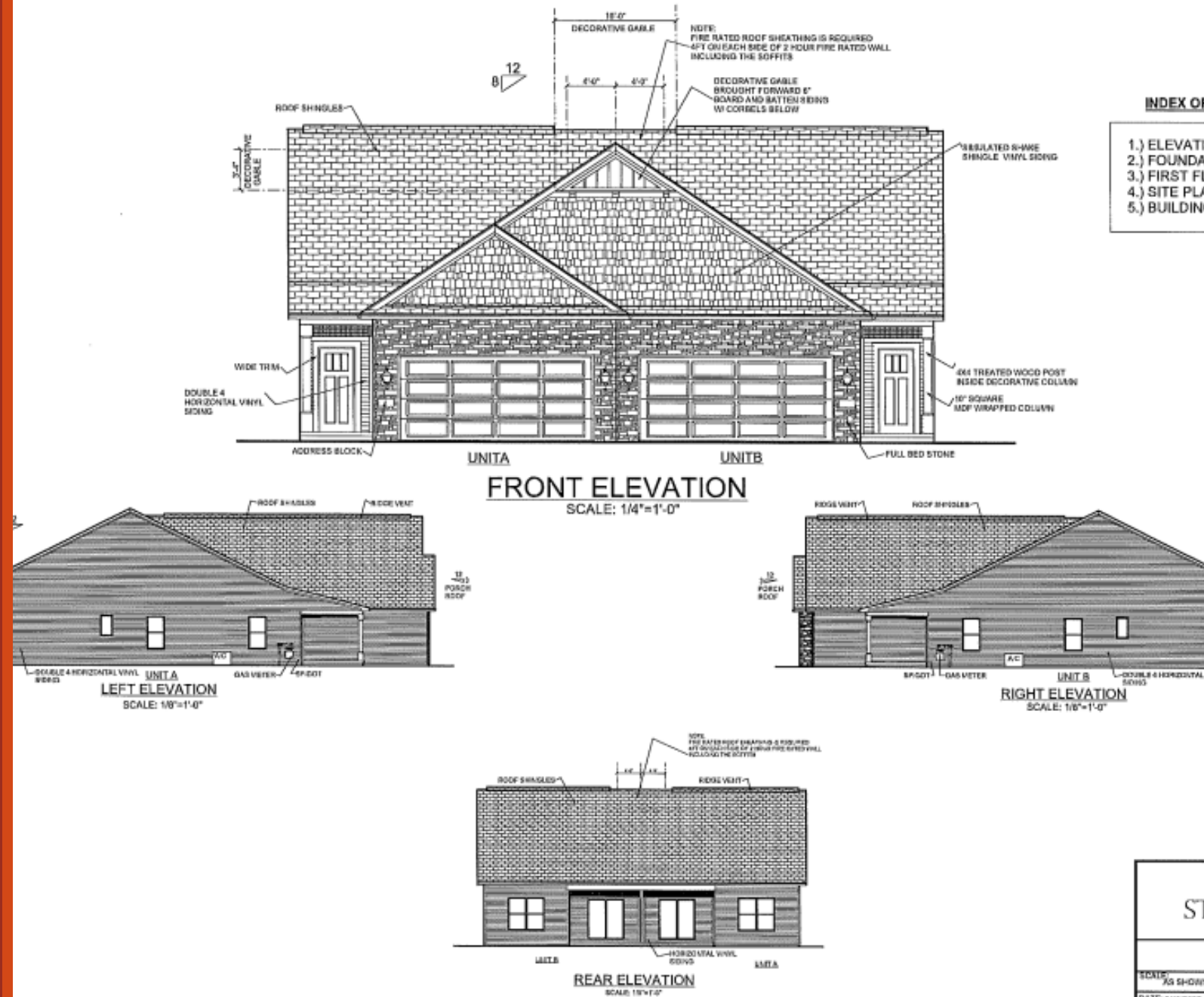
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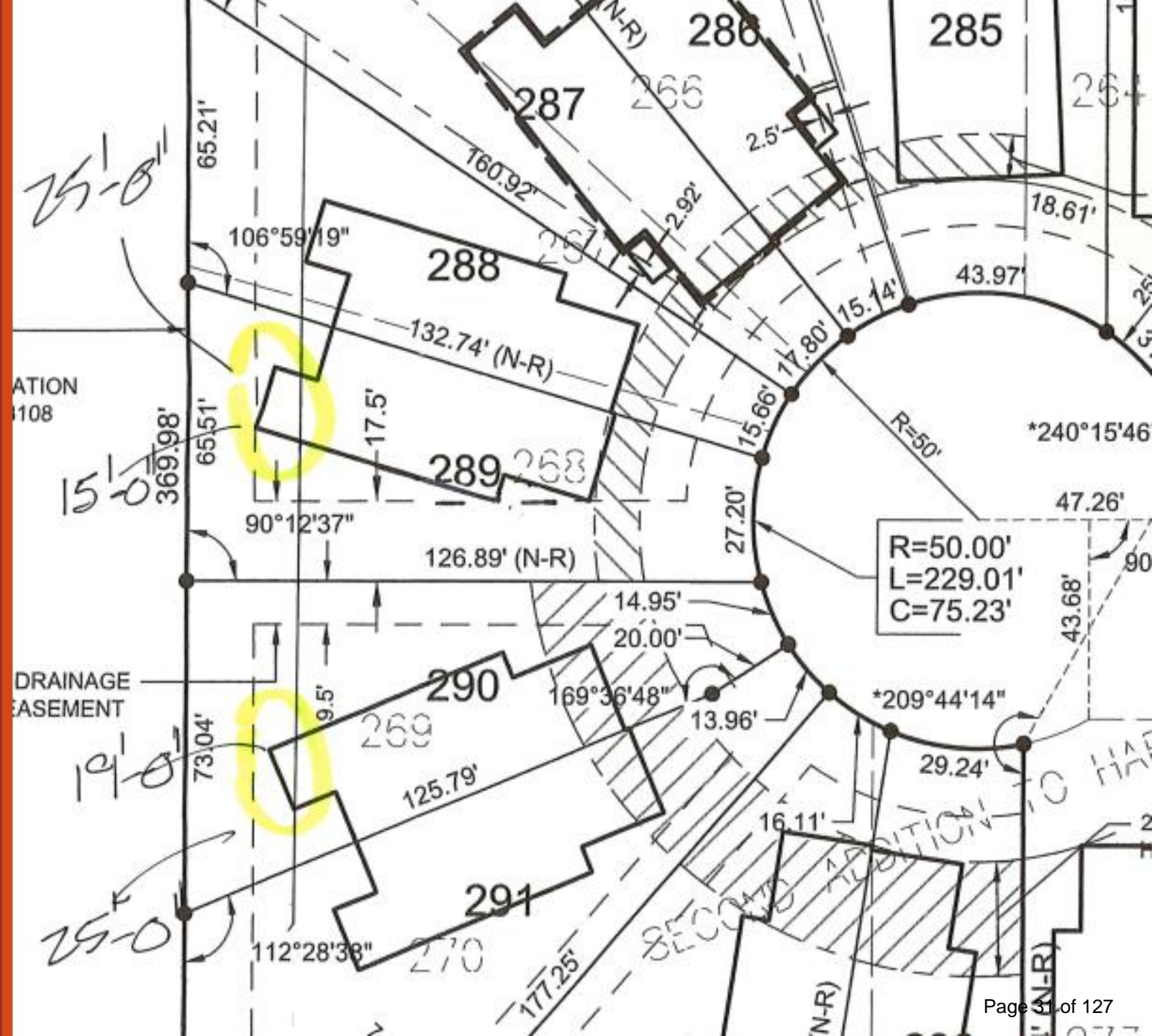
# Site Photo



# Proposed Elevations



# Site Plan



# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-07-25 & V-08-25

Staff finds that the application does not meets all the standards for Variances.

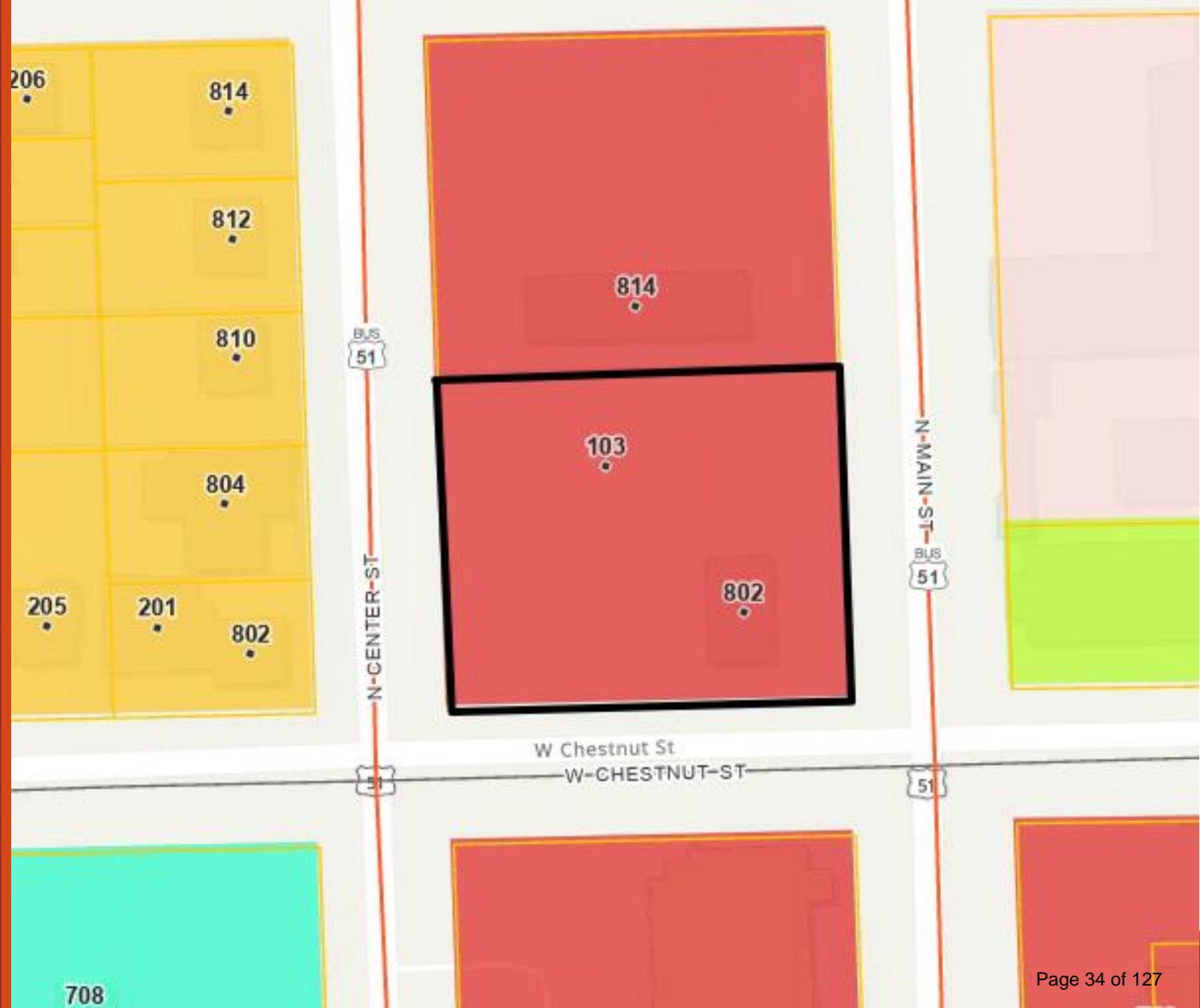
### Recommended Action(s)

Motion to establish findings of fact that all standards for approval of the Variances are not met and to deny the Variance to allow a reduced rear yard setback at both properties, as submitted.

# Current & Adjacent Zoning

Surrounding uses:

- North – Vehicle Service (Car Wash)
- South – Place of Worship
- East – Vacant Land
- West – Residential Dwellings



# Aerial View



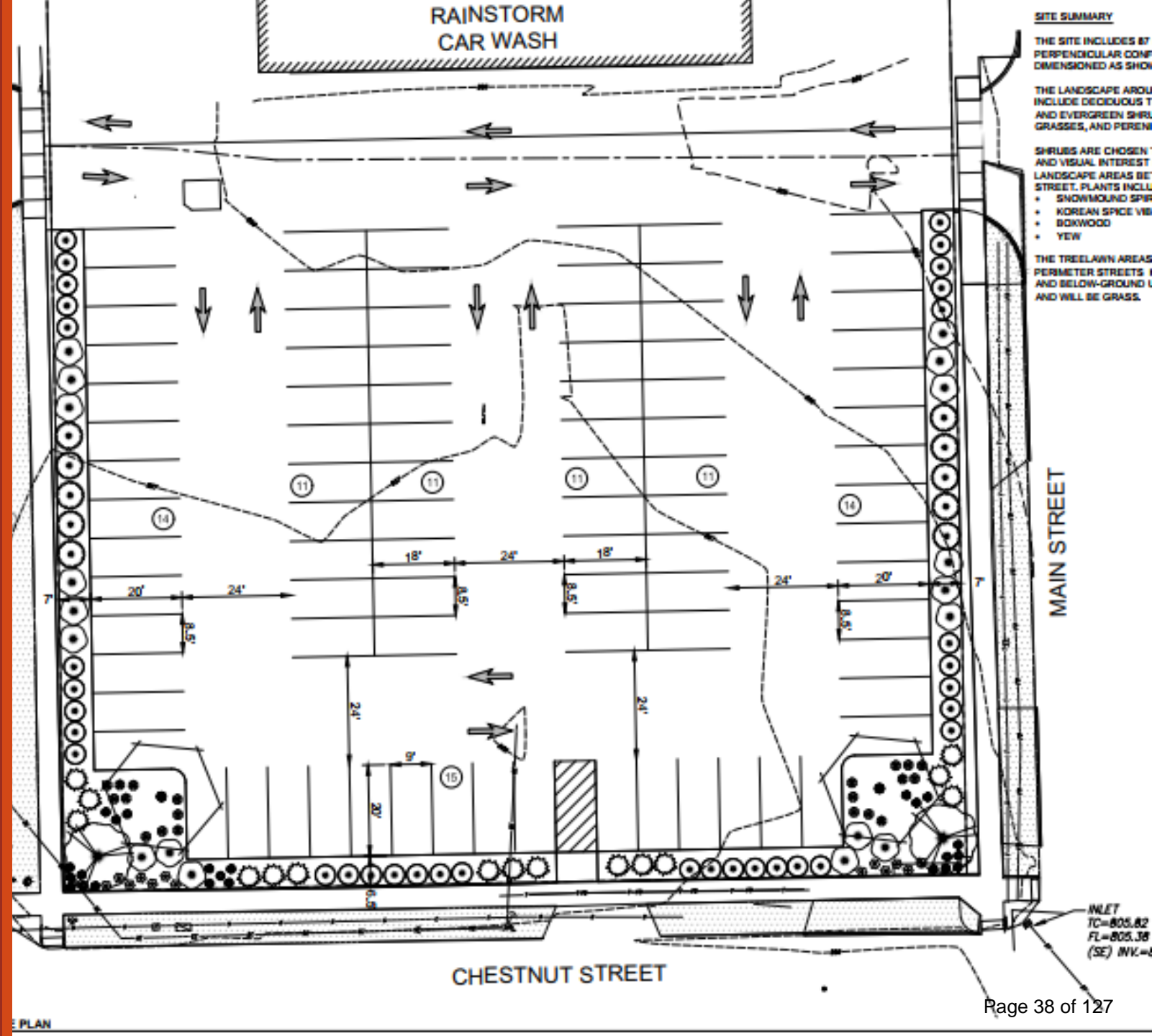
# Site Photo



# Site Photo



# Site Plan



# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-09-25

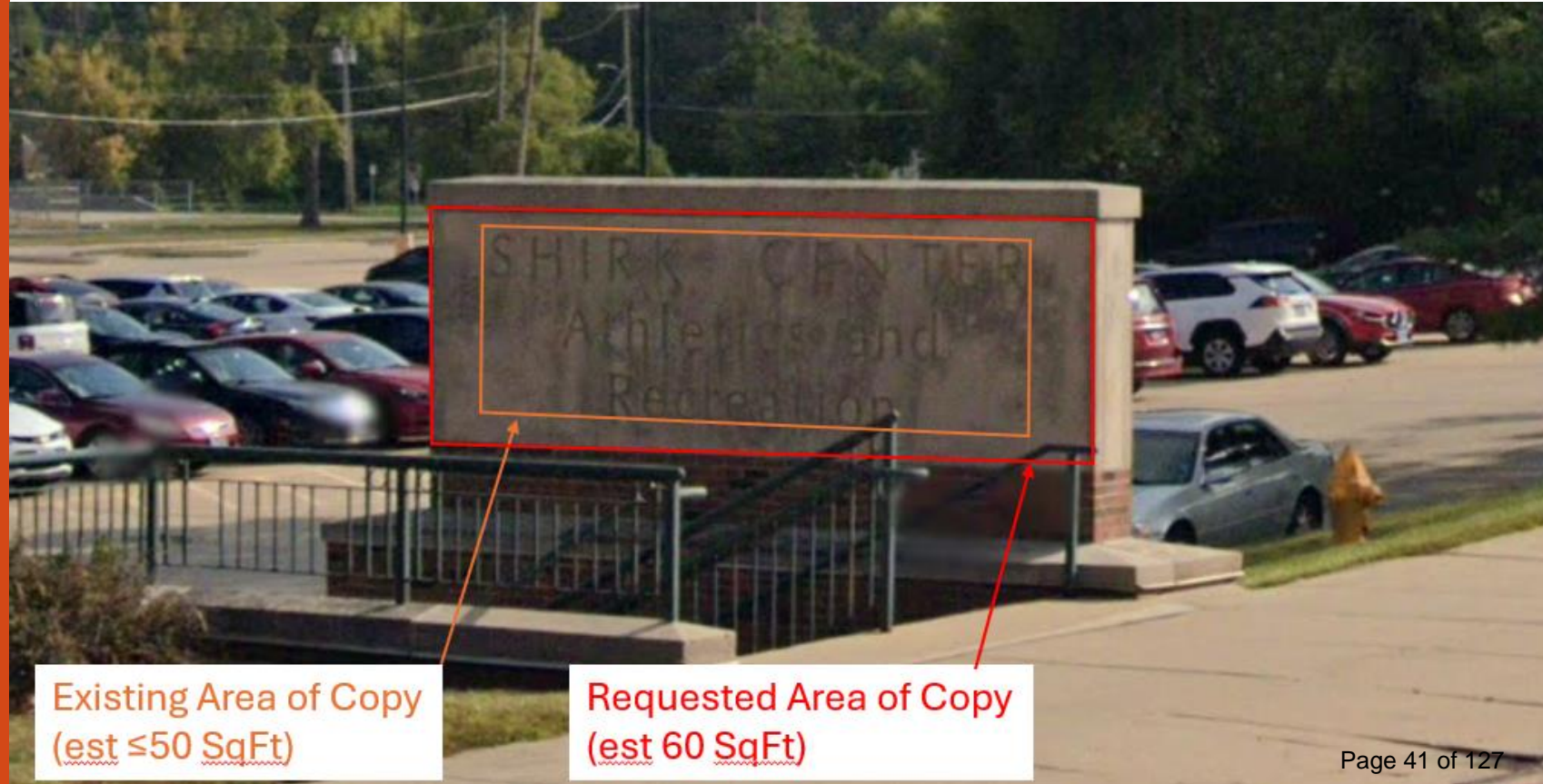
Staff finds that the application meets all the standards for a Variance.

### Recommended Action(s)

Motion to establish findings of fact that all standards for approval of a Variance are met and to approve a Variance to allow a reduced rear yard setback, as submitted.

# V-10-25

- Public hearing, review, and action on a request from Prairie Signs, for approval of a Variance from § 3-403A of the Advertising Sign Code, to allow an increased total sign area in the P-1 (University) District, on the property commonly known as 302 E. Emerson St.



# City Code Ch. 3

## "Advertising Sign Code" of the City of Bloomington, Illinois

"The Zoning Board of Appeals of the City of Bloomington, Illinois, which has been duly created...

(d) To hear appeals of decisions made pursuant to the Sign Code relating to the denial of permits, the removal of illegal signs or the granting of variances, except when said appeal is related to construction specifications of signs, in which case said appeal shall be heard by the Construction Board of Appeals pursuant to Chapter 10 of this Code; and

(e) To give advice to the Sign Code Administrator when requested... (§ 44-1702B).

**A.** The Advertising Sign Code regulates all varieties of signs, as defined within the City of Bloomington. The City Council in adopting this Code, finds:

- 1) That signs should be regulated in order to protect public investment, to promote the recreational value of public travel, to preserve natural beauty and to promote the reasonable orderly and effective display of signs; that the use and display of signs in a legitimate use of private property and is an integral part of the business and marketing functions of local economy and serves to promote and protect private investments in commerce and industry and that the regulatory standards set forth in this Code are consistent with customary use in this City and will properly carry out the purposes of this Code, more severe restrictions being inconsistent with customary use and ineffective to accomplish the purposes of this Code;
- 2) Signs visible from motor vehicles being driven upon streets in the City have a visual impact upon the drivers of those vehicles;
- 3) Easily read and well located signs can materially assist motorists and others in getting to their desired destination safely and efficiently;
- 4) Signs which are unregulated as to size, location and appearance can distract motorists, interfere with early identification of traffic control devices, and hinder the smooth and safe movement of traffic;
- 5) Lack of regulation of size, location and appearance of signs can cause escalation in the size of signs erected by competing businesses.

**B.** This Code authorizes the use of signs visible from public right-of-way provided the signs are:

- 1) Compatible with permitted, special, or accessory uses allowed in the district and surrounding land;
- 2) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;
- 3) Legible, readable and visible in the circumstances in which they are used;
- 4) Not violative of the reasonable rights of other advertisers whose messages are displayed.[Ord. No. 1989-30]

# City Code Ch. 3

## "Advertising Sign Code" of the City of Bloomington, Illinois

- Re-write attempted in coordination with 2019 Zoning Code re-write, but was not completed
- Content and sections have been removed to comply with new regulation and national case law (best practice)
- Last significant content change was 1998

### Interpretation of Zoning Districts referenced in the Advertising Sign Code

Economic & Community Development Department

January 13, 2022

Chapter 3 of the City of Bloomington's Municipal Code—the "Advertising Sign Code"—has not been updated since changes to Zoning (Chapter 44) were made, causing references in the code to no longer align with the districts and definitions present in Chapter 44. The reclassification and/or combination of some of the old Zoning Districts has resulted in references that are no longer present in the current version of the City of Bloomington Municipal Code, presenting issues with applying the Advertising Sign Code to current applications.

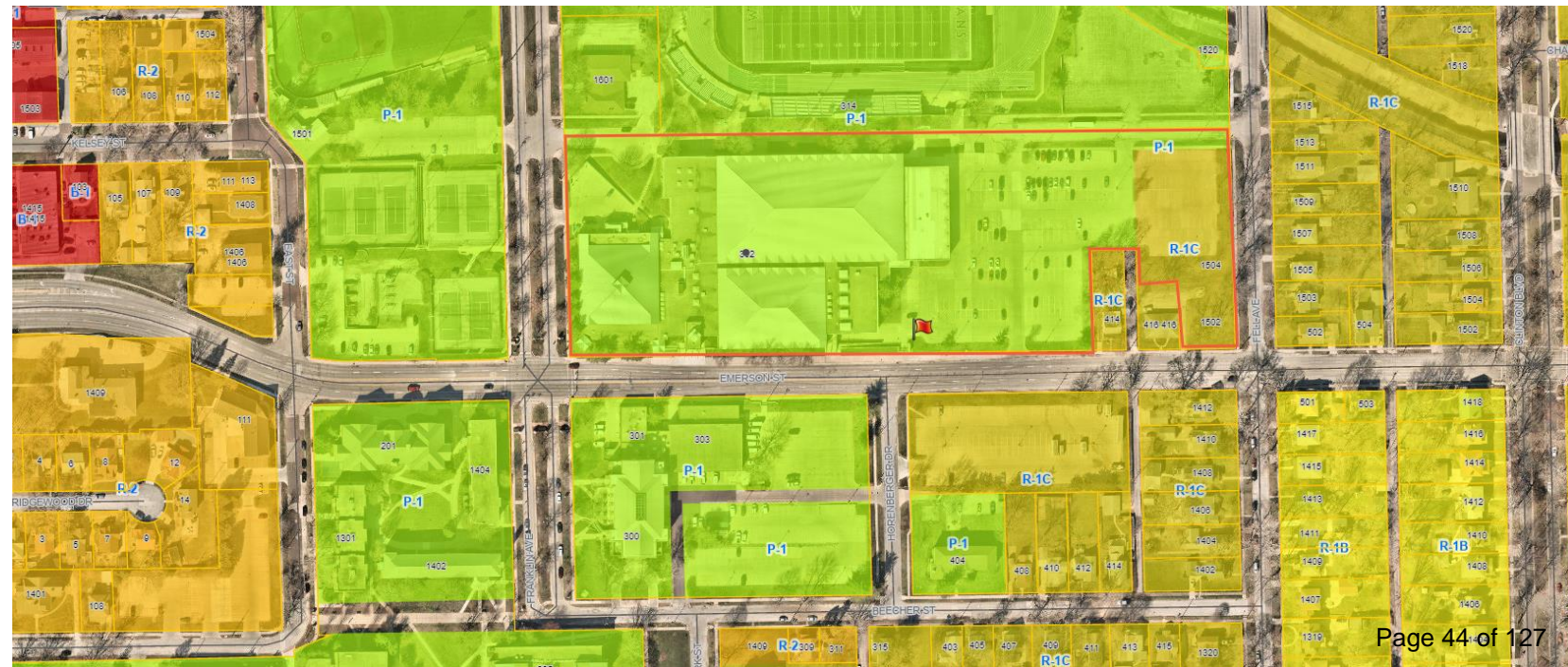
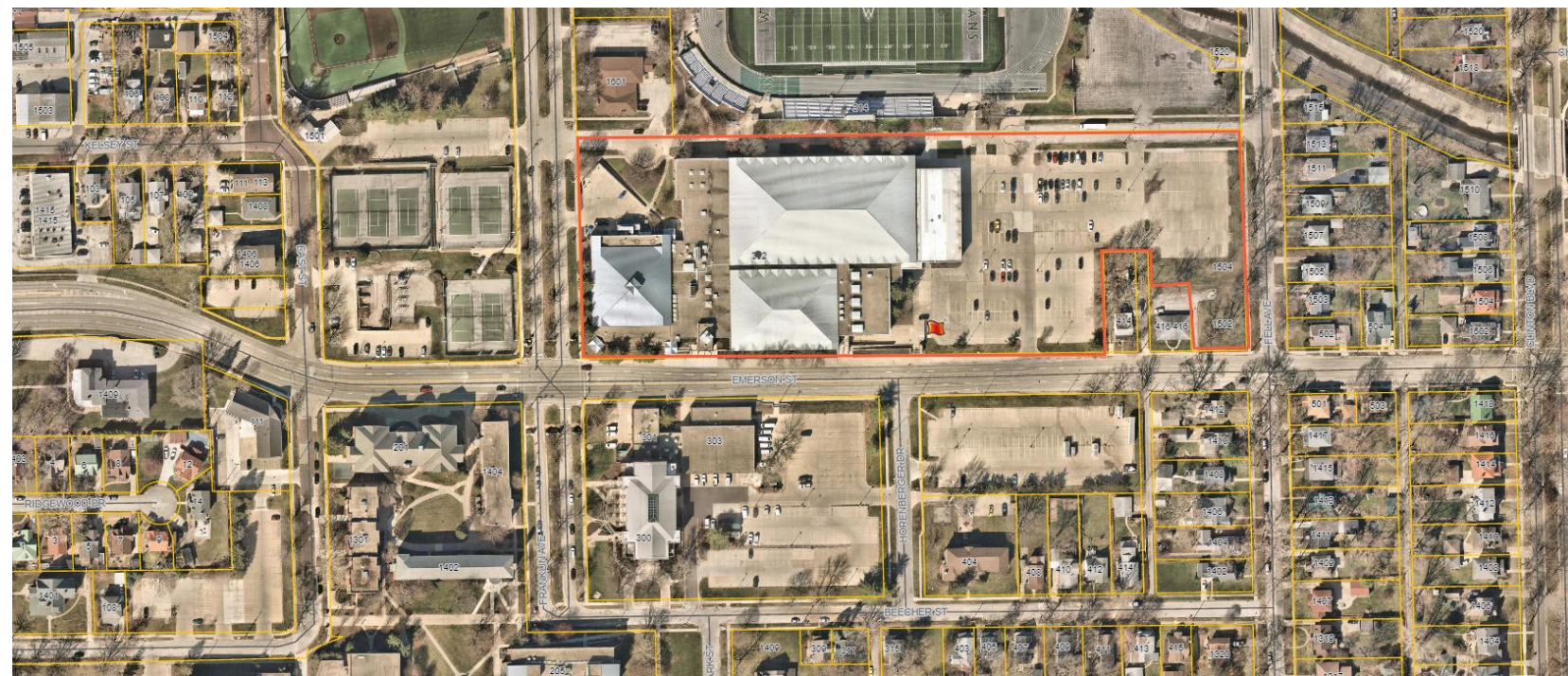
Zoning districts, intents, and uses from the old (2006) and current (2020) code were compared for similarity, and evaluated for the best match, based on the Advertising Sign Code's intent that "signs should be regulated in order to protect public investment, to promote the recreational value of public travel, to preserve natural beauty and to promote the reasonable orderly and effective display of signs." §3-102.A(1)

- To allow fair, consistent, and accurate application of the Advertising Sign Code, the following alignment should be used to evaluate applications for signs within the City of Bloomington Zoning Districts.
- Where a property is subject to the regulations of a base zoning district and an overlay district, in the current code, the more stringent provisions of the Advertising Sign Code should be applied.

District Referenced in Advertising Side Code	District Present in Current City Code
A (Agricultural District)	A (Agricultural District)
R-1A, R-1B, R-1C (Single-Family Residence District)	R-1A, R-1B, R-1C (Single-Family Residence District)
R-2 (Mixed Residence District)	R-2 (Mixed Residence District)
R3-A, R-3B (Multiple-Family Residence District)	R3-A, R-3B (Multiple-Family Residence District)
R-4 (Manufactured Home Park District)	R-4 (Manufactured Home Park District)
C-1 (Office District)	C-1 (Office District)
C-2 (Neighborhood Shopping District)	B-2 (Local Commercial District)
C-3 (Community/Regional Shopping District)	
B-1 (Highway Business District)	B-1 (General Commercial District)
B-2 (General Business Service District)	
	D-1 (Central Business District)
B-3 (Central Business District)	D-2 (Downtown Transitional District)
	D-3 (Downtown Warehouse and Arts District)
M-1 (Restricted Manufacturing District)	M-1 (Restricted Manufacturing District)
M-2 (General Manufacturing District)	M-2 (General Manufacturing District)
S-1 (University District)	P-1 (University District)
S-2 (Public Lands and Institutions District)	P-2 (Public Lands and Institutions District)
S-3 (Aircraft Noise Impact District)	S-1 Overlay (Aircraft Noise Impact District)
S-4 (Historic Preservation District)	S-4 Overlay (Historic Preservation District)
S-5 (Airport District)	P-3 (Airport District)

# V-10-25

- Public hearing, review, and action on a request from Prairie Signs, for approval of a Variance from § 3-403A of the Advertising Sign Code, to allow an increased total sign area in the P-1 (University) District, on the property commonly known as 302 E. Emerson St.



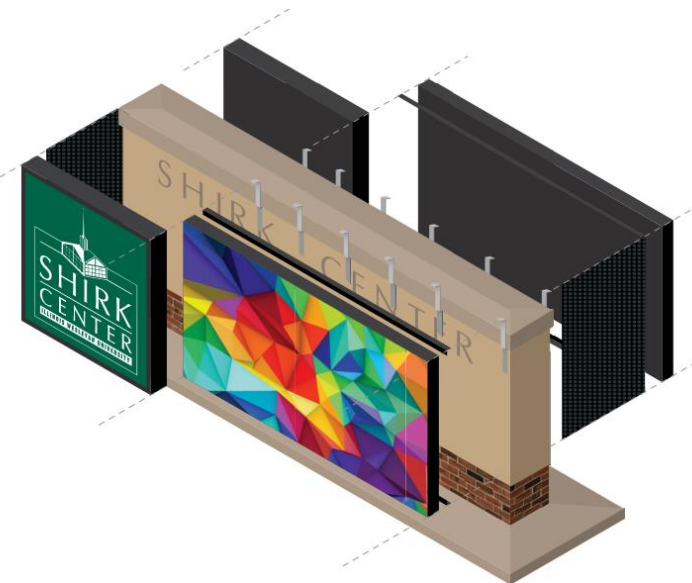
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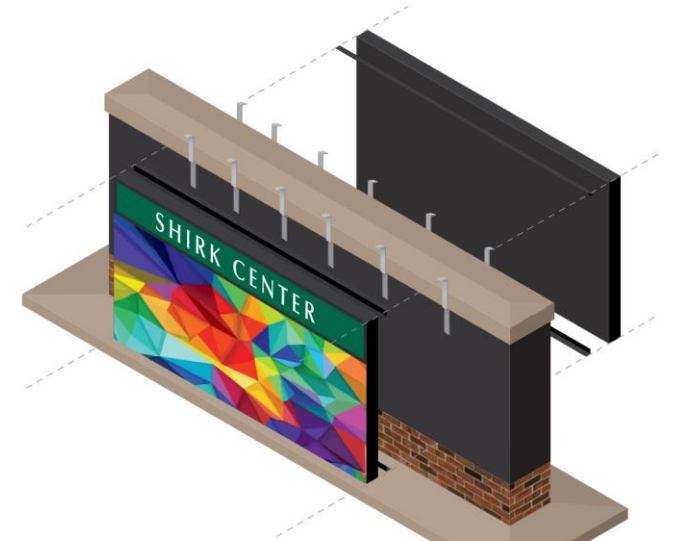
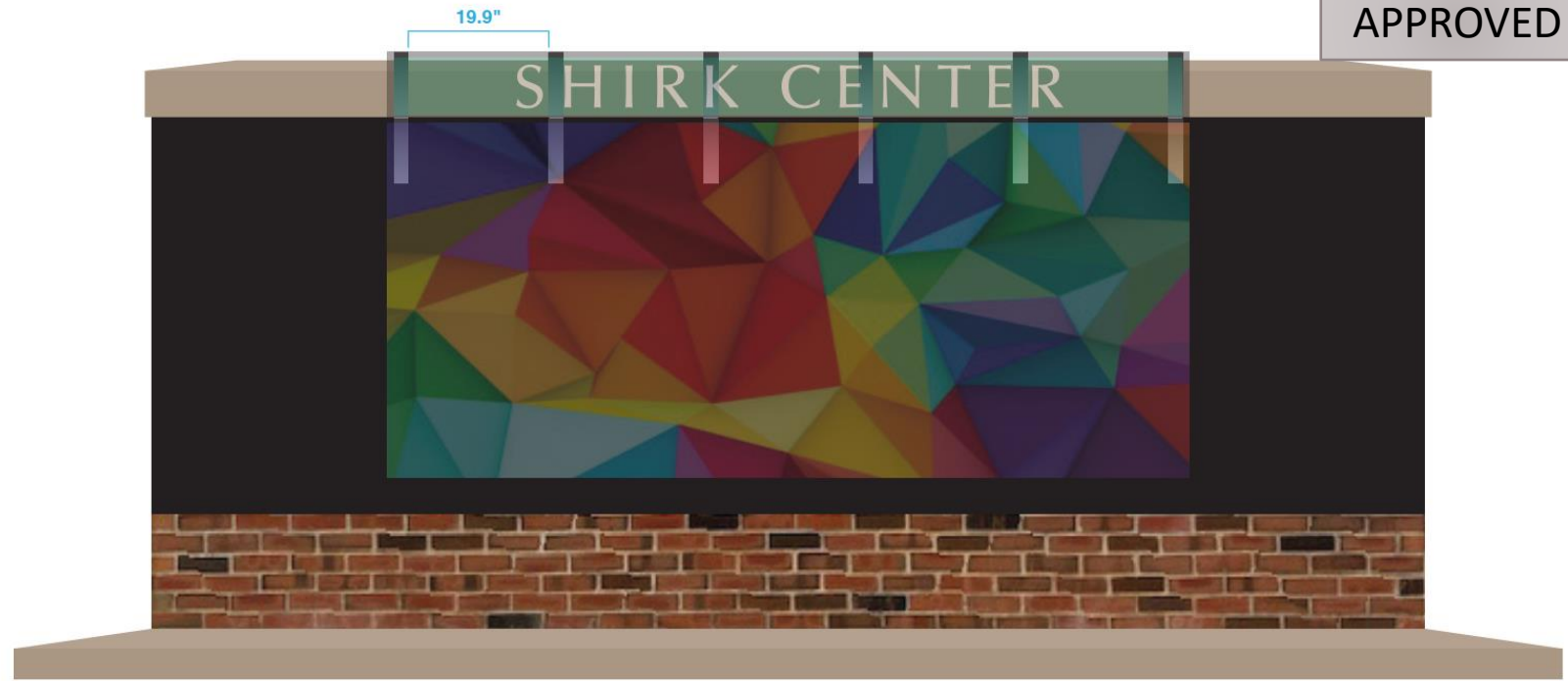
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# V-10-25

- Public hearing, review, and action on a request from Prairie Signs, for approval of a Variance from § 3-403A of the Advertising Sign Code, to allow an increased total sign area in the P-1 (University) District, on the property commonly known as 302 E. Emerson St.



# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-10-25

Staff finds that the application may meet many, but not all, of the standards for granting a Variance.

### **Recommended Action(s)**

- Fully consider and discuss the applicability of the existing Advertising Sign Code in the context of today's Zoning Code and provided testimony.
- Motion to establish findings of fact that the standards for approval a Variance are, or are not met, and that carrying out the strict letter of the Code does, or does not, create a practical difficulty or particular hardship for the Applicant.
- Motion to approve or deny the request for a Variance to § 3-403A, as presented.



CITY OF BLOOMINGTON  
ZONING BOARD OF APPEALS  
AUGUST 20, 2025

## Regular Agenda

Item	Case Number	Description
6.	---	New Business
7.	---	Adjournment



**Next ZBA Meeting: September 17, 2025**

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# Harvest Pointe/St. Patricks

Write a description for your map.

## Legend

- Decatur, IL Water Tower/Long Creek #2
- Feature 1
- Kenney's Ace Hardware
- Ren Group Sermon Discussion

● = PROPOSED LOCATIONS  
OF HOMES



Google Earth

Image © 2026 Airbus

900 ft

APPLICANT'S EXHIBIT B



# APPLICANT'S EXHIBIT C



1001 N Towanda Barnes Rd  
Bloomington, IL 61705-5456  
(309) 662-7361

July 27, 2025

City of Bloomington  
Planning & Zoning Division  
c/o Alissa Pemberton, City Planner  
115 E. Washington Street  
Bloomington, IL 61701

Re: Zoning Board of Appeals Petition – #1 and #2 Stone Mill Court, Harvest Pointe Subdivision

Hello Ms. Pemberton,

I write in response to the notice of public hearing our church received related to a zoning variation request for two undeveloped residential properties that adjoin the church property on the east.

As I review the materials, it appears the request is for consideration of a reduced rear yard setback from 25' down to 15' for one property and 19' for another. As you are likely aware, the rear yard of these homes adjoins what we would refer to as our rear yard or "back of house" for the church property. The adjoining area is an open greenspace that is just under one acre. We find the reduced setback request would have a negligible, if any, impact on our property. Given the request and our analysis of how it might affect our property, the church is very supportive of the zoning variation requests.

The church has enjoyed a mutually positive relationship with the developer and homeowners of the subdivision for the past 15 years. Certainly if I can offer additional information or you have follow up questions for the church as a neighbor, please let me know and I'll respond accordingly. Thank you again for providing notice of this pending action, and for considering our position on the zoning variation requests.

Sincerely,



Father Dustin Schultz  
Pastor, Most Holy Eucharist Parish – Saint Patrick Church of Merna

Cc: Jason Stephens, General Contractor



**Consent Agenda Item No. 4.B.**

**For Zoning Board of Appeals:** October 15, 2025

**Ward Impacted:** City Wide

**Subject: Review and approval of the Minutes of the September 17, 2025 regular meeting of the Bloomington Zoning Board of Appeals.**, as requested by the Development Services Department.

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

**Strategic Plan:**

**Goal:** Financially Sound City Providing Quality Basic Services

**Objective:** Engaged residents that are well informed and involved in an open governance process

**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.

**Community Groups/Interested Persons Contacted:** N/A

**Financial Impact:** N/A

**Attachments:**

1. ZBA Minutes 2025-09-17 - DRAFT
2. Applicant Exhibit 1
3. Applicant Exhibit 2



**DRAFT MINUTES  
ZONING BOARD OF APPEALS - REGULAR SESSION  
WEDNESDAY, SEPTEMBER 17, 2025, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:03 PM, September 17, 2025. Acting Board Chair Ballantini called the meeting to order. It was noted that Board Member Welch could participate but would be unable to vote on any case items.

**Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Matt Steinkoenig	Board Member	Absent
Becky Welch	Board Member	Present
Melissa Woods	Board Member	Present
Victoria Harris	Board Member	Absent
Nikki Williams	Board Member	Present
Terry Ballantini	Acting Board Chair	Present
John Poling	Board Member	Present

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

**Public Comment**

No public comment was provided.

**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.*

There were no items listed on the consent agenda.

**Regular Agenda**

*The following item was presented:*

Item 5.A. V-11-25 - Public hearing, review, and action on a request submitted by Sarah Heatley, for a Variance from § 44-403A of the Zoning Code, to allow a reduced required rear yard setback in the R-1C (Single-Family Residence) District, for the property located at 903 Bunn Street, PIN: 21-09-278-008.

Mr. Branham presented the staff report with a recommendation for denial. He provided a brief history of projects at the property and compliance items. He reviewed the surrounding

zoning and land uses. He described the characteristics of the property and the nature of the variance request, which included a covered walkway structure which connected the primary residence with an existing detached garage. He noted the work has been completed without a permit. He also reviewed the standards as outlined in the staff report. He indicated Building Safety staff were in attendance if the Board had specific questions.

Acting Board Chair Ballantini opened the public hearing.

**Sarah Heatley (Applicant, 903 Bunn Street)**, provided Applicant's Exhibits 1 (notarized statement) and 2 (brief) and requested Chris Heatley speak on her behalf.

**Chris Heatley (903 Bunn Street)**, provided further background on the project. He outlined reasons for the previous Variance request which was approved in 2021 and details of the current request. He stated the primary reason for the current request was to provide a covered walkway from the rear of the property to the principal structure. He admitted to starting the work without the proper permits but is now attempting to proceed in the required manner. He noted the nonconforming width of the property and other property characteristics. He stated surrounding neighbors were in support of the project.

**Dave Follick (907 Bunn Street)**, stated his support of the Variance request. He noted the proximity of his property to the Applicant's and noted the improvements the Applicant has made to the property over time.

Board Member Woods inquired about potential uses which could be permitted by right at the former detached garage location now considered part of the primary structure. Mr. Branham stated any use which is identified as permitted in the zoning district could be allowed.

Acting Board Chair Ballantini inquired about Zoning Code and Building Code items. Mr. Branham clarified the main differences between the Zoning Code and the Building Code.

There was further clarification by staff on how the structure is classified in the Zoning Code and that Building Code items would still need to be met.

Acting Chair Ballantini inquired whether there had been previous requests or approvals for a three-foot rear yard setback for a primary structure. Mr. Branham responded there had not been.

Board Member Poling inquired whether a ten-foot separation from existing structures would meet Zoning Code requirements. Mr. Branham stated that it would allow conformance as it could be considered an accessory structure.

Board Member Woods inquired about height and bulk regulations. Mr. Branham stated there was a 35-foot height requirement in the zoning district and that there were no lot coverage requirements, so an increase in overall bulk was possible without requiring future relief from the Code.

Acting Board Chair Ballantini requested staff review the standards. Mr. Branham reviewed the standards as outlined in the staff report.

Acting Board Chair Ballantini closed the public hearing.

The Board further discussed the request and reviewed the standards. Board Member Woods noted the Applicant had made positive improvements to the neighborhood, but the current Variance request could potentially allow for greater impact towards the rear of the property. She stated it was important to consider the impact on the neighborhood and adjacent property owners in the long term.

Acting Board Chair Ballantini agreed with Board Member Woods and stated the current request differed from the 2021 request and that this significantly impacts the rear of the property. He noted his concern for building and fire safety. He expressed his appreciation for the Applicant's efforts for the neighborhood.

**Board Member Poling made a motion, seconded by Board Member Woods, to deny the item as presented.**

**Roll call**

**AYES:** Ballantini; Williams; Poling, Woods

**Motion passed.**

#### **New Business - Election of Chair and Vice-Chair**

Acting Board Chair Ballantini introduced the new Board Members. Board Member Welch and Board Member Woods each provided brief backgrounds.

**Board Member Poling made a motion to elect Acting Board Chair Ballantini as Chair. Acting Board Chair Ballantini accepted the nomination. Board Member Williams seconded the motion.**

**AYES:** Ballantini; Williams; Poling, Woods

**Motion passed (viva voce).**

**Board Member Poling made a motion to postpone the election of Vice-Chair to the next meeting. Board Member Woods seconded the motion.**

**AYES:** Ballantini; Williams; Poling, Woods

**Motion passed (viva voce).**

#### **Adjournment**

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

**AYES:** Ballantini; Williams; Poling, Woods

**Motion passed (viva voce).**

The meeting adjourned at 5:01 p.m.

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Terry Ballantini, Acting Board Chair

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Jon Branham, Staff Liaison

DRAFT



# City of Bloomington

# Zoning Board of Appeals

September 17, 2025

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CITY OF BLOOMINGTON  
ZONING BOARD OF APPEALS  
SEPTEMBER 17, 2025

## Regular Agenda

Item	Case Number	Description
5.A.	V-11-25	Public hearing, review, and action on a request submitted by Sarah Heatley, for approval of a <b>Variance</b> to allow a reduced rear yard setback for the property located at 903 Bunn Street, PIN: 21-09-278-008.

# Current & Adjacent Zoning

Surrounding uses:

- North – Two-Family Residential (R-2 Mixed Residence)
- South – Single-Family Residential (Single-Family Residence)
- East – Single-Family Residential (M-1 Restricted Manufacturing)
- West – Single-Family Residential (Single-Family Residence)



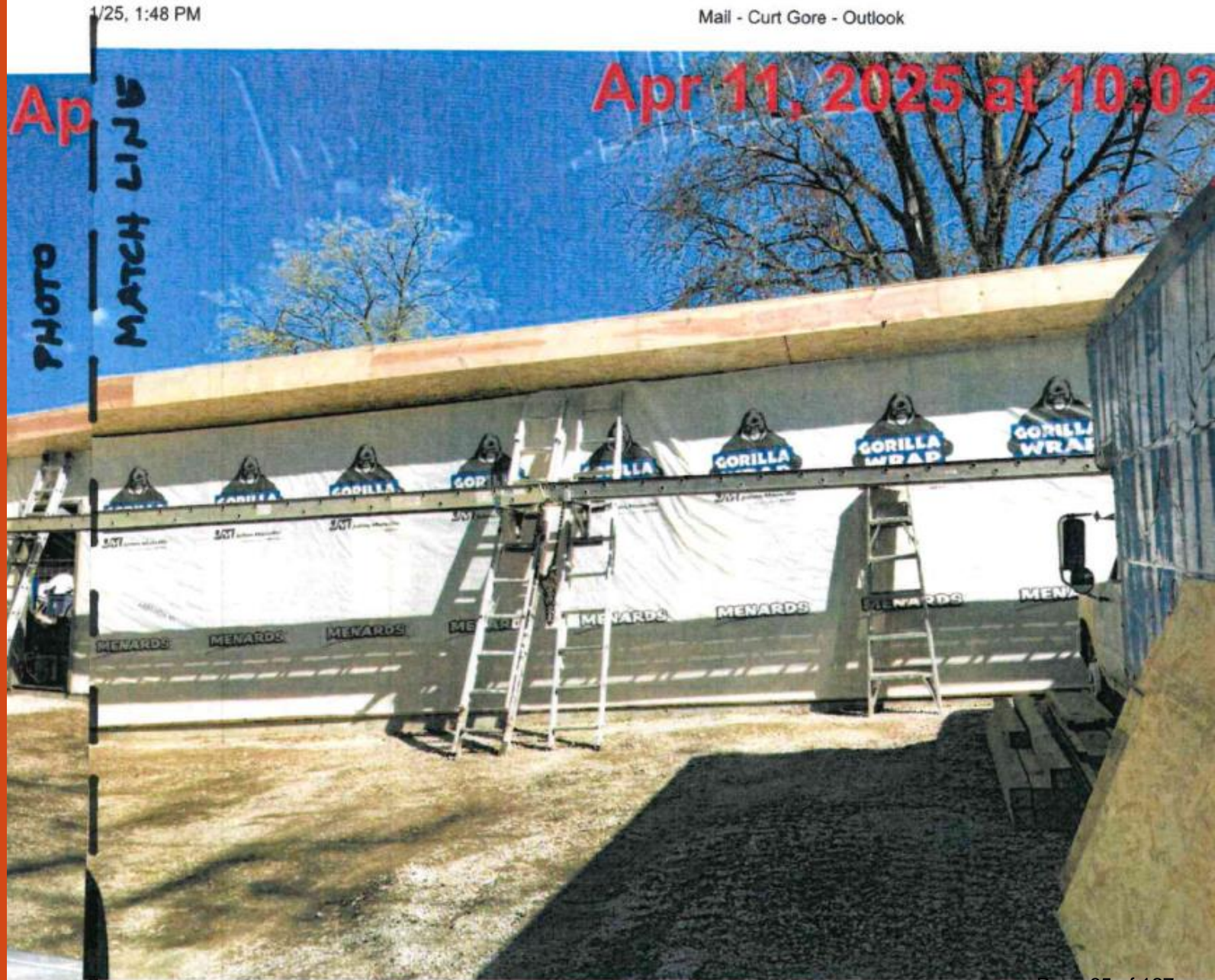
# Aerial View



# Site Photo



# Site Photo



# Site Photo



# Site Photo



# Site Photo



# Findings of Fact - Variances

## Standard

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.
2. That the variance would be the minimum action necessary to afford relief to the applicant.
3. That the special conditions and circumstances were not created by any action of the applicant.
4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.
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 of development of adjoining properties.



# Staff Recommendation

## CASE V-11-25

Staff finds that the application does not meets all the standards for a Variance.

### Recommended Action(s)

Motion to establish findings of fact that all standards for approval of a Variance are not met and to deny a Variance to allow a reduced rear yard setback.



CITY OF BLOOMINGTON  
ZONING BOARD OF APPEALS  
SEPTEMBER 17, 2025

## Regular Agenda

Item	Case Number	Description
6.	---	New Business - Elect Board Chair and Vice-Chair
7.	---	Adjournment



**Next ZBA Meeting: October 15, 2025**

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# Zoning Board of Review

## Standards for Review

This property is noncompliant in the minimum width, proving all other aspects of making this property a **GREAT PLACE - LIVABLE** VERY difficult while still being compliant.

## Request

This request is to remove the setback requirement of accessory structures from the primary structure for the rear yard. The applicant and a large portion of the neighborhood recommend that the board approve this variance.

## Background

### The human aspect

some history and background of the property that will show you the human aspect of zoning compliance that it's not just about property lines and structures and their uses, but more importantly it's about the people who use these properties and the communities that are influenced by the people on these properties.

In 2019 when Sarah purchased this property, it was a blight on the surrounding households and an unknown detriment to the community. The property was not owner occupied.

One of the garages contained commercial refrigeration, billiards, darts, and even a strip tease stage. The same garage even contained a dog, that was so vicious and large to have chewed through the framing and the siding from the inside all the way through. The property in earlier years had suffered a structural fire, which was not completely remediated by the time the applicant purchased. The structure on the inside was filled with personal items furniture, decor, clothing, like a time capsule. It is also believe that the individual who lived there at that point, prior to being sold, violently lost his life, but not in the structure. In this entire neighborhood there was little sound of children playing or of family activity. Some neighbors even expressed being fearful.

Upon purchasing the property, the applicant quickly moved to secure four(4) building permits to make the structure code compliant and livable. The applicant since taking possession has obtained eight (8) permits. There is currently one permit pending, and to complete the further aesthetics and usability of the existing structure, four(4) more permits will be needed before this property is totally complete.

The applicant's property through the construction process and course of living has had significant bulk waste needs. The basement has also flooded twice but not once has the applicant placed bulk waste on the curb for the city to expend man hours retrieving.

In April 2025, the applicant did have an open and valid building permit. The accessory structure was not included in those plans, however, typically when someone is making changes, at the building Inspector's discretion changes can be allowed without modification to the plans or also an amendment filed to update the plans. In this situation the applicant had no intent to deceive or complete a project without following the proper codes and regulations, but rather there was a missed step in the process.

The applicant currently has five children on the property, age 3, 5 and 7 as the youngest needing help. Since the applicant has begun Making the property more livable, many other neighbors have updated portions of their home and done other things to improve the aesthetics of the neighborhood. There is now sounds of children playing basketball and riding bikes, laughter in the neighborhood that was not present prior to the applicant taking possession of the property.

## **Interpretation of Facts to Satisfy Standard of Review**

Here are physical characteristics of 903 Bunn disavowed by the staff report.

- power lines run the entirety of the south property line, power lines run almost the entirety of the primary structure near the north property line
- Across the street to the east of the property all lots are zoned M1

- There are also 110kV high tension power lines to the east of the property across Bunn st
- There's a snow route that covers the entire front of on street parking for the property
- There is heavy commercial vehicle traffic on Bunn st to from Oakland to Croxton cross streets in excess of 2000 vehicles per day
- The only off-street parking is approximately 200 feet down the alley to the very rear of the property at the garage subject to this hearing
- Huge snow drifts form. Due to the depth of the property and the large amount of space between the structures and the alley priority for city plowing in the winter, there can be huge drifts that fill in the separated space between the primary and the accessory structure.

1- The physical characteristics of the property make distance separation from the accessory structures to the primary structure an unreasonable expectation. From the garage door to the rear house entry is 70 feet.

2- Given the characteristics of the property The minimum action to provide the applicant relief would be to grant removing the required accessory structure setback from the primary structure, provided that fire separation according to the 2018 International Residential Code be maintained.

3- This is not the applicants fault. The plat was laid, the rear garage was built and the zoning code was written largely before the applicant took possession. Missing from the staff report was the fact that this property at one point contained an additional 62 feet on the rear yard. Additionally the the existing infrastructure, zoning, and other regulations that directly affect urban planning should be considered of GREAT importance when evaluating this property's ability to be the best and to be compliant.

- Please do not even consider re-classifying the accessory structures as primary because these are structurally independent buildings with separate foundations, separate roof systems and separate wall systems. The connection between the

primary structure, the porch and the garage is merely aesthetic, which is allowed under the 2018 IRC with fire separation of 1 hour rating.

4- the goal of the applicant is to have the rear yard, accessory structure setback from the primary structure reduced to zero not a re-classification of the two accessory structures to be primary structure as that would result in their demolition.

Walls of individual dwelling units and their accessory structures located on the same lot are exempt from certain lot-line setback calculations but still must meet the intra-structure fire separation distance to prevent fire spread between the primary dwelling and garage. Structures on the same lot with less than 2 feet fire separation require a one hour rating on the shared wall and in this situation that shared is a mere 8 inches of minimally connected wall, which is also allowed for structural separation in the 2018 IRC

There is no special privilege in having a garage separated by a fire barrier or an accessory porch connected to a garage or an accessory porch connected to a primary structure and there surely is no privilege in having an independent porch between a primary structure and an accessory structure that is fire separated. New construction and remodels all across the city have attached garages that are still separated according to 2018 IRC. R302

5- on September 8. The city Council approved amendments to text and code that allows for accessory dwelling units to be allowed on smaller lots increasing the density and changing the aesthetics, with special use and separation. The applicant is not seeking an ADU but rather points to that as a reference that the council is in favor of working with property owners to further utilize in a more flexible manner, their property.

The applicant has submitted signatures from adjoining neighbors in Support of her zoning efforts and current construction as it stands. The applicant further welcomes fire separation materials.

The character of the Neighbourhood remains intact, and there is no development hindered on adjoining properties by this requested variation, being granted.

The 2018 IRC, which is the governing text for residential construction in this jurisdiction, and that text allows for attached separation in the context of fire prevention. This text also provides guidance to urban planning and code interpretation.

**To prevent fire spread between the primary dwelling and garage”:** This is the explicit purpose of Section R302.1, which aims to reduce fire risk through distance or fire-resistant construction.

September 17, 2025

Sarah Heatley  
903 Bunn St  
Bloomington, IL 61701  
September 17, 2025

V-11-25  
PIN: 21-09-278-008

To whom it may concern:

I, Sarah Heatley, give permission for Chris Heatley to speak on my behalf in the Variance case V-11-25.

Authorized person:

Print: Chris Heatley Sign: [Signature] Date: 9-17-25

Sincerely,  
Sarah Heatley

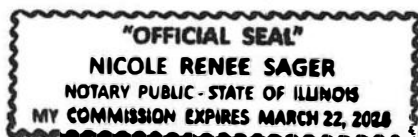
Print: Sarah Heatley Sign: [Signature] Date: 9-17-25

State of Illinois

County of McLean

Signed and sworn (or affirmed) to before me on 9/17/25 (date)  
by Sarah Heatley + (name of person making statement).

Chris Heatley  
(Seal)



[Signature] Signature of Notary Public


Sarah Heatley  
903 Bunn St  
Bloomington, IL 61701

V-11-25  
PIN: 21-09-278-008

September 13, 2025

From the neighbors of 903 Bunn St:

We agree with and support Sarah Heatley in her construction and zoning effort of 903 Bunn St.  
We have talked with her and signed below.

1 Print	<u>David Follick</u>	Sign	<u></u>	Date	<u>9-14-25</u>
2 Print	<u>Jan Follick</u>	Sign	<u>Janette Follick</u>	Date	<u>9-14-25</u>
3 Print	<u>MARY A. RYBURN</u>	Sign	<u>Mary A Ryburn</u>	Date	<u>9-14-25</u>
4 Print	<u>Michael Perscull</u>	Sign	<u>Michael Perscull</u>	Date	<u>9-14-25</u>
5 Print	<u>Cynthia Dibble</u>	Sign	<u>Cynthia Dibble</u>	Date	<u>9-14-25</u>
6 Print	<u>David Able</u>	Sign	<u>DAVID ABLE</u>	Date	<u>9-14-25</u>
7 Print	<u>Gary T. Hardin</u>	Sign	<u>Gary T. Hardin</u>	Date	<u>9-14-25</u>
8 Print	<u>Connie Hardy</u>	Sign	<u>Connie Hardy</u>	Date	<u>9-14-25</u>
9 Print	<u>Chris Montross</u>	Sign	<u>Chris Montross</u>	Date	<u>9-14-25</u>
10 Print	_____	Sign	_____	Date	_____
11 Print	_____	Sign	_____	Date	_____
12 Print	_____	Sign	_____	Date	_____
13 Print	_____	Sign	_____	Date	_____
14 Print	_____	Sign	_____	Date	_____
15 Print	_____	Sign	_____	Date	_____
16 Print	_____	Sign	_____	Date	_____
17 Print	_____	Sign	_____	Date	_____

**Verification**

I, Sarah Heatley, spoke with each neighbor listed here and attest that all properties represented are adjacent to 903 Bunn St in Bloomington, IL.

Date: 9.17.25  
Print: Sarah Heatley  
Sign: *Sarah Heatley*

State of Illinois

County of McLean

Signed (or subscribed or attested) before me on 9/17/25 (date)  
by Sarah Heatley (name of person).

(Seal)



*Nicole Renee Sager* Signature of Notary Public



**Regular Agenda Item No. 5.A.**

**For Zoning Board of Appeals:** October 15, 2025

**Ward Impacted:** Ward 6

**Subject:** SP-05-25 - Public hearing, review, and action on a request submitted by Julia Sutherland, for a Special Use Permit for an Accessory Dwelling Unit in the R-2 (Mixed Residence) District, for the property located at 501 E. Olive St., PIN: 21-04-457-001, as requested by the Development Services Department.

**Recommended Motion:** Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or denial of the Special Use Permit.

**Strategic Plan:**

**Goal 4.** Strong Neighborhoods

**Objective 4c.** Preservation of property/home valuations

**Background:** The Applicant seeks a Special Use Permit to allow an Accessory Dwelling Unit (ADU), per § 44-908C which indicates ADUs may be permitted as Special Uses in any Zoning District. While the public notice mentioned possible waivers of use provisions, after review of the updated site plans it was determined that no waivers are requested. The Applicant proposes to construct a 430 square foot ADU by converting part of the existing detached garage on the property. According to the Applicant, the ADU is being designed as a single-story, ADA-compliant premises to allow her elderly mother to live on the same property where she resides.

**Community Groups/Interested Persons Contacted:** Notice was published in *The Pantagraph* on September 25, 2025. Courtesy notices were mailed to 104 property owners within 500 feet of the subject property.

**Financial Impact:** N/A

**Attachments:**

1. Staff Report with Attachments 1-4
2. Staff Report Attachment 5 - Site Plan
3. Staff Report Attachment 6 - Applicant's Letter to the Community



# ZONING BOARD OF APPEALS

**TO:** ZONING BOARD OF APPEALS

**FROM:** Development Services Department

**DATE:** May 21, 2025

**CASE NO:** SP-05-25, Special Use Permit for an Accessory Dwelling Unit

**REQUEST:** Public hearing, review, and action on a request submitted by Julia Sutherland, for a Special Use Permit for an Accessory Dwelling Unit in the R-2 (Mixed Residence) District, for the property located at 501 E. Olive St. PIN: 21-04-457-001.

## BACKGROUND

### *Request*

The Applicant seeks a Special Use Permit to allow an Accessory Dwelling Unit (ADU), per § 44-908C which indicates ADUs may be permitted as Special Uses in any Zoning District. While the public notice mentioned possible waivers of use provisions, after review of the updated site plans if was determined that no waivers are requested. The Applicant proposes to construct a 430 square foot ADU by converting part of the existing detached garage on the property. According to the Applicant, the ADU is being designed as a single-story, ADA-compliant premises to allow her elderly mother to live on the same property where she resides.

### *Notice*

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on September 25, 2025. Courtesy notices were mailed to 104 property owners within 500 feet of the subject property.

## ANALYSIS

### *Property Characteristics*

The property at 501 E. Olive Street consists of 0.16 acres of land, located at the southeast corner of the intersection of E. Olive Street and N. McLean Street, in Evans' 3rd Addition to the City of Bloomington. The property is improved with a single-family dwelling, and a detached garage that meets the setback and distance requirements of the current Zoning Code. Neighboring properties contain a mix of single, two-family, multi-family residential use.

### *Surrounding Zoning and Land Uses*

	Zoning	Land Uses
North	R-D (Downtown Residence) District	Single-Family and Multiple-Family Dwellings
South	R-2 (Mixed Residence) District	Two-Family and Multiple-Family Dwellings
East	R-2 (Mixed Residence) District	Single-Family and Two-Family Dwellings
West	R-D (Downtown Residence) District	Single-Family and Two-Family Dwellings

*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 (§ 44-401E).

*Subject Code Requirements:*

§ 44-908C(7), "Accessory Uses" indicates Accessory Dwelling Units are permitted as a Special Use in any Zoning District.

§ 44-908E, Accessory dwelling unit conversion and new construction

**STANDARDS FOR REVIEW**

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707H and discussed below.

***Special Use Permit for an Accessory Dwelling Unit in the R-2 (Mixed Residence) District.***

- 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.**

According to the Applicant: Given that this single-occupancy space was already included in the original purchase of the property, the addition of a water/sewer attachment to the home will not be detrimental to the general public's health, safety, or general welfare.

Staff agrees that the establishment, maintenance, and operation of an Accessory Dwelling Unit (ADU) on this property will not be detrimental to the public health, safety, comfort, or general welfare of the other surrounding uses. Additional residential occupancy in a neighborhood already populated by moderate-density single, two-family, and multiple-family conversion dwellings should not be negatively impacted by the addition of one studio dwelling unit. Concerns about the potential impact of absentee landlords are not relevant since ADUs are tied to owner occupancy of the primary residence.

By right, the Applicant could construct a "Rooming Unit" which includes a bedroom and bathroom, but not kitchen facilities. Allowing use of this space only as a "Rooming Unit" would prevent ant disabled resident from occupying the property without significant alternation of the primary residence since the primary residence requires the use of stairs to access amenities necessary for daily life.

The ADU meets all bulk requirements for the District and will not require any waivers of use provisions. The use is not intended for the public and traffic is not expected to increase. ***Standard is met.***

- 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.**

According to the Applicant: The proposed ADU sits within the fenced property and will not have any effect, injurious or otherwise to my neighbors. There is no change to the original footprint of the property, or the garage, externally.

Staff agrees that the proposed Special Use would not be injurious to other properties and uses in the neighborhood. An incremental increase in residential use in an existing structure—that does not alter the ability to occupy the main structure as a single-family dwelling or the view of the property from the public right of way—should not negatively impact even the immediately adjacent properties.

The Special Use would contribute to Goal H-1. (Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington), Objectives H-1.1 (Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family living habits) and H-1.3 (Create a life long community by fostering housing stock that meets the needs of residents of all ages and abilities) of the 2035 Comprehensive Plan. The proposed Special Use can be expected to maintain property values since allowing owners (and/or their family) to age in place encourages continuing owner occupancy. **Standard is met.**

**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.**

According to the Applicant: There are no impediments to the original home or to the garage side of the building that will house the ADU. All changes are internal to the existing structures, and those structures have all the expected/required setbacks.

Staff concurs. The proposed use is consistent with the character of other uses in the area. Two-family dwellings are also permitted with a Special Use in this District and several of them exist in the immediate area. An ADU that is inextricably linked to the primary residence can be expected to have less impact on the neighborhood than a two-family property, where the residents are unaffiliated and neither is required to be an owner-occupant. The addition of this Use would not result in any violations of standards for the R-2 District. **Standard is met.**

**4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

According to the Applicant: When purchased in 2005, the garage had all utilities (gas, electric) already available and attached to the main residence. Stubs for water and sewer were in the garage but not hooked up to the house... As pointed out above, the utilities in the garage pre-existed my purchase of the home, except for water and sewer. Access roads are not applicable in this case, and a reputable contractor has reviewed other considerations.

Staff concurs that adequate provisions have been made. City water and sewer already serve the property; roadway access is existing. The ADU will receive water and sewer service through the main house and will not receive a separate street or sub-unit address, or require separate solid waste service. A second electric service may be permitted. **Standard is met.**

**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.**

According to the Applicant: There is also adequate off-street parking, but I don't think my mother will be bringing a car, so there should be no burden on the neighborhood.

Staff agrees that adequate measure have been taken. Ingress and egress will be provided via the existing curb cut on E. Olive Street, with both dwellings accessing such via a shared driveway. On-street parking is available for guests, but both required parking spaces have been accommodated on the property itself; one in front of the ADU on the drive/parking area, and one within the remaining garage itself. **Standard is met.**

- 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.**

According to the Applicant: In all other respects, a special use permit will absolutely conform to all the applicable regulations of the R2 zone in which I live. By current ordinance, an ADU in my neighborhood would require a minimum of a 6,000 square foot lot. My lot is approximately 6700 square feet (120x56).

Staff concurs. The Use meets all other standards for the District, including provisions for height and setback, and will be required to comply with normal performance standards. **Standard is met.**

#### ***Provisions for the Use (ADUs)***

- 1. Primary residence. The primary building shall be a single-family detached use and the primary residence of the owner of the property.**

The subject ADU is being constructed by the property owner who lives in the single-family detached property as her primary residence (Owner Occupied exemption verified on tax documents).

- 2. Size. Accessory dwelling units shall not be greater than 800 square feet or 50% of the size of the primary building, whichever is less. Detached accessory dwelling units are limited to 80% of the height of the subject district, or a height which is minor in character to the primary building, whichever is less.**

The primary structure of the property is a two-story, 2,000+ square foot home. The existing garage structure to be converted into an ADU is a single-story structure of approximately 900 square-feet, of which half will be dedicated to the creation of the ADU.

- 3. Location. Accessory dwelling units shall be located in the rear of the primary structure and shall comply with all location requirements for accessory buildings found in § 44-908.**

The existing garage structure to be converted into an ADU is at least 10-feet from the primary structure and at least three (3) feet from all property lines.

- 4. Orientation. Only one entrance shall be located on the front facade of the primary building. Entrances to accessory dwelling units must be located on the side or rear facade.**

The proposed ADU is detached so no additional entrances are proposed for the primary structure.

- 5. Access. Accessory dwelling units shall be accessed from the alley. If alley access is not available, both the primary building and the accessory dwelling unit shall be served by one common driveway connecting the accessory dwelling unit to a public or private road.**

No alley is present adjacent to this property. The primary residence and ADU will be accessed via a shared driveway with single curb-cut from Olive Street.

- 6. Parking. A minimum of one parking space shall be provided for the accessory dwelling unit in addition to the parking space(s) required for the primary building. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one car is parked behind another, with the spaces required for the primary building shall be prohibited.**

Two parking spaces have been identified on the property; one for the primary structure and the other for the ADU.

- 7. Architecture. Accessory dwelling units shall be similar in character to the primary building and to abutting properties, including roof pitch, eaves, building materials, windows, trim, color, and landscaping.**

The detached accessory structure being partially converted into an ADU is existing and is similar in character to the primary structure; no exterior architectural changes are proposed.

## **STAFF RECOMMENDATION**

Based upon the fact presented by the Applicant and the property—without receiving testimony that may be presented at a public hearing—Staff recommends that the Board take the following actions:

Motion to establish findings of fact for approval of a Special Use Permit are met, and to recommend approval of the Special Use Permit.

Respectfully submitted,  
Alissa Pemberton  
Planning Manager

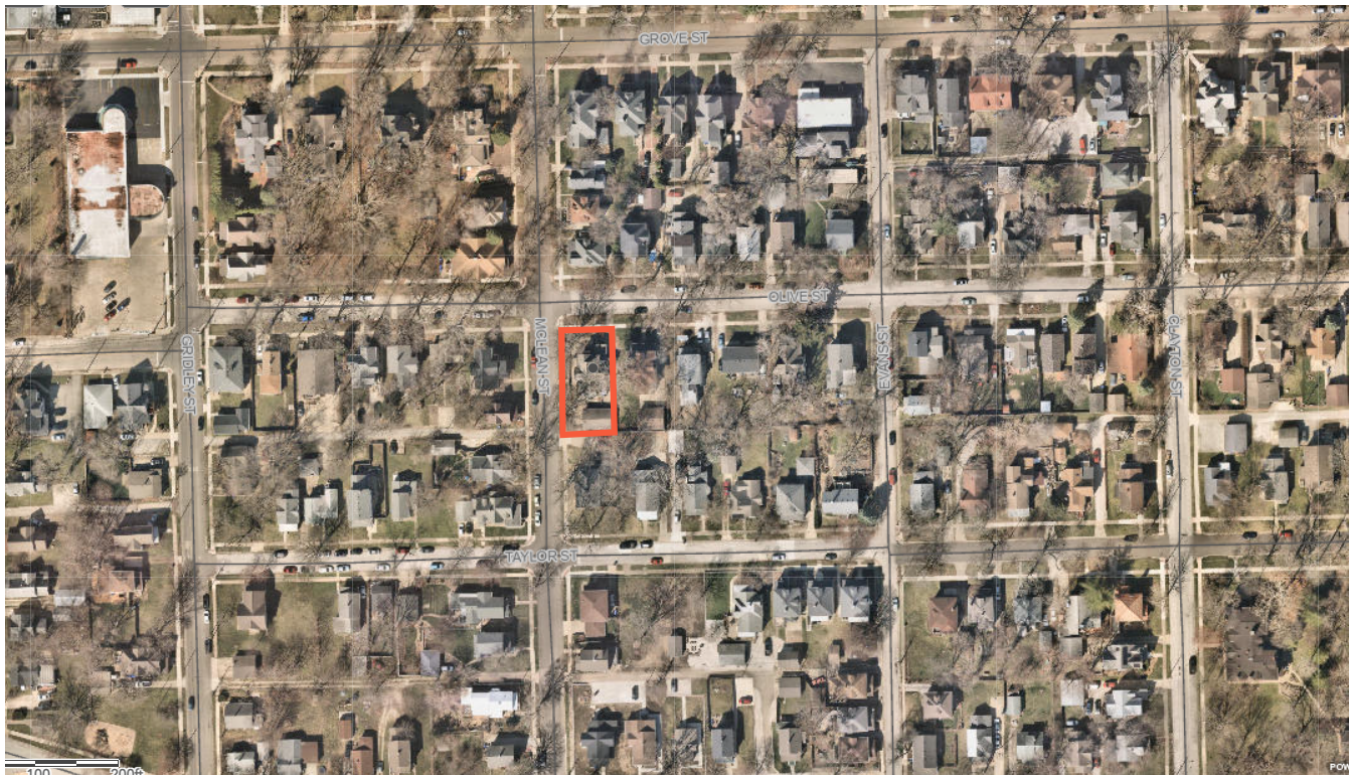
### **Attachments:**

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Neighborhood notice map
5. Site Plan (separate attachment)
6. Applicant's Letter to the Community (separate attachment)

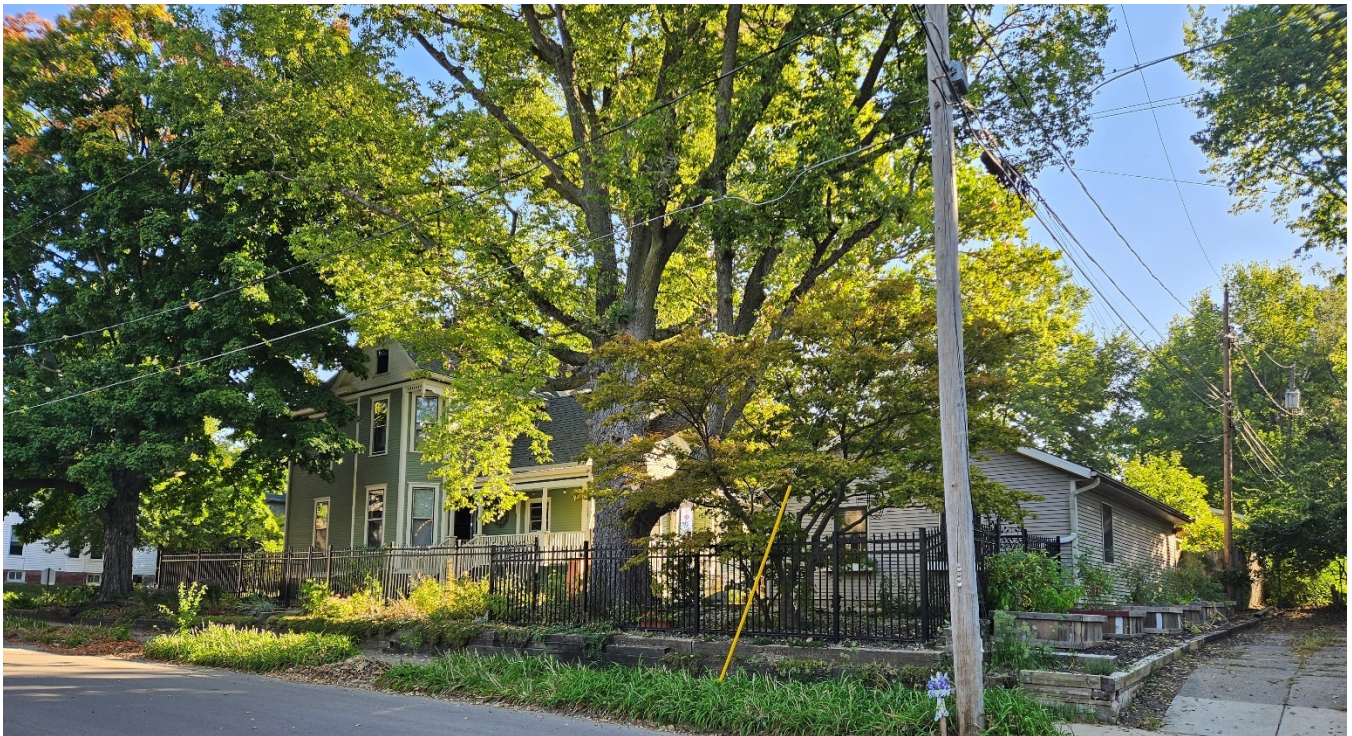
Attachment 1 - Zoning Map



Attachment 2 - Aerial Image

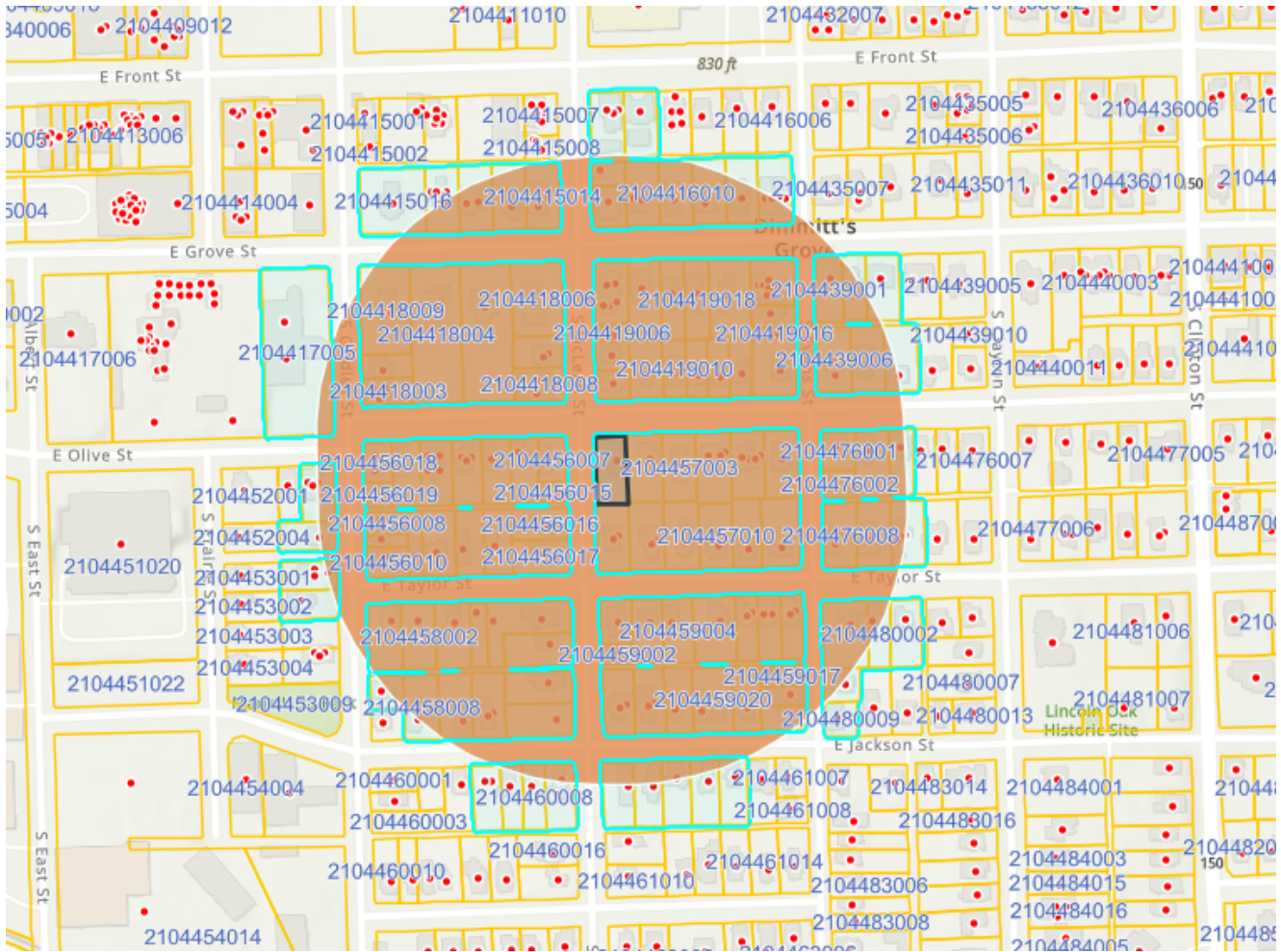


Attachment 3 - Ground-Level Views



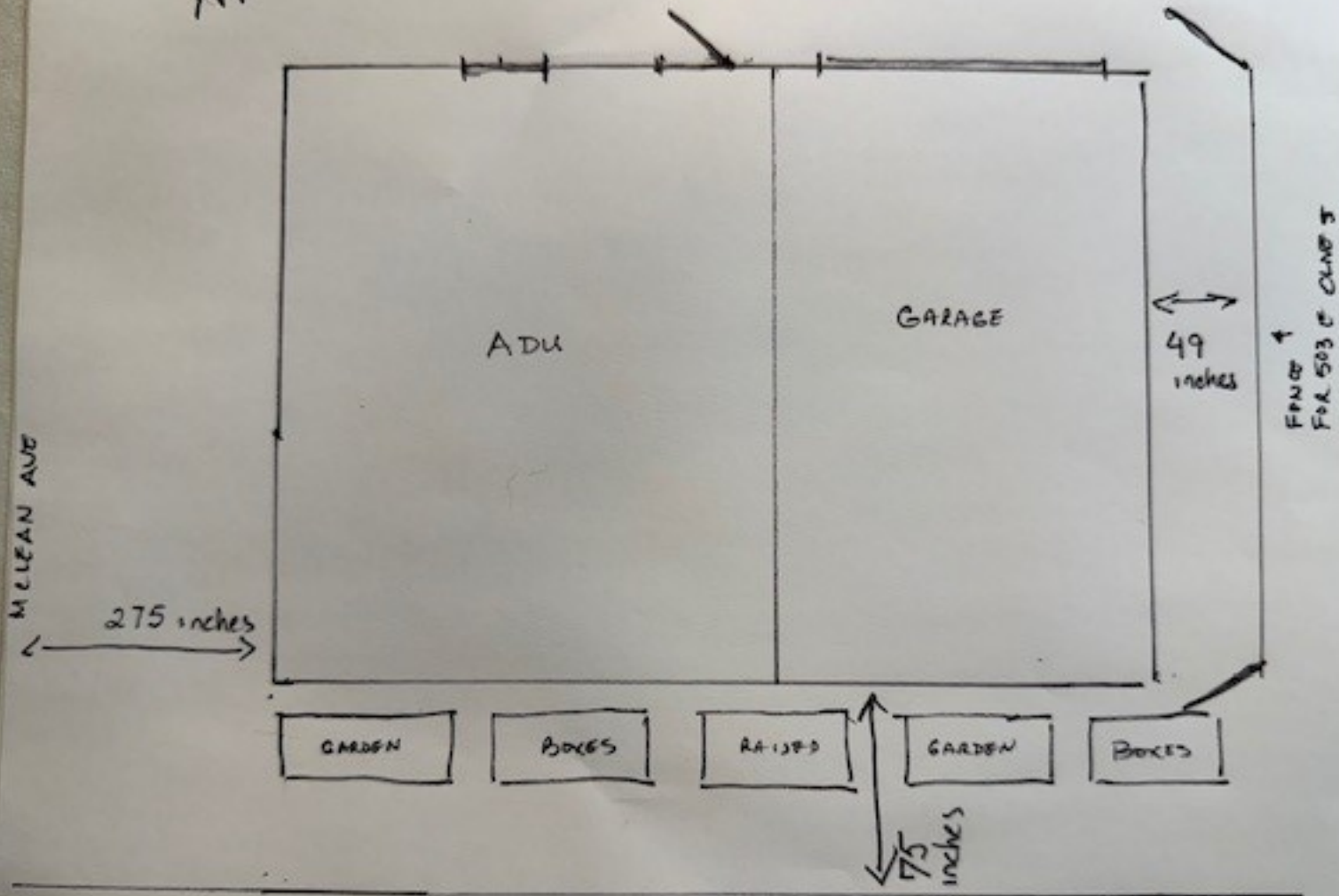


Attachment 4 - Neighborhood notice map



N ↑

571 E. OLIVE ST.



# Staff Report Attachment 5 - Site Plan

# Staff Report Attachment 6 - Applicant's Letter to the Community

Scan the QR Code or visit the link to see a message from the Applicant



<https://youtu.be/A99FqQC9w9Q>

VIDEO TRANSCRIPT: Hi, I'm Julia Sutherland and this is my ADU project, also known as an accessory dwelling unit. What inspired me to build an ADU is, it's really a love project. When my mother said to me, "Please don't put me in a nursing home. I want you to, you know, promise that I will be taken care of."

The problem I was trying to solve when I created the ADU or started this project was actually a living space for someone who is older that is safe and allows them to age gracefully in place. So the beauty of having the space here, behind my house, is that it gives my mom privacy. So having your own things, having a place that's large enough to feel commodious, but small enough that you don't feel like you have to take too large care of it, that has room for you to move around should you need help with a walker or even a wheelchair. And also your own entrance, your own little garden. Hey, are you ready to go inside? Come on in.

I'm going to just pop this door open so that we can go in easily. All right, this is the interior of the ADU. It's about 400 square ft. Once we adapted the original office wall to accommodate three separate bays, we pushed the wall out into the garage by approximately 30 inches, and this bay that we're looking at right now will be what I call the ORP, the oven, refrigerator, pantry bay. One last thing, part of this little bay here will be an all-in-one washer-dryer unit this high that will allow her to have the privacy of her own laundry inside her apartment.

The beauty of this space is that it's really proportionate in terms of squares within rectangles and allows you to have many different opportunities for moving around your furniture if you're a furniture mover. Right now, we've situated the living room area in this corner, but you could easily put it in this corner as well. This is an open concept studio. Many opportunities to put in screening or soft walls so that there's a little more privacy, but essentially the lighting, the airiness of the open rafter structure allows for the feeling of roominess. As I said, 400 square ft doesn't sound like a lot, but it actually ends up being an ample space. This is demarcating the bathroom. The walls will come up around us here, and we'll have a toilet and a shower and a sink. Now, we're outside of the bathroom. We're in our little kitchenet area. Actually, the kitchen extends all the way to the ORP over here. But on this bank will be a sink, a two-burner induction hot plate. This will end up being um kind of an island. I have a skylight from another part of my house that we want to reuse. And we're going to put it here right above the front door. It'll bring in a lot of beautiful ambient light. And especially when you're coming in, it gives you a little more extra light in the kitchen area, which is what I'm standing in right now.

My understanding is that Bloomington does have an approval for ADUs. Some of the details around how that's going to work are still being negotiated. I think the process of applying for an ADU permit is not that different from just applying for a building permit. If there's been a single largest hurdle, it's really been awaiting the city's final determination on what the size of a property should be to accommodate an ADU. Really think that ADUs should be allowed in every neighborhood because every neighborhood should be as diversified as possible. Many of us have children who are older, who are also looking for a place to live. This is not necessarily just for older people, but also for anybody, a graduate student. We're a university town. There are many graduate students who are looking for a place to live that's affordable just to keep themselves in school. So, in support of how we exist in this world, Bloomington Normal, it really strengthens our neighborhoods to have as many affordable housing options that are that provide dignity, that provide beauty, that that promote a neighborhood aspect. To be able to walk in your neighborhood and greet people of all ages, of all types, it's a privilege. I think one of the biggest things that's needed is exposure to different types of ADUs.

And I might also say that to educate people that ADUs are not a slippery slope into, you know, small businesses such as mini hotels or Airbnb's. That is not the spirit or the purpose of an ADU at all. We are in a unique community of many different types of neighborhoods, and what I would like to see is an ADU ordinance that is flexible enough neighborhood by neighborhood to adapt to the concerns of that particular neighborhood. If you have a neighborhood in Bloomington that is accepting of an ADU, perhaps in that neighborhood you have um ordinances or you have rules that allow for ADUs of a particular size with a particular lot size. If other neighborhoods are not interested in that, maybe they can flex out



**Regular Agenda Item No. 5.B.**

**For Zoning Board of Appeals:** October 15, 2025

**Ward Impacted:** Ward 4

**Subject:** SP-06-25 - Public hearing, review, and action on a request submitted by FMB Holding, Inc., for a Special Use Permit for Mini Warehouses with waivers of Use Provisions, in the B-1 (General Commercial) District, for the property located at 1402 E. Empire Street, PIN: 14-35-354-012, as requested by the Development Services Department.

**Recommended Motion:** Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or denial of the Special Use Permit.

**Strategic Plan:**

**Goal 3.** Grow the Local Economy

**Objective 3a.** Retention and growth of current local businesses

**Background:** The Applicant seeks a Special Use Permit to allow conversion of an existing building to a Mini Warehouse, per § 44-502B which indicates Mini Warehouses may be allowed as Special Uses in the B-1 (General Commercial) Zoning District. Reductions of the Fencing and Landscaping Use Provisions are being requested due to site conditions. The Applicant proposes to operate the existing ~4,300 square-foot building as a nine-unit storage facility.

**Community Groups/Interested Persons Contacted:** Notice was published in The Pantagraph on September 30, 2025. Courtesy notices were mailed to 56 property owners within 500 feet of the subject property.

**Financial Impact:** N/A

**Attachments:**

1. SP-06-25 - 1402 E Empire St - Staff Report
2. SP-06-25 - 1402 E Empire St - Attachment 5 - Application and Site Plan



# ZONING BOARD OF APPEALS

**TO:** ZONING BOARD OF APPEALS

**FROM:** Development Services Department

**DATE:** October 15, 2025

**CASE NO:** SP-06-25, Special Use Permit for Mini-Warehouses

**REQUEST:** Public hearing, review, and action on a request submitted by FMB Holding, Inc., for a Special Use Permit for Mini Warehouses with waivers of Use Provisions, in the B-1 (General Commercial) District, for the property commonly known as 1402 E. Empire Street. PIN: 14-35-354-012.

## BACKGROUND

### *Request*

The Applicant seeks a Special Use Permit to allow a Mini-Warehouse use in the B-1 (General Commercial) District, per § 44-502B.

The Applicant would like to use this property as a multi-unit storage facility. They purchased the property in November of 2024. A previous owner converted the former Empire Auto Wash from a nine-bay carwash to a nine-unit self-storage facility; they had not secured the necessary building permits nor obtained zoning verification that would have informed them that the proposed storage use would require a Special Use Permit. The proposed mini warehouse would use the existing building; no modifications are proposed at this time, except for those required to bring the building and site into compliance with all applicable regulations. The site would continue to use the existing access points on Empire Frontage Road and Fairway Drive. Nine off-street parking spaces would be provided. The Applicant is requesting waivers to the following Use Provisions: reduced perimeter landscaping requirement; reduced fencing requirement.

### *Notice*

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, September 30, 2025. Courtesy notices were mailed to 56 property owners within 500 feet of the subject property.

## ANALYSIS

### *Property Characteristics*

The subject property consists of 0.55 acres (~23,960 sf) located at the northeast corner of the intersection of E. Empire Street and Fairway Drive. Several of the storage units are currently in use. Customers will access their units independently: there are no on-site or remote staff, nor are there any external security measures (fencing, access management). Neighboring properties are a mix of commercial, office and residential uses. The nearest existing rental storage facility is over one-half mile away.

### *Surrounding Zoning and Land Uses:*

	Zoning	Land Uses
North	R-3A (Multi-Family Residence) with S-1 (Airport Noise Impact)	Multiple-Family Residential
South	P-2 (Public Lands and Institutions)	Government Services and Facilities
East	B-1 (General Commercial)	Retail Sales, General
West	B-1 (General Commercial)	Retail Sales, General

*Description of Current Zoning District*

The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types (§ 44-501A).

*Subject Code Requirements*

§ 44-502B, "Allowed Uses Table" indicates Mini Warehouses allowed as a Special Use in the B-1 District.

§ 44-1026 "Mini Warehouses" Use Provisions.

**STANDARDS FOR REVIEW**

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707.H and discussed below.

*Special Use Permit for Mini Warehouses in the B-1 (General Commercial) District*

- 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.**

The Applicant states that "the use as mini warehouses will not be detrimental to the welfare of the area. The number of units will be minimal. There are multiple entrances and accessing the units will not cause any traffic issues. They will be used for storage, so no heavy traffic."

Staff concur, finding that the proposed operation of a Mini Warehouse use would be appropriate for this location and would not be detrimental to the public health, safety, comfort, or general welfare of surrounding uses. The property has been vacant for some time. Potential alternative uses of the building—currently lacking water and plumbing—are limited, and the most likely alternative option would be demolition and new construction, which would be much more expensive. The proposed use would generate significantly less traffic than the previous car wash use. Parking would be in the interior of the site, and lighting would meet all applicable code requirements. Installation of required fencing and landscaping would improve the visual aesthetic of the intersection and reduce noise to the neighboring apartment building. **Standard is met.**

- 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.**

The Applicant states that "This project allows for the improvement of a previously abandoned car wash. It is making a property useful and appealing to the eye rather than setting dormant. It is a rather passive use of the property meaning there will be minimal traffic from persons and vehicles.

Staff concur, finding that the Special Use would positively impact the immediate area by restoring a vacant site to an active and functional use. In addition to reduced traffic, as compared from potential occupancy as another car wash, noise from washing and vacuuming equipment would be eliminated.

The proposed Special Use can be expected to maintain property values within the neighborhood by ensuring active occupancy and maintenance of the property. **Standard is met.**

**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.**

The Applicant states that “Use as mini warehouses will in no way impede development in the area.”

Staff concur, finding that the proposed use is consistent with the character of other uses in the area. The uses adjacent to the site include a compatible mixture of commercial and residential uses. Improvement of surrounding properties would not be impacted. **Standard is met.**

**4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

The Applicant states that “As this is only storage there will not be the need for plumbing to the property. The surface of the property will not be altered nor will the amount of structure square footage on the lot. There should be no drainage issues as a result of this special use. Roads exist that will allow easy access. As this was previously used as a car wash the property previously handled much greater traffic loads.”

Staff concur, finding that the proposed use will generate no additional stormwater runoff and will not use water or generate wastewater. Necessary road access is existing. **Standard is met.**

**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.**

The Applicant states that “Due to the small number of units the traffic will be minimal to and from the property. Way less traffic than when previously used as a car wash.

Staff concur, finding that the proposed use will use the two existing access points along Fairway Drive and East Empire Road, which are located as far from the street intersections as possible, minimizing traffic conflicts. Parking standards on the surface lot proposed at the site are adequate and meet Code requirements. The site plan must be revised to show aisle and parking space dimensions and markings. **Standard is met.**

**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.**

The Applicant states that “At the review meeting we discussed the need to perhaps modify some of the landscaping requirements in order to avoid visibility issues. We would expect to work closely with the city on satisfying their requirements as it relates to landscaping. We will have to deal with the residential zoning on one side as well as the heavy traffic road along two other sides of the property.”

Staff concur, finding that the proposed Mini Warehouse use of the existing building meets the bulk and site standards for the District. Staff recommend including reductions of the fencing and landscaping requirements for the Use as part of this Special Use Permit. **Standard is met.**

### Buffers and Screening

*A six-foot-high opaque fence is required around the perimeter of the lot.*

There is an existing 35-foot section of six-foot-high opaque wood fence along the east portion of the north property line. Staff recommend that this fence be extended west to the northwest property corner, **reducing it to four feet** in height in the required front yard along Fairway Drive.

Staff recommend **waiving the fence requirement on the east, south, and west** property lines: the easterly-adjacent pawn shop use does not require a visual barrier, and a fence along the street frontages would worsen the viewshed for passersby.

*A twelve-foot-wide landscape buffer is required along both street frontages and along the north property line abutting a residential district.*

Due to the narrow borders along the pavement, staff recommend **reducing this requirement** to the following:

- North property line: staff recommend that the Applicant be required to consult with the adjacent property owner on a mutually beneficial buffer – either extension of the existing fence, or installation of a landscape buffer meeting the standard of § 44-1306.B.2.c.2.<sup>1</sup> If the neighbor does not respond or a mutually beneficial solution cannot be reached, the Applicant will be required to extend the existing fence as stated above.
- South property line: staff recommend that the Applicant be required to install a code-compliant line of evergreen shrubs, one per three lineal feet, meeting the sight distance requirements, between the edge of the parking lot and the south property line. The Applicant should also install a code-compliant shade tree south of the existing billboard.<sup>2</sup>
- West property line: staff recommend that the Applicant be required to install three code-compliant shade trees along the west property line. This will likely require removing sections of pavement to construct a planting area that will ensure the survival of the new trees. No additional landscaping is recommended.
- East property line: no landscaping is required and, due to the adjacent commercial use, none is recommended.

### Site Circulation, Use Provisions 1-3.

The proposed plan likely complies with these provisions; a Condition requiring an updated site plan with verified dimensions is recommended.

**No storage cubicle shall have a gross floor area greater than 5,000 square feet.**

The proposed plan complies with this provision.

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

The proposed plan complies with this provision.

---

<sup>1</sup> Transition Yard - TY-2: Natural transition yard - evergreen. Four evergreen variety trees, two flowering variety trees and 10 evergreen shrubs per 100 feet of linear distance.

<sup>2</sup> § 44-909 Sight distance & § 44-1304.E.2 Landscape maintenance. § 44-1305. Plant material requirements.

The Applicant must submit a Landscape Plan meeting the requirements of § 44-1301, showing all proposed fencing and landscaping. Bloomington Parks & Recreation and Engineering staff have expressed support for installation of landscaping at this location, as it would replace trees that were removed in recent years.

In addition, staff recommend requiring the removal of the five existing, inefficient parking lot light fixtures and poles, which likely do not meet current Illinois Energy Efficiency Code standards, and the six existing concrete bases. The Applicant should be permitted to reuse the bases and poles only if they re-install code-compliant light fixtures on them.

## STAFF RECOMMENDATION

Staff find that the application **meets** all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

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 as submitted with the following waivers and conditions:

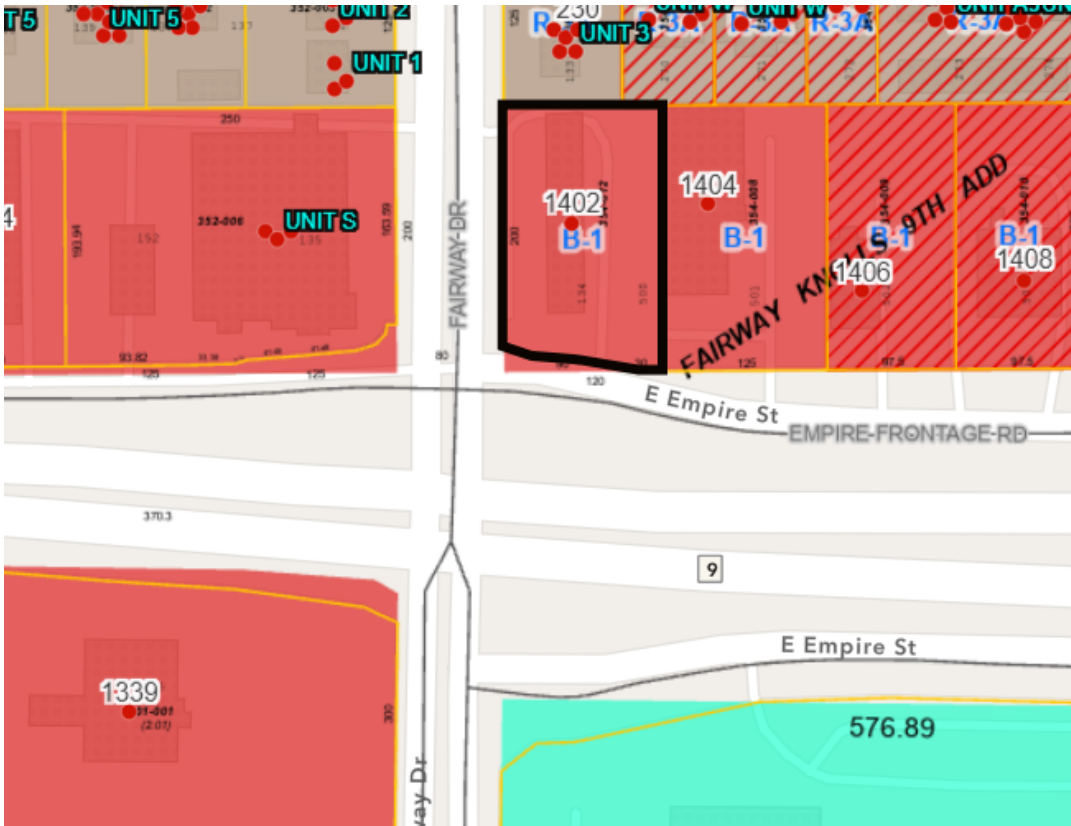
- Reduction of the fencing requirement in § 44-1026A(1) to a requirement to extend the existing six-foot-tall opaque wood fence along the north property line westward to the west property line.
- Reduction of the landscaping requirement in § 44-1026A(3) to the following:
  - install a line of evergreen shrubs between the south edge of the parking lot and the south property line and install a shade tree south of the existing billboard.
  - install three shade trees along the west property line.
- A Landscaping Plan must be submitted and approved showing the required fencing and landscaping.
- A revised Site Plan must be submitted showing traffic circulation and parking spaces.

Respectfully submitted,  
Marcus Ricci, AICP  
Planner III

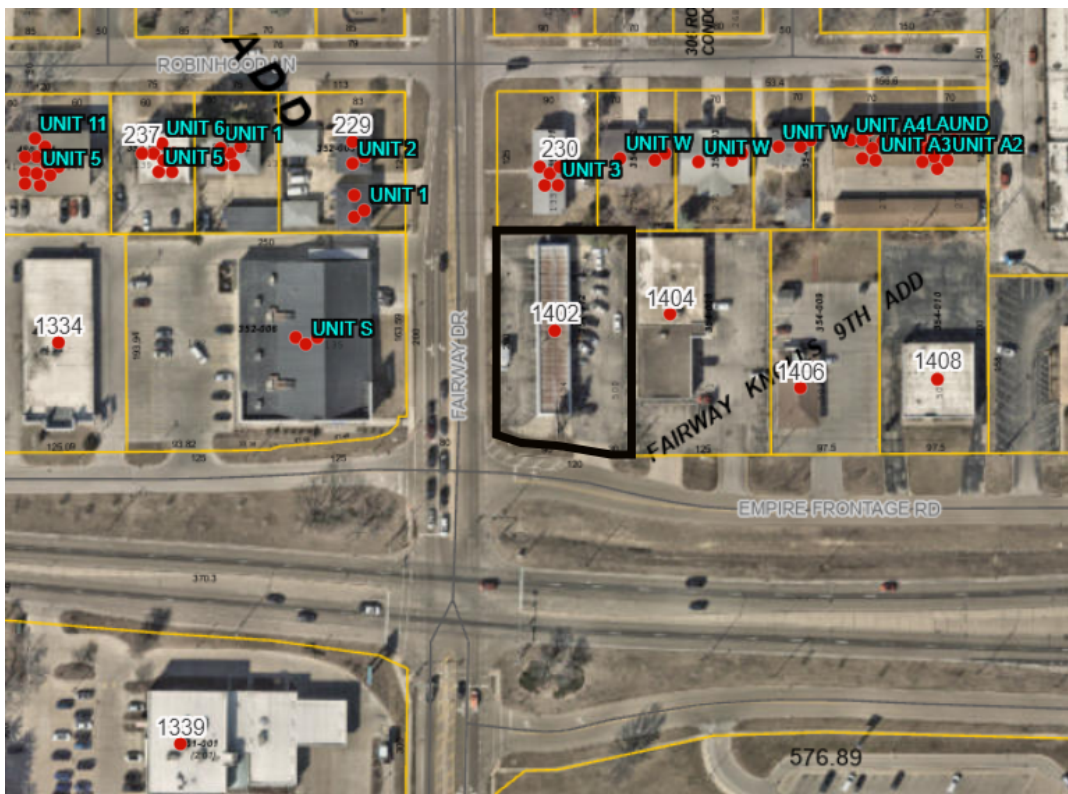
### Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Neighborhood notice map
5. Application and Site Plan (separate attachment)

Attachment 1 - Zoning Map



Attachment 2 – Aerial Image



Attachment 3- Ground-Level Views








Land Use Applications

**ZONE-25-21**

Submitted On: Sep 5, 2025

**Applicant**

 Joseph Dehn



**Primary Location**

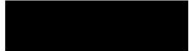
1402 E EMPIRE ST  
BLOOMINGTON, IL 61701

**Applicant Contact Information**

**Applicant Name or Business Name**

FMB Holding Inc

**Phone Number**



**Is this property owned by the applicant?**

Yes

**Additional Parties are contacts who should be able to access the details of this application and receive copies key documents and notifications.**

Examples include: an engineer, legal representative, or financially responsible party for the project. **If the property owner would like to be copied on these communications you should list them here also.**

**I would like to add additional parties to this application**

true

**Additional Parties (Optional)**

**A valid email is required for account creation or access.**

Parties without an existing OpenGov account will receive an invitation to activate their account as part of this process.

**Phone Number**

--

**Full Name**

Beth Olson

**Title or Relationship**

Manager

**Email Address**



**A valid email is required for account creation or access.**

Parties without an existing OpenGov account will receive an invitation to activate their account as part of this process.

**Phone Number**



**Full Name**

Joseph Dehn

**Title or Relationship**

Attorney

**Email Address**



## Application

### Please check all that apply.

Note: not all items may be reviewed concurrently. Multiple Public Hearings may be required.

#### Zoning Map Amendment (Rezoning)

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#### Annexation Agreement

--

#### Variation to the Zoning Code (Variance)

--

#### Is this property subject to any Home Owner's Association, Restrictive Covenants, or other deed restrictions?

No

#### Legal Description of Property

Lot 134 in the Second Addition to Fairbury Knolls and Lot 500 in the Ninth addition to Fairbury Knolls excepting

#### Parcel Identification Number(s) (PIN)

14-35-354-012

#### Site Plan Review

--

#### Special Use Permit

true

#### S-4 (Historic Preservation) Designation

--

#### Annexation Petition

--

#### Has this project already been discussed with the Planning Division, or been reviewed by the Project Review Group?

Yes

#### Does this property or business hold any licenses from the C Ex: liquor, business, or video gaming licenses

No

The legal description of your property may be found on the d of your property that was provided to you at time of purchase

For Long descriptions you may type "attached" and provide a WORD document as an attachment.

## Project Summary

### Brief Project Description and Justification

It is the desire to use this property for mini warehouses. The former car wash bays have been enclosed and made into individual storage units.

### Current Use of Property

Former Car Wash, currently not being used

### What (if any) alternatives have been considered or pursued before applying for this request?

We have looked at other uses that don't require a special use and have explored demolition as an option. The use as mini warehouses seems to be the most productive use of this property.

## Special Use Permit

### Have you discussed this proposal with nearby property owners?

No

### Required Documents and Submittals:

- Short project description, including any waivers requested for the subject Use Provisions
- Property characteristics, including Parcel ID Number (PIN) a

current zoning

Legal description of the property, in text format

Written consent from property owner, if not the same as the applicant

Legible Site Plan, including property lines, proposed locations of new/changed structures, and other items relevant to this petition (see § 44-1707 for additional Site Plan requirements)

Written statement addressing all of the "Findings of Fact" listed below.

**Special Use Requested:**

Mini Warehouses

**Are any waivers required to Use Provisions associated with project? (Check if yes)**

--

Alternatively, you may provide an attachment that address each of the standards by uploading below and typing "attached" in the explanation boxes.

---

**Discuss whether the establishment, maintenance, or operation of the special use could be detrimental to or endanger the public health, safety, comfort or general welfare.**

The use as miniwarehouses will not be detrimental to the welfare of the area. The number of units will be minimal. There are multiple entrances and accessing the units will not cause any traffic issues. They will be used for storage so no heavy traffic.

**Discuss whether the special use could be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and how you will ensure it does not substantially diminish and impair property values within the neighborhood.**

This project allows for the improvement of a previously abandoned car wash. It is making a property useful and appealing to the rather than setting dormant. It is a rather passive use of the property meaning there will be minimal traffic from persons and vehi

**Discuss whether the establishment of the special use will impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

Use as mini warehouses will in no way impede developement in the area.

**Discuss whether adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

As this is only storage there will not be the need for plumbing to the property. The surface of the property will not be altered nor v the amount of structure square footage on the lot. There should be no drainage issues as a result of this special use. Roads exis that will allow easy access. As this was previously used as a car wash the property previously handled much greater traffic loads

**Discuss whether adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

Due to the small number of units the traffic will be minimal to and from the property. Way less traffic than when previously used a car wash.

**Discuss whether 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.**

At the review meeting we discussed the need to perhaps modify some of the landscaping requirements in order to avoid visibility issues. We would expect to work closely with the city on satisfying their requirements as it relates to landscaping. We will have to deal with the residential zoning on one side as well as the heavy traffic road along two other sides of the property.

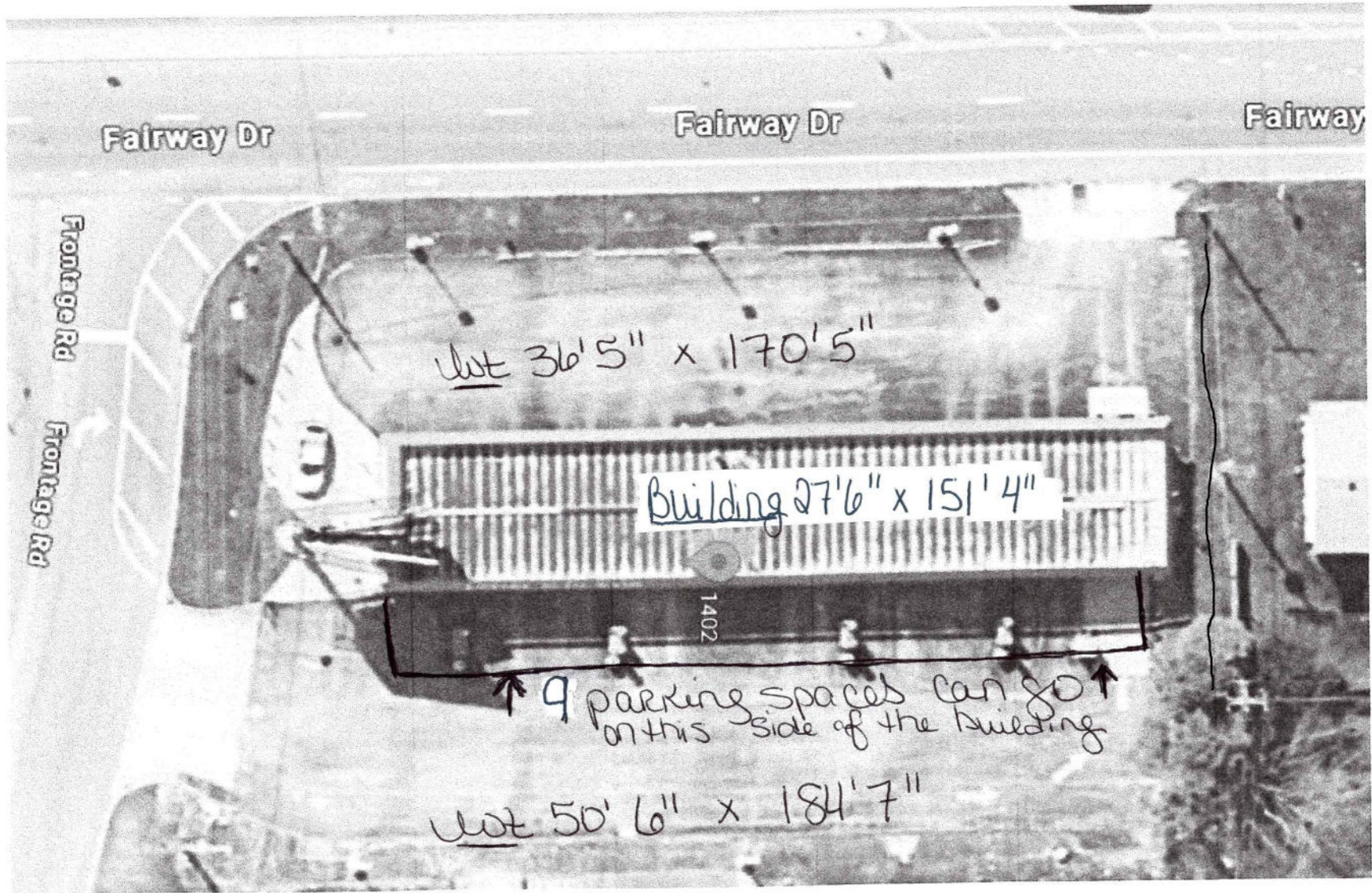
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**Acknowledgement**

**Applicant Signature**

true

ORIGINAL SITE PLAN

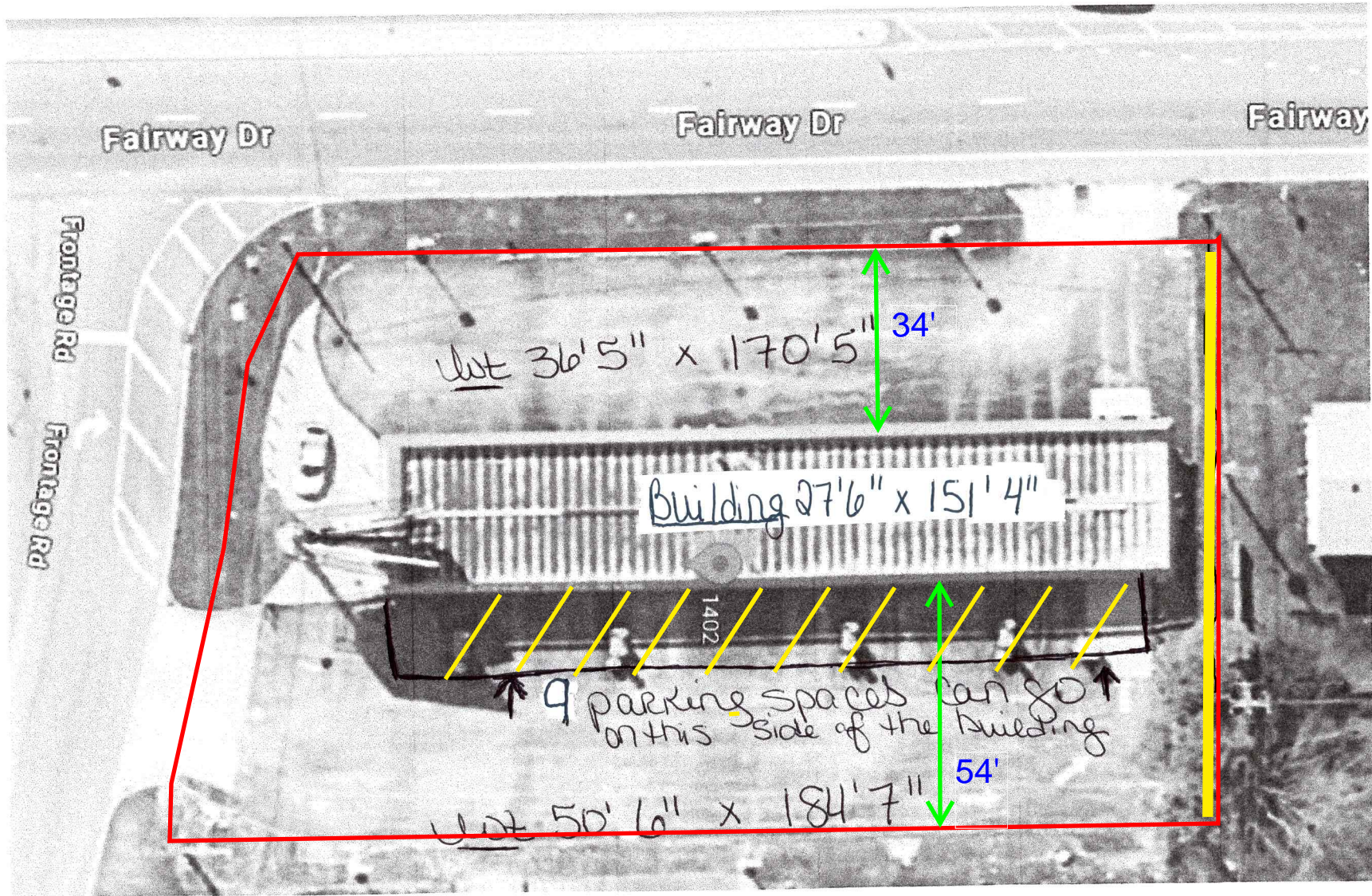


ORIGINAL ELEVATIONS



(9) Each bay measures approximately  
14' w x 25' d

MARKED-UP SITE PLAN





**Regular Agenda Item No. 5.C.**

**For Zoning Board of Appeals:** October 15, 2025

**Ward Impacted:** Ward 5

**Subject:** SP-07-25 - Public hearing, review, and action on a request submitted by Kingdom City Boxing for a Special Use Permit for a Sports and Fitness Establishment in the R-3A (Multiple-Family Residence) District, for the property commonly known as 1201 N. Hershey Rd., PIN: 14-36-300-00, as requested by the Development Services Department.

**Recommended Motion:** Motion to establish findings of fact for approval of a Special Use Permit are or are not met, and to recommend approval or denial of the Special Use Permit.

**Strategic Plan:**

**Goal 5.** Great Place - Livable, Sustainable City

**Objective 5d.** Appropriate leisure and recreational opportunities responding to the needs of residents

**Background:** The Applicant seeks a Special Use Permit to allow conversion of a ~7,500 square-foot portion of the existing building to a Sports & Fitness Establishment, per § 44-402B which indicates a Sports & Fitness Establishment may be allowed as a Special Use in the R-3A (Multiple-Family Residence) Zoning District. No waivers of Use Provisions are requested.

**Community Groups/Interested Persons Contacted:** Notice was published in *The Pantagraph* on Tuesday, September 30, 2025. Courtesy notices were mailed to 170 property owners within 500 feet of the subject property.

**Financial Impact:** N/A

**Attachments:**

1. SP-07-25 - 1201 N Hershey Rd - Staff Report
2. SP-07-25 - Attachment 5 - Application and Site Plan



# ZONING BOARD OF APPEALS

**TO:** ZONING BOARD OF APPEALS

**FROM:** Development Services Department

**DATE:** October 15, 2025

**CASE NO:** SP-07-25, Special Use Permit for Sports & Fitness Establishment

**REQUEST:** Public hearing, review, and action on a request submitted by Sid Edwards dba Kingdom City Boxing (1540 E. College Avenue, Suite 2, Normal, IL, 61761) for a Special Use Permit for a Sports and Fitness Establishment in the R-3A (Multiple-Family Residence) District, for the property commonly known as 1201 N. Hershey Rd. (Owner: Young Womans Christian Assn.) PIN: 14-36-300-002.

## BACKGROUND

### *Request*

The Applicant seeks a Special Use Permit to allow a Sports and Fitness Establishment in the R-3A (Multiple-Family Residence) with S-1 (Airport Noise Impact) District, per § 44-402B which indicates this Commercial use is allowed as a Special Use in the R-3A District.

The Applicant would like to lease the 7,500-sf annex of the Young Women’s Christian Association McLean County (YWCA) to use as a sports education facility (boxing club) to offer boxing classes to children and adults. The Applicant originally opened the club at their Bloomington residence in 2021, then moved it to a storefront suite in Landmark Plaza (1540 East College Avenue, Normal) in 2023. The Special Use Permit requirement was triggered when the Applicant applied for a Change of Use / New Tenant permit. If the YWCA itself had proposed the activity, it would have been deemed simply an additional sports education activity of its existing Community Center use and no Special Use Permit would be required.

### *Notice*

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, September 30, 2025. Courtesy notices were mailed to 170 property owners within 500 feet of the subject property.

## ANALYSIS

### *Property Characteristics*

The subject property consists of 8.65 acres at the northeast corner of N. Hershey Road and E. Empire Street. The annex is on the south end of the 40,000+ sf building and adjacent to the main parking lot.

### *Surrounding Zoning and Land Uses:*

	<b>Zoning</b>	<b>Land Uses</b>
North	R-1C (Single-Family Residence)	Single-Family Dwellings
East	R-1C and B-1 (General Commercial)	Retail Sales, General; Medical Clinic; Single-Family Dwellings
South	B-1C and P-3 (Airport) both with S-1 Overlay	Vehicle Fueling Station, Fire Station

West R-1B (Single-Family Residence), B-1 with S-1 Overlay, and R-3A with & without S-1 Overlay Retail Sales, General; Multiple- & Single-Family Dwellings

The annex's original use was as a natatorium; it was decommissioned around 2011 and repurposed for storage. The Applicant has negotiated a renewable lease with the YWCA and has its support for this Special Use Permit request. The proposed facility would have an open floor plan with a center boxing ring surrounded by a fitness area, bag-work area, lockers, and a front desk (see Attachment 5 – Application & Floor Plan). The primary access would be directly from the south parking lot into the southeast door; a second southwest door provides additional access for emergencies. The northwest door into the main lobby of the YWCA would be used to access the lobby restrooms and for emergency use. Staff and visitors would use the existing parking lot, which will provide ample space, as the YWCA's main operating hours are 8am to 5pm Monday through Friday; the YWCA does rent its gym out for weeknight events, but these do not significantly affect parking usage. Initially, the proposed boxing club would operate 5p to 9pm Monday through Friday and would later add 9am to noon on Saturdays. The number of students at any one time would be a maximum of 40.

*Description of Current Zoning District:*

The intent of this R-3A Residence District is to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between non-residential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwelling units at densities from 12 to 29 dwelling units per acre. (§ 44-401F).

*Subject Code Requirements:*

§ 44-402B, "Allowed Uses Table" indicates Sports and Fitness Establishments are permitted as a Special Use in the R-3A District.

§ 44-1013, "Community Centers, sports and fitness establishments" Use Provisions.

**STANDARDS FOR REVIEW**

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707.H and discussed below.

*Special Use Permit for Sports and Fitness Establishment in the R-3A (Multiple-Family Residence) District.*

- 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.**

The Applicant states that the proposed use would not be detrimental to the welfare of the area.

Staff concur, finding that the proposed operation of a Sports and Fitness Establishment within the existing Community Center use of the YWCA would be appropriate for this location and would not be detrimental to the public health, safety, comfort, or general welfare of surrounding uses. The YWCA has been offering a wide range of services to the community at this location since the 1970s, including sports and after-school programs. Kingdom City Boxing, originally established in Bloomington, moved its location to nearby Normal, and wants to return to Bloomington. The proposed sports education activities are within the range of acceptable activities for the YWCA to provide; the permit is required simply because the Applicant is a new tenant. **Standard is met.**

- 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.**

The Applicant states that the proposed use would not be injurious to the use of other property in the vicinity.

Staff concur, finding that the proposed use would positively impact the immediate area by activating a long-term storage space back to an active sports education and fitness training use in a residential neighborhood. The proposed use can be expected to maintain property values within the neighborhood by ensuring active occupancy and maintenance of the property, and also by providing rental income to the property owner. **Standard is met.**

- 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.**

The Applicant states that the proposed use would not impede the development and improvement of the surrounding neighborhood.

Staff concur, finding that the proposed sports and fitness education use is consistent with the historic and current uses of the building. The proposed use would continue to be in character with the nearby commercial uses in supporting the neighboring multifamily residential use. Improvement of surrounding properties would not be affected. **Standard is met.**

- 4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

The Applicant states no additional utilities or infrastructure would need to be provided.

Staff concur, finding that the proposed use would not expand the building footprint and would be serviced by the existing utilities and roads at the site. **Standard is met.**

- 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.**

The Applicant states that no public streets would be used.

Staff concur, finding that the proposed use would be accessed from the existing parking lot using the two existing access points along N. Hershey Road. Parking standards on the surface lot proposed at the site are adequate and meet Code requirements. Operating hours would be limited to weekday evenings. **Standard is met.**

- 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.**

The Applicant states that the proposed use would not violate the applicable regulations of the R-3A zoning district.

Staff concur, finding that the proposed Sports and Fitness Establishment use within the footprint of the existing building meets the standards for the District. **Standard is met.**

## *Use Provisions for Sports and Fitness Establishment*

### **Screening**

The proposed plan complies with this provision, as no outdoor children's play area is proposed.

### **Minimum lot standards**

The proposed plan complies with these provisions.

## **STAFF RECOMMENDATION**

Staff find that the application **meets** all the standards for a Special Use Permit and recommend that the Zoning Board of Appeals take the following actions:

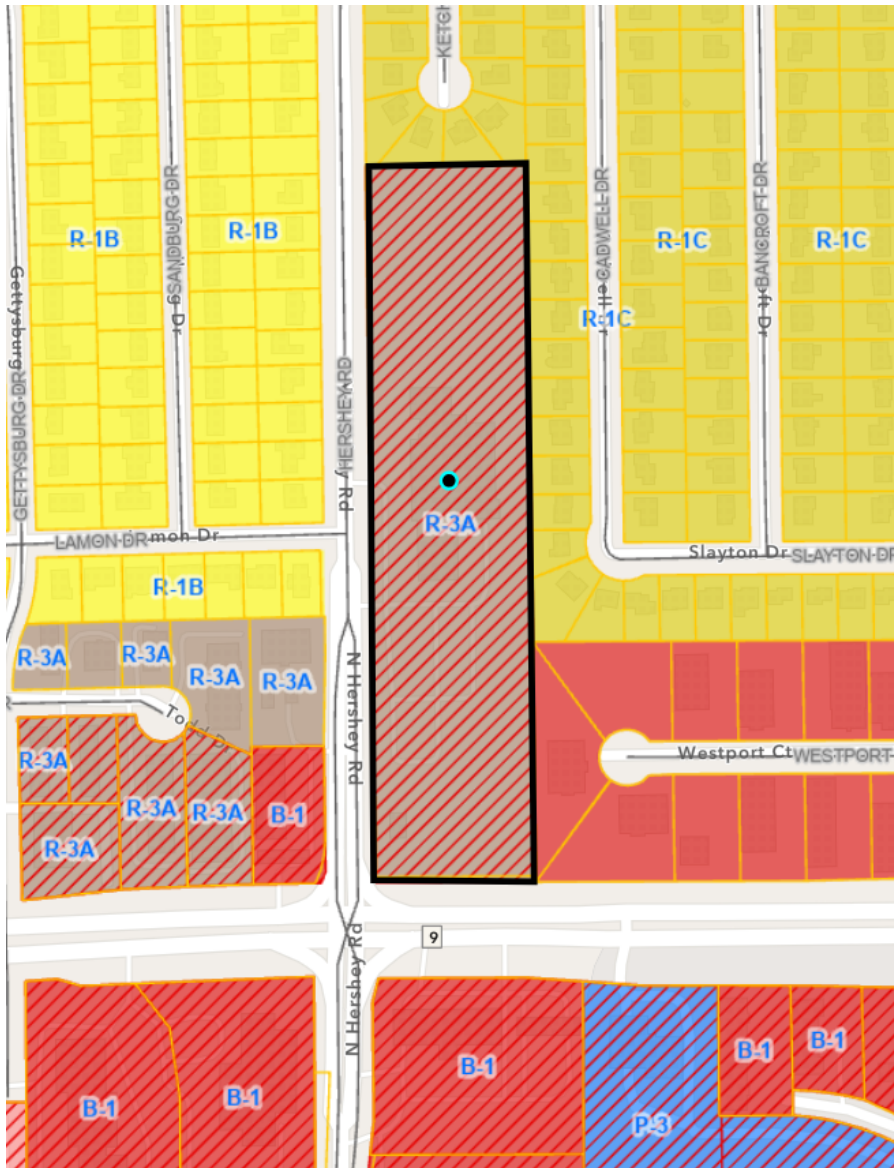
Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request as submitted as presented.

Respectfully submitted,  
Marcus Ricci, AICP  
Planner III

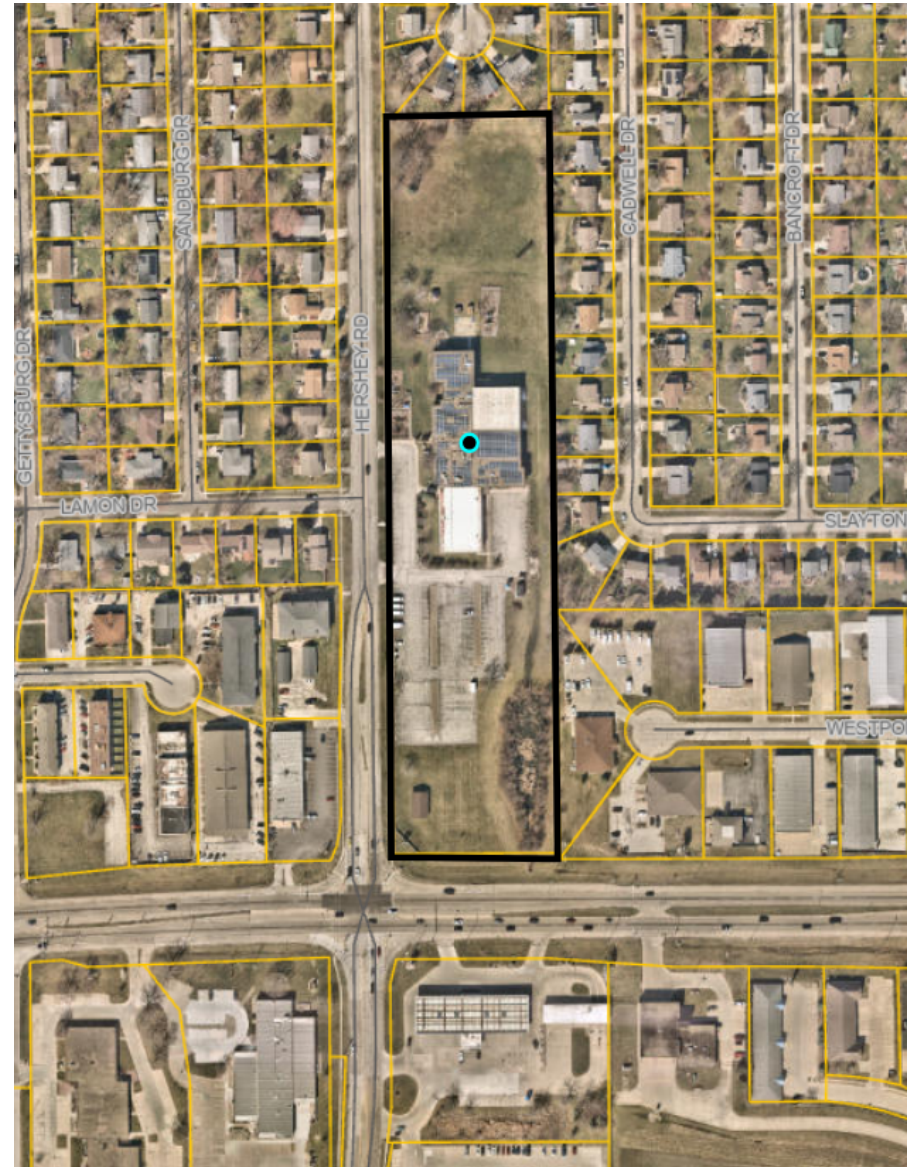
### **Attachments:**

1. Zoning Map
2. Aerial Image
3. Site Photographs
4. Neighborhood notice map
5. Application and Site Plan (separate attachment)

Attachment 1 - Zoning Map



Attachment 2 – Aerial Image



Attachment 3 - Site Photos



Figure 1. Looking north towards building.



Figure 2. Looking south towards parking lot.

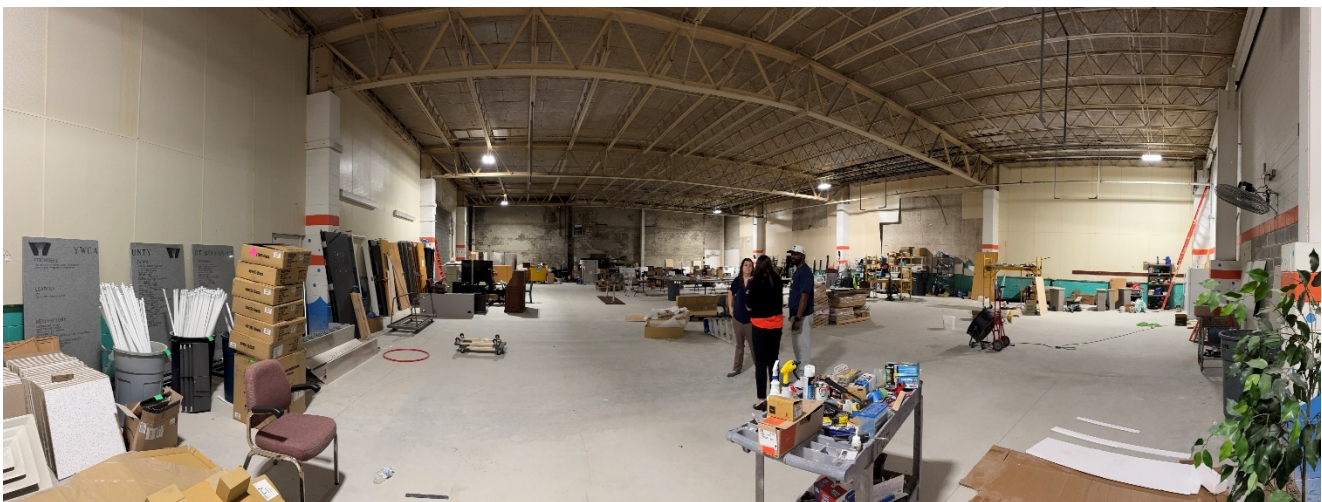


Figure 3. Looking towards south (outside) wall of sports area.



Figure 4. Looking towards north (interior) wall of sports area.



Figure 5. Looking north through lobby towards YWCA main door and restrooms.

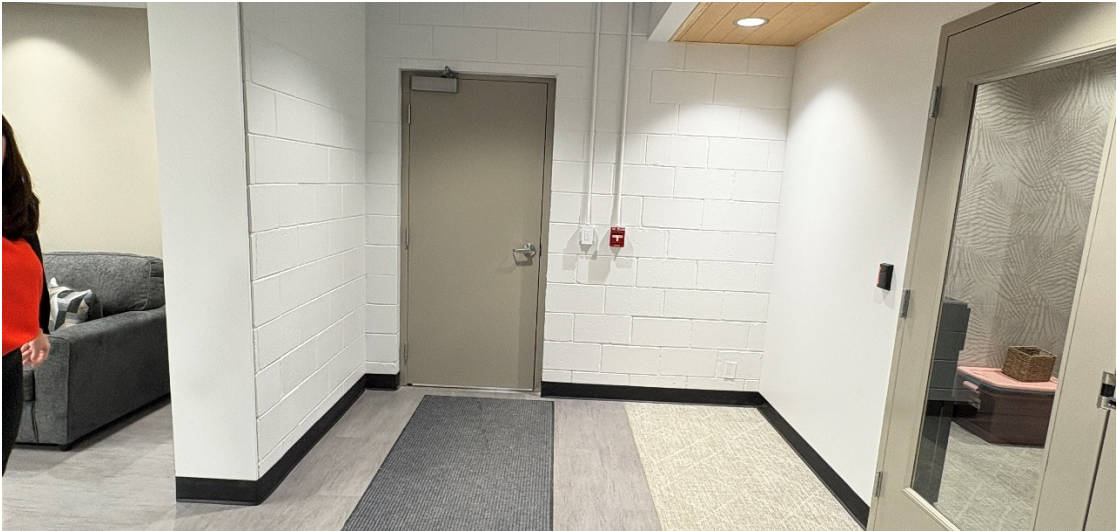


Figure 4. Looking south from lobby toward connecting door to sports area.





Land Use Applications

**ZONE-25-24**

Submitted On: Sep 28, 2025

**Applicant**

 Sidney Edwards

**Primary Location**

1201 N HERSHEY RD  
BLOOMINGTON, IL 61704

**Applicant Contact Information**

**Applicant Name or Business Name**

Kingdom City Boxing-Fitness

**Phone Number**



**Is this property owned by the applicant?**

No

**You will need to provide proof of property owner permission (see attachments).**

**I would like to add additional parties to this application**

--

**Additional Parties are contacts who should be able to access the details of this application and receive copies of key documents and notifications.**

Examples include: an engineer, legal representative, or financially responsible party for the project. **If the property owner would like to be copied on these communications you should list them here also.**

**Property Owner Information**

**Property Owner Name**

Liz German

**Phone Number**



**Email**



**Mailing Address**

**Street Address**

1201 N Hershey Rd

**City**

Bloomington

**State**

IL

**Zip Code**

61704

**Application**

**Please check all that apply.**

Note: not all items may be reviewed concurrently. Multiple Public Hearings may be required.

**Site Plan Review**

--

**Special Use Permit**

true

**Zoning Map Amendment (Rezoning)**

--

**Annexation Agreement**

--

**Variation to the Zoning Code (Variance)**

--

**Is this property subject to any Home Owner's Association, Restrictive Covenants, or other deed restrictions?**

No

**Legal Description of Property**

Community organization for women and young women of the world

**Parcel Identification Number(s) (PIN)**

--

**S-4 (Historic Preservation) Designation**

--

**Annexation Petition**

--

**Has this project already been discussed with the Planning Division, or been reviewed by the Project Review Group?**

Yes

**Does this property or business hold any licenses from the City? Ex: liquor, business, or video gaming licenses**

No

The legal description of your property may be found on the deed of your property that was provided to you at time of purchase.

For Long descriptions you may type "attached" and provide a WORD document as an attachment.

**Project Summary**

**Brief Project Description and Justification**

Kingdom City Boxing is wanting to move back to the city of Bloomington. The business originally started in Bloomington on Challis Drive; where we impacted young and older adults by changing lives and building character. No matter where we go we are wanting to give so much back to our community and neighborhood. We strive to be a light in the city.

**Current Use of Property**

Boxing fitness and after school programs

**What (if any) alternatives have been considered or pursued before applying for this request?**

NA

**Special Use Permit**

**Have you discussed this proposal with nearby property owners?**

Yes

**What feedback have you received?**

They're excited for us to be back in the area.

**Required Documents and Submittals:**

- Short project description, including any waivers requested for the subject Use Provisions
- Property characteristics, including Parcel ID Number (PIN) and current zoning
- Legal description of the property, in text format

**Special Use Requested:**

YWCA

**Are any waivers required to Use Provisions associated with this project? (Check if yes)**

--

Written consent from property owner, if not the same as the applicant

Legible Site Plan, including property lines, proposed locations of new/changed structures, and other items relevant to this petition (see § 44-1707 for additional Site Plan requirements)

Written statement addressing all of the "Findings of Fact" listed below.

Alternatively, you may provide an attachment that address each of the standards by uploading below and typing "attached" in the explanation boxes.

---

**Discuss whether the establishment, maintenance, or operation of the special use could be detrimental to or endanger the public health, safety, comfort or general welfare.**

None

**Discuss whether the special use could be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and how you will ensure it does not substantially diminish and impair property values within the neighborhood.**

None

**Discuss whether the establishment of the special use will impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

None

**Discuss whether adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

None

**Discuss whether adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

No public streets will be used

**Discuss whether 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.**

None

---

## **Acknowledgement**

**Applicant Signature**

true

# LONG TERM FACILITY RENTAL AGREEMENT

Agreement between YWCA McLean County with an address of 1201 N. Hershey Rd, Bloomington, IL 61704 (**Lessor**) and \_\_\_\_\_  
\_\_\_\_\_ (**Renter**).

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual promises and agreements contained herein, the Renter agrees to lease from YWCA McLean County under the following terms and conditions:

**1. RENTAL/LEASE TYPE.** This Agreement shall be an initial 6 month lease beginning on \_\_\_\_\_ through \_\_\_\_\_. . At the end of the Lease Term, the Renter may continue to lease the Premises under the same terms of this Agreement under a month-to-month arrangement.

**2. THE PROPERTY.** The Lessor agrees to lease the described area below to the Renter:

- a.) Mailing Address: 1201 N. Hershey Rd., Bloomington, IL 61704
- b.) Area: YWCA Annex
  - a. Space has a heater that can be used but no air conditioning
  - b. Space is not sprinklered
  - c. Restrooms are only available when front desk area is staffed (during other rentals)

**3. PURPOSE.** The Renter may use the Premises as a business as identified via insurance certificate. Valid insurance certificate must be provided. If business activities change during lease, Lessor will be notified to approve changes. The Renter may use the Premises exclusively for boxing lessons, personal training, and fitness related classes. No other use shall be permitted without written consent from the Lessor.

The leased space is not designed for public events or high traffic uses due to the lack of amenities and fire protection systems. Occasional events may be permitted with approval from the Lessor, subject to compliance with applicable fire codes, occupancy limits, permits, and insurance requirements.

The Renter shall be solely responsible for verifying whether a Certificate of Occupancy (CO) or any business-specific permits are required by the City of Bloomington or any other governing authority for their intended use of the Premises. If required, the Renter must obtain a valid CO prior to occupancy and provide a copy to the Lessor. Failure to obtain or maintain such documentation, if required, will constitute a material breach of this Agreement and may result in

termination of the lease at the discretion of the Lessor. The Lessor makes no representation as to the suitability of the Premises for the Renter

**4. FURNISHINGS** The space is not furnished.

**5. RENT.** The Renter shall pay [REDACTED] per month. The Rent shall be due by the 15<sup>th</sup> of the month and paid under the following instructions: cash, check, or ACH – must mail check to 1201 N. Hershey Rd. Bloomington, IL 61704.

**6. NON-SUFFICIENT FUNDS (NSF CHECKS).** If the Renter pays the Rent with a check that is not honored due to insufficient funds (NSF) there shall be a fee of \$35 per occurrence. After the second occurrence a personal check will no longer be accepted.

**7. LATE FEE.** If Rent is not paid on the second day of the month, there shall be a penalty of \$50 due as a one time payment.

**8. PARKING.** The Renter may utilize the YWCA parking lot unless otherwise directed, like in the case of a special event.

**9. EARLY TERMINATION.** The Renter shall have the right to terminate this Agreement at any time by providing at least 30 days written notice to YWCA McLean County. During the notice period for termination the Renter will remain responsible for the payment of rent.

**10. ANIMALS/SUBSTANCES**

No smoking/vaping, consuming alcohol, using controlled substances, animals (except service animals), or use of inappropriate/derogatory language is allowed on YWCA property by Renter or event participants.

**11. MANAGER.** Lessor can be contacted for any maintenance or repair at:

YWCA McLean County, 1201 N. Hershey Rd, Bloomington, IL 61704 Attn: Alina Evans

Email: [REDACTED]

Phone: [REDACTED]

**12. ACCESS.** Upon the beginning of the Lease Term, the Lessor agrees to give access to the Renter in the form of keys, fobs, cards, or any type of keyless security entry as needed to enter the leased area. Duplicate copies of the access provided may only be authorized under the consent of the Lessor and, if any replacements are needed, the Lessor may provide them for a fee. At the end of this Agreement all access provided to the Renter shall be returned to the Lessor or a fee will be charged.

**13. SUBLETTING.** No subletting or reassignment of this rental agreement is allowed.

**14. ABANDONMENT.** If the Renter vacates or abandons the Premises for a time-period that is the minimum set by State law or seven (7) days, whichever is less, the Lessor shall have the right to terminate this Agreement immediately and remove all belongings including any personal property off of the Premises. If the Renter vacates or abandons the Premises, the Lessor shall immediately have the right to terminate this Agreement.

**15. SEX OFFENDERS.** Due to the nature of YWCA programming, sex offenders are not allowed on any part of the property.

**16. RIGHT OF ENTRY.** The Lessor shall have the right to enter the rented area during normal working hours by providing at least twenty-four (24) hours' notice in order for inspection, make necessary repairs, alterations or improvements, to supply services as agreed or for any reasonable purpose. The Lessor may exhibit the Premises to prospective purchasers, mortgagees, or lessees upon reasonable notice.

**17. MAINTENANCE, REPAIRS, OR ALTERATIONS.** The Renter shall, at their own expense and at all times, maintain premises in a clean and sanitary manner, and shall surrender the same at termination hereof, in as good condition as received, normal wear and tear excepted. The Renter may not make any alterations to the leased premises without the consent in writing of the Lessor. The Lessor shall be responsible for repairs to the interior and exterior of the building. The Renter will follow fire and other safety codes and policies

**18. NOISE/WASTE.** The Renter agrees to dispose of waste properly. The Renter further agrees to abide by any and all local, county, and state noise ordinances.

**19. COMPLIANCE WITH LAW.** The Renter agrees that during the term of the Agreement, to promptly comply with any present and future laws, ordinances, orders, rules, regulations, and requirements of the Federal, State, County, City, and Municipal government or any of their departments, bureaus, boards, commissions and officials thereof with respect to the premises, or the use or occupancy thereof, whether said compliance shall be ordered or directed to or against the Renter, the Lessor, or both.

**20. DEFAULT.** If the Renter fails to comply with any of the financial or material provisions of this Agreement, the Lessor may terminate this Agreement. If the Renter fails to pay rent when due and the default continues for the time-period specified in the written notice thereafter, the Lessor may, at their option, declare the entire balance (compiling all months applicable to this Agreement) of rent payable hereunder to be immediately due and payable and may exercise any and all rights and remedies available to the Lessor at law or in equity and may immediately terminate this Agreement.

The Renter will be in default if: (a) Renter does not pay rent or other amounts that are owed; (b) Renter, their guests, or the Occupant(s) violate this Agreement, rules, or fire, safety, health, or criminal laws, regardless of whether arrest or conviction occurs; (c) Renter abandons the Premises; (d) Renter gives incorrect or false information in the rental application; (e) Renter, or any Occupant(s) is arrested, convicted, or given deferred adjudication for a criminal offense involving actual or potential physical harm to a person, or involving possession, manufacture, or delivery of a controlled substance, marijuana, or drug paraphernalia under state statute; (f) any illegal drugs or paraphernalia are found in the Premises or on the person of the Renter, guests, or Occupant(s) while on the Premises and/or; (g) as otherwise allowed by law.

**21. DISPUTES.** If a dispute arises during or after the term of this Agreement between the Lessor and Renter, they shall agree to negotiate amongst themselves, in "good faith", before any litigation.

**22. SEVERABILITY.** If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

**23. SURRENDER OF PREMISES.** The Renter has surrendered the Premises when (a) the move-out date has passed and no one is living in the Premise within the Lessor's reasonable judgment; or (b) Access to the Premise have been turned in to Lessor – whichever comes first. Upon the expiration of the term hereof, the Renter shall surrender the Premise in better or equal condition as it were at the commencement of this Agreement, reasonable use, wear and tear thereof, and damages by the elements excepted.

**24. RETALIATION.** The Lessor is prohibited from making any type of retaliatory acts against the Renter including but not limited to restricting access to the Premises, decreasing or cancelling services or utilities, failure to repair appliances or fixtures, or any other type of act that could be considered unjustified.

**25. WAIVER.** A Waiver by the Lessor for a breach of any covenant or duty by the Renter, under this Agreement is not a waiver for a breach of any other covenant or duty by the Renter, or of any subsequent breach of the same covenant or duty. No provision of this Agreement shall be considered waived unless such a waiver shall be expressed in writing as a formal amendment to this Agreement and executed by the Renter and Lessor.

**26. HAZARDOUS MATERIALS.** The Renter agrees to not possess any type of personal property that could be considered a fire hazard such as a substance having flammable or explosive characteristics on the Premises. Items that are prohibited to be brought into the Premises, other than for everyday cooking or the need of an appliance, includes but is not limited to gas

(compressed), gasoline, fuel, propane, kerosene, motor oil, fireworks, or any other related content in the form of a liquid, solid, or gas.

**27. INDEMNIFICATION.** The Lessor shall not be liable for any damage or injury to the Renter, or any other person, or to any property, occurring on the Premises, or any part thereof, or in common areas thereof, and the Renter agrees to hold the Lessor harmless from any claims or damages unless caused solely by the Lessor's negligence. It is recommended that renter's insurance be purchased at the Renter's expense.

**28. COVENANTS.** The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Agreement.

**29. GOVERNING LAW.** This Agreement is to be governed under the laws located in the State of Illinois.

**30. ENTIRE AGREEMENT.** This Agreement contains all the terms agreed to by the parties relating to its subject matter including any attachments or addendums. This Agreement replaces all previous discussions, understandings, and oral agreements. The Lessor and Renter agree to the terms and conditions and shall be bound until the end of the Lease Term.

Lessor's Signature \_\_\_\_\_ Date: \_\_\_\_\_

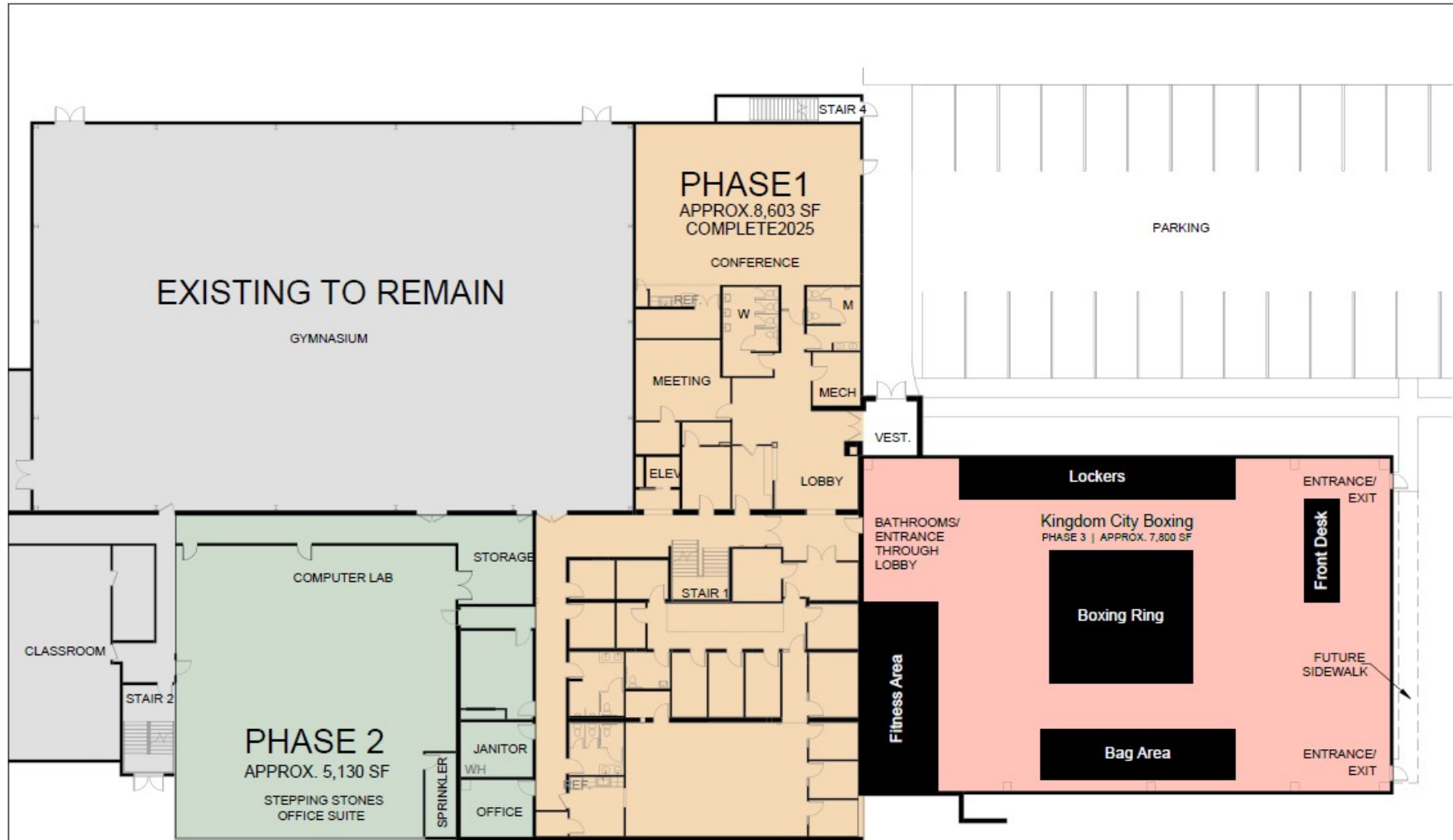
Print Name: \_\_\_\_\_

Renter's Signature  \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Renter's Signature  \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



① KEY PLAN - EXISTING LEVEL 1  
1" = 20'-0"



KEY PLAN - LEVEL 1

SK-5.  
22160  
0412.2025

**HEWMN**