

# CITY OF BLOOMINGTON



June 23, 2016 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL

CITY OF BLOOMINGTON  
BOARD OF ZONING APPEALS  
June 23, 2016 at 5:30 p.m.

\*Council Chambers - Room #115

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**ROLL CALL**

**MINUTES TO BE APPROVED:**      May 26, 2016

**REPORTS, RESOLUTIONS, AND COMMUNICATIONS:**

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**PETITIONS:**

- V-21-16      **Robert Damuth and Emily Black**  
605 S. Meadowbrook Dr.  
Request: Permanent sidewalk variance.  
*Case Manager: Beth Rosenbarger*
  
- CU-20-16      **Bloomington Bagel Co., LLC**  
425 E. Kirkwood Ave.  
Request: Conditional use to allow a standardized business within the  
University Village Overlay.  
*Case Manager: Beth Rosenbarger*

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
Location: 605 S. Meadowbrook Drive

**CASE #: V-21-16**  
**DATE: June 23, 2016**

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**PETITIONER:** Emily Black and Robert Damuth  
605 S. Meadowbrook Drive, Bloomington

**CONSULTANT:** Loren Wood Builders  
4535 E. 3<sup>rd</sup> Street, Bloomington

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**REQUEST:** The petitioner is requesting a variance from sidewalk requirements.

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**SITE DESCRIPTION:** The property is located on the south east corner of S. Meadowbrook Drive and Brownridge Road. The property is zoned Residential Single-family (RS), with RS to the north, south, and east. The petitioner plans to construct a single family house on the property, which is surrounded on all sides by single family houses. The previous home on the property was demolished.

The petitioners are requesting a variance from sidewalk requirements. The petitioner plans to construct a new single-family house on the site. Construction of a new house requires the construction of 5-foot wide sidewalks on the adjacent street frontage. This property has frontage on South Meadowbrook (175 feet) and East Brownbridge (210 feet). There are currently no sidewalks along S. Meadowbrook Dr. or E. Brownbridge Rd. There are no other vacant lots on either of those blocks. The required sidewalk would be approximately 385 linear feet.

Construction of the sidewalk would require extensive engineering work and drainage changes. There is a grade difference from the street to the property, which is most significant at the corner where a culvert is located. The grade change is approximately 5 feet. Along both frontages, the street is higher than the property, and the property slopes downward, away from the street and forms a ditch. There are two possible design options for the sidewalk. The sidewalk would be constructed as a monolithic sidewalk, immediately adjacent to the street edge. This option would require adding fill to the slopes and adding stormwater inlets. Monolithic sidewalks are not the preferred option within the City as pedestrians do not feel as safe when immediately adjacent to traffic and lack the 5-foot street tree buffer space. The second option would be to put the sidewalk farther in on the property in order to avoid the slopes. This option would possibly reduce some of the expense associated with adding fill, but it would place the sidewalk 3 to 5 feet below the grade of the street. Additionally, it would be located in a stormwater drainage area and accessing the sidewalk from the street would be challenging.

Finally, the petitioner received input from the neighborhood regarding the variance. Most neighbors support the variance and said that they feel safe on the streets as is. There were a few who stated they would support the sidewalk.

The City supports creating a walkable city and providing safe spaces for all residents of all ages and abilities. However, in this specific context, the drainage and elevation changes would require a significant infrastructure investment for the property, much above average.

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**20.09.135 (c) Findings of Fact for Sidewalk Variance.**

Pursuant to IC 36-7-4-918.5, the board of zoning appeals or hearing officer may grant a variance from Section 20.05.010(b)(3) of the Unified Development Ordinance if, after a public hearing, it makes findings of fact in writing, that:

- (1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

**Staff's Finding:** Staff finds no injury to the public. This street has existed for many decades without a sidewalk with no known accidents or injuries. There are no existing sidewalks on this portion of South Meadowbrook Drive or East Brownbridge Road.

- (2) *The use and value of the area adjacent to the property included in the Development Standards variance will not be affected in a substantially adverse manner; and*

**Staff's Finding:** Staff finds no substantially adverse impacts. Although the construction of sidewalks on all streets is desirable, this sidewalk will have negligible positive benefits to an area that has no existing sidewalks.

- (3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards variance will relieve practical difficulties; and*

**Staff's Finding:** Staff finds peculiar condition in the steep slopes within the right-of-way and the large culvert at the intersection. The steep slopes and the large culvert will make construction of a sidewalk quite expensive. The variance would relieve the practical difficulty.

- (4) *That the topography of the lot or tract together with the topography of adjacent lots or tract and the nature of the street right-of-way make it impractical for the construction of a sidewalk as required by Section 20.05.010(b)(3); and*

**Staff's Finding:** Staff finds that the topography on the petition lot and adjacent tracts make construction impractical.

- (5) *That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which the new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians.*

**Staff's Finding:** Staff finds protecting the safety of pedestrians is always a priority. Sidewalks with a tree plot buffer and slow auto traffic are the safest places for pedestrians, second only to streets without cars. However, streets with low traffic volumes and low traffic speeds where pedestrians are respected are also safe for pedestrian use. Staff finds that reasonably anticipated pedestrian traffic will not be such as to require sidewalks for the safety of pedestrians.

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**CONCLUSIONS:** Staff finds that not requiring a sidewalk on this property will not endanger public or pedestrian safety. Staff finds substantial peculiar conditions and topographic barriers due to the steep slopes and drainage issues on the site and adjacent sites.

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**RECOMMENDATION:** Based upon the written report, staff recommends approval of the sidewalk variance request.

This petitioner is applying for a variance for the sidewalk requirements at 605 S. Meadowbrook. There are four reasons for this request that are outlined below:

First and foremost, we are requesting a variance because of site constraints that would cause both drainage issues on the lot and in the surrounding streets.

A look at the elevations on the site plan, along with the pictures attached to this application, highlight the fact that this corner lot has natural drainage built into it that carries storm-water to a basin at the NW corner of the property. This basin then drains diagonally under the street to the creek on the West side of Meadowbrook. Hoosier Acres does not seem to have a storm-water system along Meadowbrook or Brownridge. Instead, the low areas on either side of these roads - and on this lot in particular - facilitate natural movement of storm-water. Adding the fill necessary to bring the elevation up to street level to accommodate sidewalks would eliminate the drainage that currently exists on this lot.

The second reason for our variance request is the cost of installing the side walks. The cost of the additional work to build in auxiliary drainage, build up the low lying areas to accommodate sidewalks, then build the sidewalks have been estimated between 45,000-55,000. The final cost would depend on the type of fill, retaining walls, and auxiliary drainage that would need to be installed, in order to build up the yard on both streets, as well as to build in some type of drainage. This is cost-prohibitive for the lot-owner and will likely result in them opting not to build.

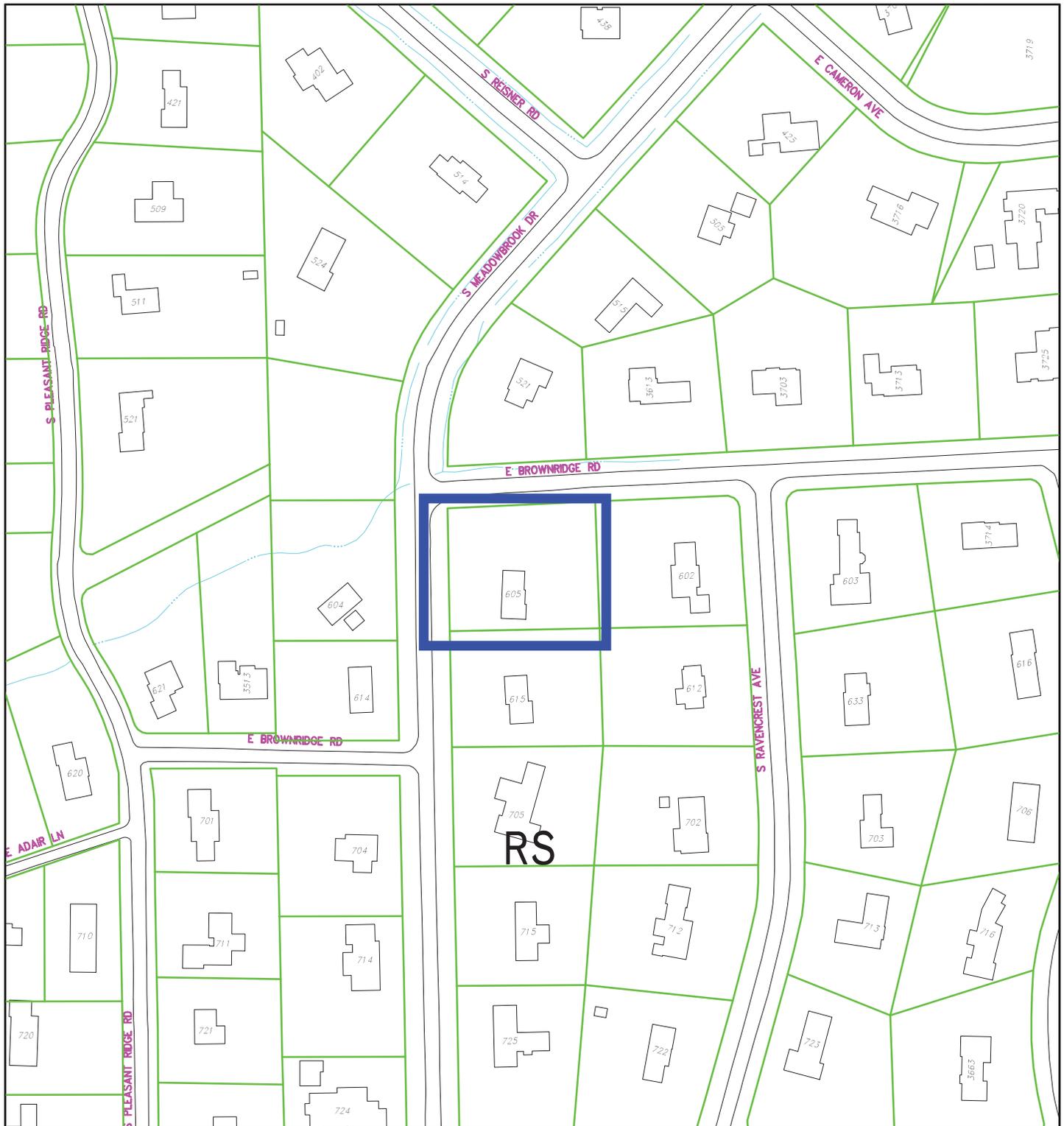
The third reason for this petition is a resounding lack of support from the neighborhood. Please read through the accompanying statements from neighbors, the vast majority of whom are vehemently opposed to a standalone sidewalk to nowhere in Hoosier Acres. Both the petitioner and the majority of the neighborhood find the idea of this stand-alone sidewalk to be abhorrent. The fact is that this entire neighborhood is built out and has no through-streets. The chances of the city paying to install sidewalks in this isolated neighborhood is very low. Thus, this sidewalk, if built, will stand alone, with no network to existing sidewalks.

Along with eliminating the natural drainage that currently exists and being aesthetically out of place in the neighborhood, the sidewalk would actually be counter-productive to the presumed purpose of sidewalks. Instead of making pedestrians and bikers safer, this sidewalk would force users to enter and exit the traffic pattern not at intersections, but mid-block, in unexpected places. Instead of creating a safe haven for bikers and walkers, it gives them opportunities to weave in and out of the traffic pattern in a way that could be dangerous to both the drivers and the pedestrians/bikers.

For these reasons, we are petitioning for a variance from the requirement for sidewalks on 605 S. Meadowbrook.

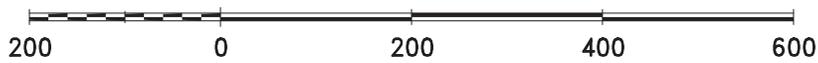
Thank you in advance for your time reviewing this petition.

V-21-16  
Petitioner's  
Statement

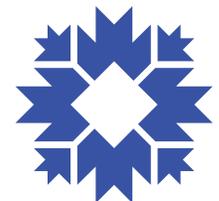


V-21-16  
 605 S. Meadowbrook Drive

By: rosenbab  
 16 Jun 16

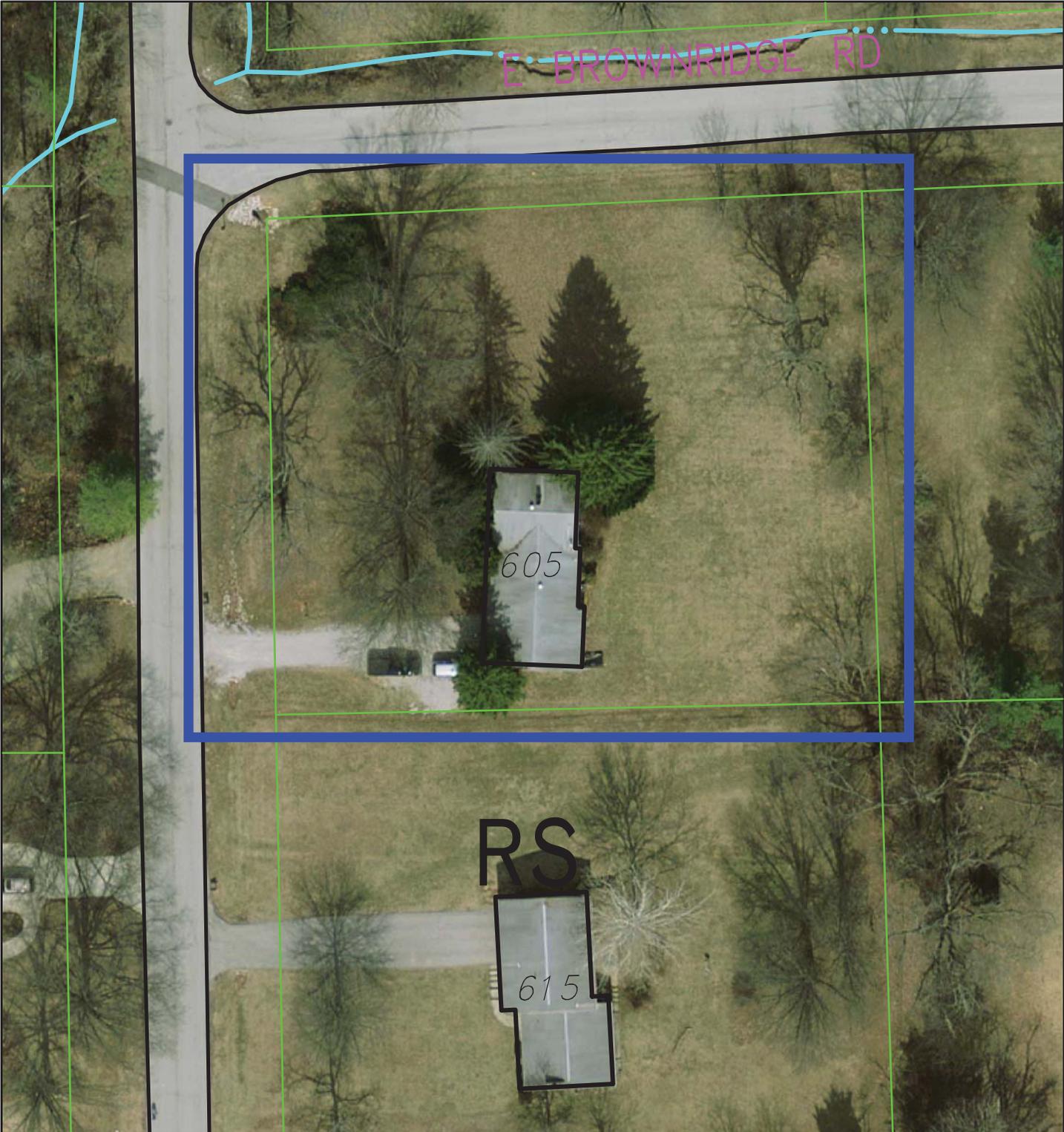


City of Bloomington  
 Planning & Transportation



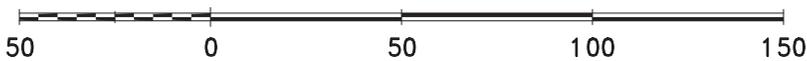
Scale: 1" = 200'

For reference only; map information NOT warranted.



V-21-16  
 605 S. Meadowbrook Drive  
 2014 Aerial Photograph  
 The home has been demolished

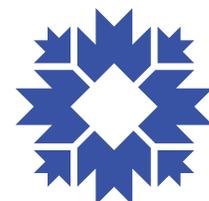
By: rosenbab  
 17 Jun 16



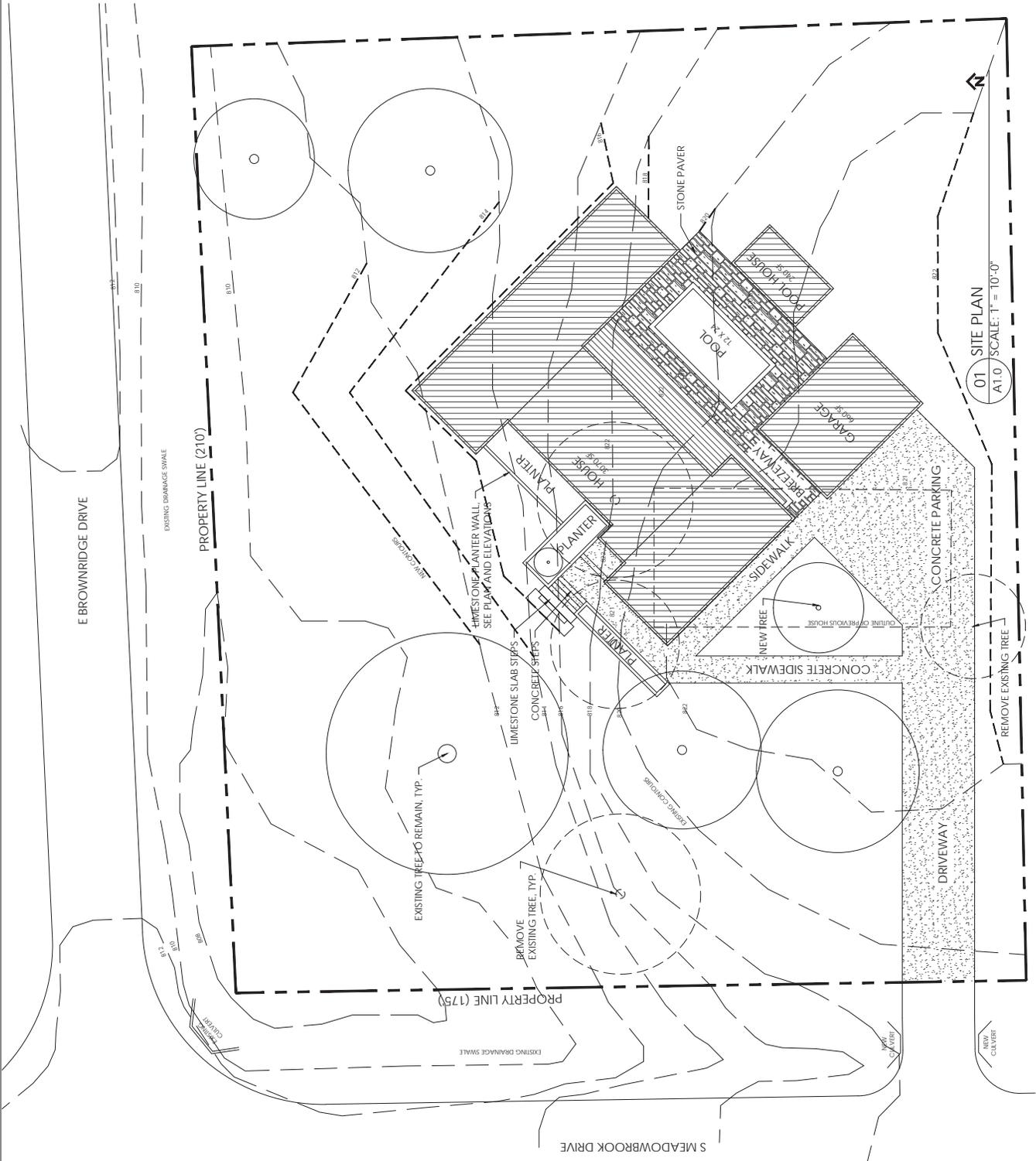
For reference only; map information NOT warranted.



City of Bloomington  
 Planning & Transportation



Scale: 1" = 50'



01 SITE PLAN  
 A1.0 SCALE: 1" = 10'-0"

V-21-16  
 Site Plan



Photo submitted by petitioner from driveway facing north along Meadowbrook Drive



Photo submitted by petitioner from Meadowbrook facing east onto Brownbridge Road

V-21-16  
Site photos  
submitted by  
petitioner



Photo submitted by petitioner facing the stormwater culvert. The road is at the top, above the culvert. Approximately 5 feet difference.

V-21-16  
Site photos  
submitted by  
petitioner



Beth Rosenbarger <rosenbab@bloomington.in.gov>

Fwd: Sidewalk variance

5 messages

Loren Wood <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:29 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

V-21-16  
Comments from  
Neighbors

----- Forwarded message -----

From: Carrick Rogers <carrickr@umich.edu>  
Date: Tue, May 31, 2016 at 10:58 AM  
Subject: Re: Sidewalk variance  
To: Loren Wood <loren@lorenwoodbuilders.com>, Yan Long <longyan@umich.edu>

Do you still need these? I just got back in town. If you want something to use I would happily supply:

My wife and I, residents and homeowners within Hoosier Acres, would like to support Loren Wood's variance request regarding the sidewalk for 805 Meadowbrook Drive. Hoosier Acres was clearly designed as a neighborhood that would not feature sidewalks. Wide roads and minimal connections to 3rd Street and Smith Road to ensure traffic in the neighborhood was local only. In addition many roads, including the properly on 805 Meadowbrook, have some combination of drainage ditch and old growth vegetation right beside the road where the sidewalk would go.

This creates a situation where the installation of sidewalks probably means messing with the currently drainage situation, adding in storm sewers and drains in addition to a sidewalk, and/or losing some really great trees. The other option would be to reduce the width of the streets (and probably limit or remove on street parking in the process) to fit a sidewalk in. Which does increase pedestrian friendliness of the street but at the cost of reducing Hoosier Acre's friendliness to bicyclists.

My wife and I feel no particular need for sidewalks in Hoosier Acres. We purchased our home in August of 2015 knowing we would to the bus stop on Clarizz, walk our dog in the neighborhood every night, bicycle, and eventually have children playing in the neighborhood. To us the limited connections to 3rd Street and Smith are the governing factors in pedestrian safety. However if the city wants sidewalks in Hoosier Acres, the proper approach is to address it on a neighborhood scale where there can be on master plan regarding drainage, preserving trees, and meeting both pedestrian and bicyclist needs. Having this handled in little one off situations when individual homeowners renovation will only create irregular strips of concrete that connect to nothing and useless to everyone.

Carrick Rogers

On Wed, May 25, 2016 at 5:06 PM, Loren Wood <loren@lorenwoodbuilders.com> wrote:

All,  
  
Thanks so much for your feedback on this topic. I wanted to follow-up with you and let you know that I submitted the variance request today. I also wanted to let you know that I would like to submit your emails, along with my application, as an exhibit. However, anything that I submit with my application will become part of the public record and I do not think that I made this clear when I sent out my initial request for feedback.

Thus, I want to give folks the opportunity to send an email or letter in support of (or in opposition to) the variance request that they know will become part of the public record. If you are ok with me using the email that you already sent, please just let me know. If you want to refine the language some, that is fine, as well. I just wanted to make sure that it was abundantly clear that these statements will be part of the public record before I submitted them.

It is probably worth noting that, although this is part of the public record, most likely the Board of Zoning Appeals will be the only people to ever read these remarks.

Thanks again for all of your time on this!

Sincerely,  
  
Loren Wood

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401  
  
(812) 345-3801  
www.lorenwoodbuilders.com

Loren Wood <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Beth,  
  
I'm just forwarding you this entire thread. Most in strong support, 2 or 3 in opposition.

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401  
  
(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: Macfarlane, Eleanor C <macfarl@indiana.edu>  
Date: Wed, May 25, 2016 at 8:19 PM  
Subject: RE: Sidewalk variance

To: Loren Wood <loren@lorenwoodbuilders.com>, kwswebb <kwswebb@att.net>, Yan Long <longyan@umich.edu>, Carrick Rogers <carrickr@umich.edu>
Cc: "Waterman, David H." <waterman@indiana.edu>, James Nelson <jwnoslen@gmail.com>, "Upper Jr, Henry A." <upper@indiana.edu>, "Monaghan, Elaine" <emonagha@indiana.edu>, "Mayell, Sharon L" <smayell@indiana.edu>, Rebecca Harris <rebeccaharris@mac.com>, "Markus N. Rogers" <mrrogers704@comcast.net>, "Saunders, W. Phillip" <saunders@indiana.edu

You may include my comments in your submission requesting a variance.

Ellie MacDonald

From: Loren Wood [mailto:loren@lorenwoodbuilders.com]

Sent: Wednesday, May 25, 2016 5:07 PM

To: kwswebb <kwswebb@att.net>; Yan Long <longyan@umich.edu>; Carrick Rogers <carrickr@umich.edu>

Cc: Waterman, David H. <waterman@indiana.edu>; James Nelson <jwnoslen@gmail.com>; Macfarlane, Eleanor C <macfarl@indiana.edu>; Upper Jr, Henry A. <upper@indiana.edu>; "emonagha@indiana.edu"; Norma Miller <nmliller28@gmail.com>; Mayell, Sharon L <smayell@indiana.edu>; Rebecca Harris <rebeccaharris@mac.com>; Markus N. Rogers <mrPhillip@saunders@indiana.edu>; Shelia Nickle <rxboilers@gmail.com>; McGinnis, Michael Dean <mcginnis@indiana.edu>; Whelan, Tracy M. <trwhelan@indiana.edu>; John L. L. Wieselthier <janewieselthier@gmail.com>; Teresa Tresslar <teresatres@hotmail.com>; Smith, Gerald R <smithg@indiana.edu>; Patricia Meier <patmeier@att.net>; Taylor, Milton <bjcmcgee1425@sbcglobal.net>; David McArdle <dnmcardle@aol.com>; "Phillip A. A. Sallee" <srazul@att.net>; "Selmier II, W. Travis" <wselmier@indiana.edu>; Gretchen Nall <bloomingt@mirolli@indiana.edu>; Loretta Nelson <lorettafay@gmail.com>; Barbara Moss <bmoss.indiana@sbcglobal.net>; Rick Wells <rpwswish@gmail.com>; Deb Widiss <dwidiss@gmail.com>; F <zoedecor@yahoo.com>; Andy and Susan Williams <andysusanw@comcast.net>; Deb Prenkert <dprenkert@mccsc.edu>; Jenny & Tarek Sibai <jennylennington@gmail.com>; Sean Wilcox <firstappraisalgroup.com>; Sally Takada <sallytakada@gmail.com>; Chris Smith <chris@shortstopfoodmart.com>; Kyunghhee & Peter Mun Lenzen <kmun99@gmail.com>; John & Steve <jbradsmith1@comcast.net>; Diana Ryan <dianafryan@gmail.com>; Elena Miller <nenamillan25@gmail.com>; Don & Penny Mole <imgoing2heaven@att.net>; Jennifer Mobley <jennifer@l@mjschroll@gmail.com>; David Martin <martindavid1968@gmail.com>; Josh Watkins <joawatki@gmail.com>; Emily Black <mleblack1015@gmail.com>; Robert Damuth <rdamuth@nathanc.com>

Subject: Re: Sidewalk variance

All,

Thanks so much for your feedback on this topic. I wanted to follow-up with you and let you know that I submitted the variance request today. I also wanted to let you know that I would like application, as an exhibit. However, anything that I submit with my application will become part of the public record and I do not think that I made this clear when I sent out my initial request.

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It is probably worth noting that, although this is part of the public record, most likely the Board of Zoning Appeals will be the only people to ever read these remarks.

Thanks again for all of your time on this!

Sincerely,

Loren Wood

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4535 E. 3rd St.
Bloomington, IN 47401
(812) 345-3801
www.lorenwoodbuilders.com

V-21-16
Comments from
Neighbors

On Tue, May 24, 2016 at 10:17 AM, Loren Wood <loren@lorenwoodbuilders.com> wrote:

Hi all,

I would like to thank each of you for your time in weighing in on this topic. If anyone has not had a chance to do so and would like to add their opinions and thoughts, please feel free to call me directly at 812.345.3801. I submit the variance request on the 31st of this month, so will include any opinions that I have up through that date. Likewise, I will keep you all posted from the Board of Zoning Appeals.

Thanks again,

Loren

Loren Wood Builders

4535 E. 3rd St.

Bloomington, IN 47401

(812) 345-3801

www.lorenwoodbuilders.com

V-21-16  
Comments from  
Neighbors

On Tue, May 24, 2016 at 9:45 AM, kwswebb <kwswebb@att.net> wrote:

Thank you, David, for your thoughtful, reasoned perspective.

Susan Webb

**From:** Waterman, David H.

**Sent:** Tuesday, May 24, 2016 9:30 AM

**To:** James Nelson ; Macfarlane, Eleanor C

**Cc:** Upper Jr, Henry A. ; Monaghan, Elaine ; Norma Miller ; Mayell, Sharon L. ; Rebecca Harris ; Markus N. Rogers ; Saunders, W. Phillip ; Shelia Nickle ; McGinnis, Michael Dean ; Jane Wieselthier ; Teresa Tresslar ; Smith, Gerald R ; Patricia Meier ; Taylor, Milton W. ; Betty Yoder ; Jeff Pfiffner ; William Mitchell ; Gary Paine ; Mauro Jr, Harold A ; Natalia Schrenkert, Jamie D ; Daniel McCormack ; Chris Smith ; Dick Yoder ; Jennifer Price ; Doreen Power ; Skiba, Russell ; Kenneth W. Webb ; Melony Paine ; Duane Schau ; Jeff Mcgee Selmier II, W. Travis ; Gretchen Nall ; Mirolli, Maurizio ; Loretta Nelson ; Barbara Moss ; Rick Wells ; Deb Widiss ; Paul & Lisa Papadopoulos ; Andy and Susan Williams ; Deb Pre Wilcoxon ; Sally Takada ; Chris Smith ; Kyunghee & Peter Mun Lenzen ; John & Steve ; Brad & Tine Smith ; Diana Ryan ; Elena Miller ; Don & Penny Mole ; Jennifer Mobley ; Marloren@lorenwoodbuilders.com

**Subject:** RE: Sidewalk variance

Just to put this in context briefly, the property owners are just proposing that the city grant a variance to the requirement. One other house in the neighborhood, the one with red Meadowbrook, was built after a demolition, about 5 years ago as I recall, and apparently got a variance since there is not a sidewalk there. It would have been easy to install one that probably easy to get.

I think everyone's concerns about safety should be respected--but that we just need to recognize that even if sidewalks could be installed for the new construction in question, that a network of sidewalks in any case. In the development battles in the 1990s and 2000s involving road connections that have been mentioned, there was vigorous opposition to the just as there has been on this thread, for reasons that have been stated. Politically and practically, it is hard for me to imagine that the city would launch, must less win a sidewalk

David

**From:** James Nelson [mailto:jwnoslen@gmail.com]

**Sent:** Monday, May 23, 2016 9:43 PM

**To:** Macfarlane, Eleanor C

**Cc:** Upper Jr, Henry A. ; Monaghan, Elaine ; Norma Miller ; Mayell, Sharon L. ; Rebecca Harris ; Markus N. Rogers ; Saunders, W. Phillip ; Shelia Nickle ; McGinnis, Michael Dean ; Whelan, T Wieselthier ; Teresa Tresslar ; Smith, Gerald R ; Patricia Meier ; Taylor, Milton W. ; Betty Yoder ; Jeff Pfiffner ; William Mitchell ; Gary Paine ; Mauro Jr, Harold A ; Natalia Schau ; Martin Jr, E D ; Daniel McCormack ; Chris Smith ; Dick Yoder ; Jennifer Price ; Doreen Power ; Skiba, Russell ; Kenneth W. Webb ; Melony Paine ; Duane Schau ; Jeff Mcgee ; David McArdle ; Phillip A. A. Nall ; Waterman, David H. ; Mirolli, Maurizio ; Loretta Nelson ; Barbara Moss ; Rick Wells ; Deb Widiss ; Paul & Lisa Papadopoulos ; Andy and Susan Williams ; Deb Prekert ; Jenny & Tarek Smith ; Kyunghee & Peter Mun Lenzen ; John & Steve ; Brad & Tine Smith ; Diana Ryan ; Elena Miller ; Don & Penny Mole ; Jennifer Mobley ; Marlee Schroll ; David Martin ; loren@lorenwood

**Subject:** Re: Sidewalk variance

I'm glad to see the Hoosier Acres neighbors discussing this (these) issues.

Sticking to the property in question, for those of you who want sidewalks, have you been to the property?

Just how would you plan to build a sidewalk, a rather steep one at that, running down into a storm drainage ditch? You can't. One can't just pour a concrete sidewalk onto this property. Which is why a complete redesign of the entire subdivision's streets and drainage would have to be completed.

Just for the construction of one home. HOW LUDICROUS CAN CITY HALL BE???

For those of you who moved into Hoosier Acres with children, etc., and now you want sidewalks for some claptrap reason.

You chose this location, knowing full well that there were hills, curves and no sidewalks.

If you want to live in a neighborhood with sidewalks, move there.

V-21-16  
Comments from  
Neighbors

On Mon, May 23, 2016 at 9:09 PM, Macfarlane, Eleanor C <macfarl@indiana.edu> wrote:

My husband and I agree with Henry Upper and others who have said that they support the variance, on the grounds that a sidewalk on two sides of the property at the corner of I doesn't connect to anything wouldn't be a good idea. We also agree with those who have said that if sidewalks are required in the entire neighborhood there would have to be a I trees, etc.) and expense before sidewalks could be put in place. Those of us with corner lots would probably pay twice as much for the new sidewalks.

We take walks frequently in our neighborhood (with a flashlight if it's evening, so that cars can see us); most drivers are careful and courteous with regard to both pedestrians and walking along the south side of Brighton, I appreciate the sidewalks there. Despite that, I think the disruption to the neighborhood to install sidewalks throughout Hoosier Acres w sidewalks that don't connect to anything don't make sense.

Best wishes to all in Hoosier Acres,

Ellie MacDonald

**From:** Upper Jr, Henry A.

**Sent:** Monday, May 23, 2016 4:37 PM

**To:** Monaghan, Elaine <emonagha@indiana.edu>; Norma Miller <nmlmiller28@gmail.com>; Mayell, Sharon L <smayell@indiana.edu>

**Cc:** Rebecca Harris <rebeccaharris@mac.com>; Markus N. Rogers <mrogers704@comcast.net>; Saunders, W. Phillip <saunders@indiana.edu>; Shelia Nickle <rxboilers@gm <mcginnis@indiana.edu>; Whelan, Tracy M. <trwhelan@indiana.edu>; John L. L. Werner <jwerner002@aol.com>; Jane Wieselthier <janewieselthier@gmail.com>; Teresa Tr Smith, Gerald R <smithg@indiana.edu>; Patricia Meier <patmeier@att.net>; Taylor, Milton W. <taymil@indiana.edu>; Betty Yoder <betty.yoder@y900.us>; Jeff Piffner <jeffpfi <pmhallagan@sbcglobal.net>; Gary Paine <gpaine@homefinder.org>; Mauro Jr, Harold A <hmauro@indiana.edu>; Natalia Schau <duaneschau@alumni.iu.edu>; Martin Jr, I Joy Mauro <joyemauro@yahoo.com>; Prenkert, Jamie D <japrenke@indiana.edu>; Daniel McCormack <ragweed55@comcast.net>; Chris Smith <moehnsmith@hotmail.com <yoder@bloomington.in.us>; Jennifer Price <jjrprice@gmail.com>; Doreen Power <powerhutt@yahoo.com>; Skiba, Russell <skiba@indiana.edu>; Kenneth W. Webb <kwsww <muffie14k@yahoo.com>; Duane Schau <nschau@alumni.iu.edu>; Jeff Mcgee <jcmcgee1425@sbcglobal.net>; Macfarlane, Eleanor C <macfarl@indiana.edu>; David McArd Nelson <jwnoslen@gmail.com>; Phillip A. A. Sallee <srazul@att.net>; Selmier II, W. Travis <wselmier@indiana.edu>; Gretchen Nall <bloomingtonrentals@yahoo.com>; Wate <waterman@indiana.edu>; Mirolli, Maurizio <mirolli@indiana.edu>; Loretta Nelson <lorettafay@gmail.com>; Barbara Moss <bmoss.indiana@sbcglobal.net>; Rick Wells <rp <dwidiss@gmail.com>; Paul & Lisa Papadopoulos <zoedecor@yahoo.com>; Andy and Susan Williams <andsusanw@comcast.net>; Deb Prenkert <dprenker@mccsc.edu>; <jennylennington@gmail.com>; Sean Wilcoxon <swilcoxon@firstappraisalgroup.com>; Sally Takada <sallytakada@gmail.com>; Chris Smith <chris@shortstopfoodmart.com <kmun99@gmail.com>; John & Steve <jjsins@yahoo.com>; Brad & Tine Smith <bradsmith1@comcast.net>; Diana Ryan <dianafryan@gmail.com>; Elena Miller <nenamillan@ <imgoing2heaven@att.net>; Jennifer Mobley <jennifer@bloomchiro.net>; Marlee Schroll <mjschroll@gmail.com>; David Martin <martindavid1968@gmail.com>; loren@lor

**Subject:** RE: Sidewalk variance

To Hoosier Acres residents:

Hoosier Acres was annexed into the city as a develop neighborhood without sidewalks. To make a few undeveloped lots when developed do not have sidewalks does not make se accommodate sidewalks we would face impossible obstacles. The uneven terrain, the drainage ditches, the many already landscaped properties would make sidewalks an impossi require redesigning of the front yard at the cost of thousands of unnecessary dollars. We have kept our neighborhood quiet by fighting unnecessary cut throughs to major streets. variance.

Henry Upper

920 Pleasant Ridge Road

**From:** Monaghan, Elaine  
**Sent:** Sunday, May 22, 2016 10:54 AM  
**To:** Norma Miller; Mayell, Sharon L  
**Cc:** Rebecca Harris; Markus N. Rogers; Saunders, W. Phillip; Shelia Nickle; McGinnis, Michael Dean; Whelan, Tracy M.; John L. L. Werner; Jane Wieselthier; Upper Jr, Henry A.; Teres Meier; Taylor, Milton W.; Betty Yoder; Jeff Pffnner; William Mitchell; Gary Paine; Mauro Jr, Harold A; Natalia Schau; Martin Jr, E. Wainright; Joy Mauro; Prenkert, Jamie D; Daniel Mc Jennifer Price; Doreen Power; Skiba, Russell; Kenneth W. Webb; Melony Paine; Duane Schau; Jeff Mcgee; Macfarlane, Eleanor C; David McArdle; James W W Nelson; Phillip A. A. S; Waterman, David H.; Mirolli, Maurizio; Loretta Nelson; Barbara Moss; Rick Wells; Deb Widiss; Paul & Lisa Papadopoulos; Andy and Susan Williams; Deb Prenkert; Jenny & Tarek Sib Smith; Kyunghiee & Peter Mun Lenzen; John & Steve; Brad & Tine Smith; Diana Ryan; Elena Miller; Don & Penny Mole; Jennifer Mobley; Marlee Schroll; David Martin; [loren@lorer](mailto:loren@lorer)  
**Subject:** Re: Sidewalk variance

I appreciate so very much your contribution, Norma, and it's great to see us all joining this conversation. One of the many things we love about Hoosier Acres. Perhaps we don't all agree, but at least we

I wish I could teach road sense to everyone, and not just to my children, and then I might feel differently. They can be as smart and wise as they like and still not be able to anticipate someone else's bad neighbors, rather a reflection of the reality that many people pass through our neighborhood, and they don't necessarily all stop to think that there might be a child or a walker around the corner or on

I am no doubt influenced by having grown up in a genuinely rural, Scottish village of 700 people, which included actual farms — and sidewalks, or pavements as we knew them. It's because we could alw to walk to and from school and later, to and from the school bus stop, alone. [It does not explain, however, why I was allowed to cycle three miles along narrow country roads to get to the ocean by mys did that hands free — and we'd never even heard of bicycle helmets — perhaps she'd have stopped me, too ;)]

Elaine

**From:** Norma Miller <[nlmiller28@gmail.com](mailto:nlmiller28@gmail.com)>  
**Date:** Sunday, May 22, 2016 at 09:16  
**To:** "Mayell, Sharon L" <[smayell@indiana.edu](mailto:smayell@indiana.edu)>  
**Cc:** Rebecca Harris <[rebeccaharris@mac.com](mailto:rebeccaharris@mac.com)>, "Markus N. Rogers" <[mrogers704@comcast.net](mailto:mrogers704@comcast.net)>, "Saunders, W. Phillip" <[saunders@indiana.edu](mailto:saunders@indiana.edu)>, Shelia Nickle <[rxboilers@gmail.com](mailto:rxboilers@gmail.com)>, "McGir" <[mcginnis@indiana.edu](mailto:mcginnis@indiana.edu)>, "Whelan, Tracy M." <[trwhelan@indiana.edu](mailto:trwhelan@indiana.edu)>, "John L. L. Werner" <[jwerner002@aol.com](mailto:jwerner002@aol.com)>, Jane Wieselthier <[janewieselthier@gmail.com](mailto:janewieselthier@gmail.com)>, "Upper Jr, Henry A." <[upper@teresatres@hotmail.com](mailto:upper@teresatres@hotmail.com)>, "Smith, Gerald R" <[smithg@indiana.edu](mailto:smithg@indiana.edu)>, Patricia Meier <[patmeier@att.net](mailto:patmeier@att.net)>, "Taylor, Milton W." <[taymil@indiana.edu](mailto:taymil@indiana.edu)>, Betty Yoder <[betty.yoder@y900.us](mailto:betty.yoder@y900.us)>, Jeff P Mitchell <[pmhallagan@sbcglobal.net](mailto:pmhallagan@sbcglobal.net)>, Gary Paine <[gpaine@homefinder.org](mailto:gpaine@homefinder.org)>, "Mauro Jr, Harold A" <[hmauro@indiana.edu](mailto:hmauro@indiana.edu)>, Natalia Schau <[duaneschau@alumni.iu.edu](mailto:duaneschau@alumni.iu.edu)>, "Martin Jr, E. Wainright" <[joyemauro@yahoo.com](mailto:joyemauro@yahoo.com)>, "Prenkert, Jamie D" <[japrenke@indiana.edu](mailto:japrenke@indiana.edu)>, Daniel McCormack <[ragweed55@comcast.net](mailto:ragweed55@comcast.net)>, Chris Smith <[moehnsmith@hotmail.com](mailto:moehnsmith@hotmail.com)>, Dick Yoder <[yoder@bloomjiraprice@gmail.com](mailto:yoder@bloomjiraprice@gmail.com)>, Doreen Power <[powerhutt@yahoo.com](mailto:powerhutt@yahoo.com)>, "Skiba, Russell" <[skiba@indiana.edu](mailto:skiba@indiana.edu)>, "Kenneth W. Webb" <[kwsw webb@att.net](mailto:kwsw webb@att.net)>, Melony Paine <[muffie14k@yahoo.com](mailto:muffie14k@yahoo.com)>, Dua Mcgee <[jcmcgee1425@sbcglobal.net](mailto:jcmcgee1425@sbcglobal.net)>, "Macfarlane, Eleanor C" <[macfarl@indiana.edu](mailto:macfarl@indiana.edu)>, David McArdle <[dnmcardle@aol.com](mailto:dnmcardle@aol.com)>, James W W Nelson <[jwnoslen@gmail.com](mailto:jwnoslen@gmail.com)>, "Phillip A. A. Sallee" <[wselmier@indiana.edu](mailto:wselmier@indiana.edu)>, Gretchen Nall <[bloomingtonrentals@yahoo.com](mailto:bloomingtonrentals@yahoo.com)>, "Waterman, David H." <[waterman@indiana.edu](mailto:waterman@indiana.edu)>, "Mirolli, Maurizio" <[mirolli@indiana.edu](mailto:mirolli@indiana.edu)>, Loretta Nelson <[loretta@bmoss.indiana.sbcglobal.net](mailto:loretta@bmoss.indiana.sbcglobal.net)>, Rick Wells <[rpwswish@gmail.com](mailto:rpwswish@gmail.com)>, Deb Widiss <[dwidiss@gmail.com](mailto:dwidiss@gmail.com)>, Paul & Lisa Papadopoulos <[zoedecor@yahoo.com](mailto:zoedecor@yahoo.com)>, Andy and Susan Williams <[andyst@dprenker@mccsc.edu](mailto:andyst@dprenker@mccsc.edu)>, Jenny & Tarek Sibai <[jennylennington@gmail.com](mailto:jennylennington@gmail.com)>, Sean Wilcoxon <[swilcoxon@firstappraisalgroup.com](mailto:swilcoxon@firstappraisalgroup.com)>, Sally Takada <[sallytakada@gmail.com](mailto:sallytakada@gmail.com)>, Chris Smith <[chris@petermunlenzen.com](mailto:chris@petermunlenzen.com)>, John & Steve <[cjsins@yahoo.com](mailto:cjsins@yahoo.com)>, Brad & Tine Smith <[bradsmith1@comcast.net](mailto:bradsmith1@comcast.net)>, Diana Ryan <[dianafryan@gmail.com](mailto:dianafryan@gmail.com)>, emonagha <[emonagha@inenamillan25@gmail.com](mailto:emonagha@inenamillan25@gmail.com)>, Don & Penny Mole <[imgoing2heaven@att.net](mailto:imgoing2heaven@att.net)>, Jennifer Mobley <[jennifer@bloomchiro.net](mailto:jennifer@bloomchiro.net)>, Marlee Schroll <[mjschroll@gmail.com](mailto:mjschroll@gmail.com)>, David Martin <[martindavid1@loren@lorenwoodbuilders.com](mailto:martindavid1@loren@lorenwoodbuilders.com)>  
**Subject:** Re: Sidewalk variance

I'm glad to see some names of other residents of Hoosier Acres that I'm not familiar with. I'm probably the oldest (in both senses) homeowner here, as Pleasant Ridge ended at the wood in the '50's, before Eva Brown developed further additions. There are valid arguments on both sides of this question, but I'll come down on the "no sidewalks", please. Parents of young c the song "They Have to be Carefully Taught".

Good luck, all.

Norma Miller  
 509 PleasantRidge

V-21-16  
 Comments from  
 Neighbors

On May 21, 2016, at 11:51 PM, Mayell, Sharon L <[smayell@indiana.edu](mailto:smayell@indiana.edu)> wrote:

I'm in complete empathy with the parents of children in the neighborhood who feel sidewalks would provide better safety for bicycling and walking. When the City wanted to conr housing project (including a lot of student housing) to Meadowbrook, a straightaway with no sidewalks, I personally pleaded at the hearings to not allow it for fear of the danger t mentioning the preponderance of older people on our streets then as well). Ultimately, the City did not connect Meadowbrook (or Homestead, or Latimer) because the cost of prc and sidewalks to our extensive neighborhood would be too costly to the City. At least that is my memory of the situation. It is true that we have blind curves, some very narrow, everyone will be a safe driver is not realistic. I think the attractiveness of the neighborhood stems from the big trees and large lots, not the lack of sidewalks. I wonder if there n such as a walking/bike lane ... or maybe not 5-foot, but only 3-foot wide gravel or woodchip pathways adjacent to the street? I do agree it doesn't make one bit of sense to ask a Meadowbrook and Brownridge to put in a sidewalk... which would also require the building of a bridge for the sidewalk!

**From:** Rebecca Harris <[rebeccaharris@mac.com](mailto:rebeccaharris@mac.com)>  
**Sent:** Saturday, May 21, 2016 10:34 AM  
**To:** Markus N. Rogers; Saunders, W. Phillip; Shelia Nickle; McGinnis, Michael Dean; Whelan, Tracy M.; John L. L. Werner; Jane Wieselthier; Upper Jr, Henry A.; Teresa Tresslar Taylor, Milton W.; Betty Yoder; Jeff Pffnner; William Mitchell; Gary Paine; Mauro Jr, Harold A; Natalia Schau; Martin Jr, E. Wainright; Joy Mauro; Prenkert, Jamie D; Daniel Mc Jennifer Price; Doreen Power; Skiba, Russell; Kenneth W. Webb; Melony Paine; Duane Schau; Jeff Mcgee; Macfarlane, Eleanor C; Mayell, Sharon L; David McArdle; James W Selmier II, W. Travis; Gretchen Nall; Waterman, David H.; Mirolli, Maurizio; Loretta Nelson; Barbara Moss; Rick Wells; Deb Widiss; Paul & Lisa Papadopoulos; Andy and Susan Tarek Sibai; Norma Miller; Sean Wilcoxon; Sally Takada; Chris Smith; Kyunghiee & Peter Mun Lenzen; John & Steve; Brad & Tine Smith; Diana Ryan; Monaghan, Elaine; Elena Jennifer Mobley; Marlee Schroll; David Martin

**Cc:** [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)  
**Subject:** Sidewalk variance

Dear Hoosier Acres Residents,

The note below is from Loren Wood of Loren Wood Builders. It is in reference to the proposed house on the 605 Meadowbrook Drive lot (corner of Meadowbrook Drive and Brow

Please direct your responses to Loren.

Thank you.

Rebecca Harris  
614 S. Meadowbrook Drive

Begin forwarded message:

**From:** Loren Wood <[loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)>  
**Subject:** 605 S. Meadowbrook Drive/Sidewalk Variance request  
**Date:** May 20, 2016 at 10:35:02 AM EDT  
**To:** Rebecca Harris <[rebeccaharris@mac.com](mailto:rebeccaharris@mac.com)>

Rebecca,

New construction in Bloomington requires sidewalks on all city streets. This means that the city will require sidewalks on both the West side and the North side of the lot.

We are applying for a variance because we do not like the idea of building a sidewalk to nowhere and we believe that it is out of character with the neighborhood. In ord Zoning Appeals to approve the variance, it is going to be important that the city hears from the neighborhood that they support the variance.

I am not sure what the response will be, but I have heard from at least one neighbor that he is opposed to the sidewalk variance. Would you please send this out to the what sort of response it receives? I need to submit the application by next Friday, so if any of the neighbors feel strongly one way or the other, they are welcome to write opinion and email it to me. Additionally, I would be happy to meet with any of the neighbors who want to discuss this in person.

Thanks so much for your help!

Loren

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
[www.lorenwoodbuilders.com](http://www.lorenwoodbuilders.com)

V-21-16  
Comments from  
Neighbors

Loren Wood <[loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)>  
To: Beth Rosenbarger <[rosenbab@bloomington.in.gov](mailto:rosenbab@bloomington.in.gov)>

Thu, Jun 16, 2016 at 5:38 AM

Loren Wood Builders  
4535 E. 3rd St.

Bloomington, IN 47401  
 (812) 345-3801  
 www.lorenwoodbuilders.com

----- Forwarded message -----

From: **stephen brown** <steveorpam@att.net>  
 Date: Sat, May 21, 2016 at 4:17 PM  
 Subject: Sidewalk variance  
 To: "loren@lorenwoodbuilders.com" <lren@lorenwoodbuilders.com>

Loren ,  
 A sidewalk to nowhere! Perfect! I hope you get the variance but you may not because, you know, "government"! I keep saying, "you can't make this stuff up"! Good luck!  
 Steve and Pam Brown  
 431 Reisner

**Loren Wood** <lren@lorenwoodbuilders.com>  
 To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:39 AM

Loren Wood Builders  
 4535 E. 3rd St.  
 Bloomington, IN 47401  
 (812) 345-3801  
 www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Estell, David B.** <destell@indiana.edu>  
 Date: Sat, May 21, 2016 at 2:27 PM  
 Subject: Sidewalk variance  
 To: "loren@lorenwoodbuilders.com" <lren@lorenwoodbuilders.com>

I live at 3415 E. Adair Ln., and fully support your variance; unless and until they plan to put sidewalks throughout the neighborhood, having one around only the one corner makes no sense at all.

-David

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**David B. Estell, Ph.D.**  
*Associate Professor*  
*Head, Human Development PhD Program*  
*Head, Educational Psychology MS Program*  
 Department of Counseling and Educational Psychology  
 Indiana University  
 W.W. Wright School of Education, Rm. 4010  
 201 North Rose Ave.  
 Bloomington, IN 47405-1006

Phone: (812) 856-8308  
 Fax: (812) 856-8333  
 -----

**Loren Wood** <lren@lorenwoodbuilders.com>  
 To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:41 AM

Loren Wood Builders  
 4535 E. 3rd St.  
 Bloomington, IN 47401  
 (812) 345-3801  
 www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Monaghan, Elaine** <emonagha@indiana.edu>  
 Date: Sat, May 21, 2016 at 10:51 AM  
 Subject: Sidewalk variance  
 To: "loren@lorenwoodbuilders.com" <lren@lorenwoodbuilders.com>

Dear Loren

We live on meadowbrook and have two young children, and I'm very impressed and grateful you've gone to the trouble of contacting us about the sidewalk variance. It's a marker of your success.

Having said that, I'm very much opposed to the fact we don't have sidewalks in our neighborhood and believe we need to start somewhere -- though I can see why you and your client wouldn't want to put them where they are disconnected to any further sidewalks.

But I wonder, as a ubiquitous name on building projects in Bloomington, is this an opportunity for you? I'd give up a piece of my land to make life safer for the many walkers and joggers who come through our neighborhood. I've too often come round a corner at night and given thanks it's me driving slowly and not some lunatic doing 50 when coming upon a dog walker

V-21-16  
 Comments from  
 Neighbors

6/16/2016

City of Bloomington, Indiana Mail - Fwd: Sidewalk variance

18

out after dark -- and that holds particularly true on corners like the one where you're building. I count the seconds until my kids get back when I send them out with our dog.  
So I guess the answer is no, I don't think a variance is appropriate here for appearance's sake; on the contrary I believe it's the beginning of something better and that we have a responsibility to our wider community to adhere to rules that have been approved for good reasons.  
Elaine

Sent from my iPhone

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: sidewalk variance.

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:38 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Waterman, David H.** <waterman@indiana.edu>  
Date: Sat, May 21, 2016 at 6:36 PM  
Subject: sidewalk variance.  
To: Loren Wood <loren@lorenwoodbuilders.com>  
Cc: Rebecca Harris <rebeccaharris@mac.com>

Loren, I've written to the list on my support of the variance. You may be aware that there is another house in the neighborhood, the only one I'm aware of, that was built on a lot where the existing home was demolished, I think about 5 years ago. This is the house with red trim to the west of the intersection of Brighton and Meadowbrook. There is no sidewalk, so they must have gotten a variance.

David Waterman  
3605 Homestead

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: variance

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:38 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **thomas gast** <bugbane2@gmail.com>  
Date: Sat, May 21, 2016 at 8:12 PM  
Subject: variance  
To: [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)

This is Tom Gast at 414 S. Meadowbrook dr in Hoosier Acres. I strongly support the variance allowing no construction of a sidewalk. The regulation has a purpose but in this location without other sidewalks, it would just be a silly waste of money.

Tom

**Thomas J Gast MD PhD**  
CMO AEON Corp  
Director Retinal Imaging  
Indiana Unv School Optometry

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: Hoosier Acres Sidwalks

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:30 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

V-21-16  
Comments from  
Neighbors

----- Forwarded message -----

From: **Teresa Tresslar** <teresatres@hotmail.com>  
Date: Mon, May 23, 2016 at 7:54 AM  
Subject: Hoosier Acres Sidwalks  
To: "loren@lorenwoodbuilders.com" <loren@lorenwoodbuilders.com>

Hi Loren,

My husband, Steve and I live on Fieldcrest Avenue (and have for the past 26 years!). We've raised 4 kids while living there. They've ridden bikes, gone Trick or Treating, walked to friends' houses, used their skateboards, and even ice skated on the pond on Brownridge Rd. all without incidence or injury. We've had countless dogs and cats in that time and NONE of them were ever injured with traffic on our street. Needless to say, we do NOT think sidewalks are necessary in the neighborhood. Children can be taught to walk against traffic, ride bikes with traffic, and exercise caution on public streets. And trust me, if OUR kids can learn that, then ANYONE can learn it! HAHA.

We're anxious to see the house you're building here in the neighborhood. I love the ones you've built on Covenanter and Third!

Teresa Tresslar

616 Fieldcrest Av.



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: 605 S Meadowbrook

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:37 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Andy Williams** <andy.williams@rogersgroupinc.com>  
Date: Mon, May 23, 2016 at 8:46 PM  
Subject: 605 S Meadowbrook  
To: "loren@lorenwoodbuilders.com" <loren@lorenwoodbuilders.com>

Loren,

We support the variance. Sidewalks on that lot make no sense.

Thanks,

Andy & Susan Williams  
3421 E Homestead Dr

Sent from my iPhone

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: 605 S. Meadowbrook Drive/Sidewalk Variance request

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:37 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Carolyn de Jong** <carolyn.dejong@gmail.com>  
Date: Wed, May 25, 2016 at 10:30 AM  
Subject: 605 S. Meadowbrook Drive/Sidewalk Variance request  
To: [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)

Hi Loren,

Regarding the sidewalk variance, not only do we support the request for a variance, we would be willing to intensely protest putting chunks of concrete up and down the drainway along Brownridge. I cannot imagine this would ever be useful, and would be flat out ugly in the context. There are no sidewalks anywhere in this neighborhood, except the south margin of Brighton, and since we also don't have curbs or concrete in any shape along the streets throughout the neighborhood, this would be a serious eyesore. Furthermore, the likelihood of a large number of new buildings going up in this neighborhood is vanishingly small, so the likelihood of these sidewalks ever converging into a functional system is vanishingly small and pointless to boot. Frankly, I think it's absurd that the city has uniform requirements like this that don't take into account the context of construction site.

Ken de Jong  
3613 Brownridge

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: Meadowbrook Drive Sidewalk Variance Request

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:37 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **Diehl, Roberta** <diehlr@indiana.edu>  
Date: Wed, May 25, 2016 at 1:06 PM  
Subject: Meadowbrook Drive Sidewalk Variance Request  
To: "loren@lorenwoodbuilders.com" <loren@lorenwoodbuilders.com>  
Cc: "Diehl, James M." <diehl@indiana.edu>

My husband and I live at 3714 E Brownridge Road. We strongly urge a variance, as a bit of sidewalk on that one corner of Hoosier Acres would be visually ridiculous and a waste of money and resources.

We are in California at the moment but will be back home on May 30. Feel free to phone us at **812 334 3543** if there is anything more we can do to support this variance.

Roberta L. Diehl

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: sidewalk variance

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:37 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

From: **M'Lissa Baye** <m-baye@comcast.net>  
Date: Tue, May 24, 2016 at 4:12 PM  
Subject: sidewalk variance  
To: [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)

Loren,

As residents of Hoosier Acres for almost 19 years, we support your request for variance for the sidewalk construction on Meadowbrook Lane. This just seems like common sense since one of the obvious characteristics about our neighborhood is that we DON'T have sidewalks.

Good luck  
Michael and M'Lissa Baye

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger &lt;rosenbab@bloomington.in.gov&gt;

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**Fwd: AL READ THIS:Fwd: 605 S. Meadowbrook Drive/Sidewalk Variance request**

1 message

---

**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:36 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----

**From:** Allen Dunn <awdunn@comcast.net>  
**Date:** Fri, May 27, 2016 at 12:19 PM  
**Subject:** Fwd: AL READ THIS:Fwd: 605 S. Meadowbrook Drive/Sidewalk Variance request  
**To:** [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)  
**Cc:** "Dunn I. C. E." <sudunn@comcast.net>

Mr. Wood.

I agree with your contention that a sidewalk mandated on your lot make little sense and agree that you should appeal the edict. First an examination of your property reveals the great amount of site work and disruption of exhausting storm drainage and mature landscaping that would be required. Secondly, it would indeed be a sidewalk to nowhere with no real chance of there ever being any other sidewalks unless every other lot in the neighborhood was as yours was completely undergoing rebuilding. Thirdly and most important perhaps is that this neighborhood was developed and visualized to be rural in nature as is written in the history of Hoosier Acres. The residents did not want sidewalks then, and fought in the past to keep our unique and historical ambiance when we successfully prevented the planned extension of Covenantor Dr. into our neighborhood several years ago.

If the neighbors and the city agree that the area needs sidewalks, they should be planned and designed with uniformity and a schedule that would accomplish that. In your case all that would occur would be a unsightly and damaging disruption of the local ecosystem that would result in useless pavement. I wish you luck and I am sure the neighborhood supports your good intentions. I would encourage our neighbors to voice that support.

Yours  
Allen Dunn  
Cameron Ave. Hoosier Acres  
[812.322.3226](tel:812.322.3226)

Begin forwarded message:

V-21-16  
Comments from  
Neighbors

**From:** Susan Dunn <sudunn@comcast.net>  
**Date:** May 22, 2016 at 10:53:51 PM EDT  
**To:** Allen Dunn <awdunn@comcast.net>  
**Subject:** AL READ THIS:Fwd: 605 S. Meadowbrook Drive/Sidewalk Variance request

Begin forwarded message:

**From:** Rebecca Harris <[rebeccaharris@mac.com](mailto:rebeccaharris@mac.com)>  
**Date:** May 21, 2016 at 10:33:18 AM EDT  
**To:** "Thomas J. Gast" <[bugbane2@gmail.com](mailto:bugbane2@gmail.com)>, Colleen Wells <[colleenwells@earthlink.net](mailto:colleenwells@earthlink.net)>, Joseph Hoffmann <[hoffma@indiana.edu](mailto:hoffma@indiana.edu)>, David Gross <[dgross47401@yahoo.com](mailto:dgross47401@yahoo.com)>, Paulette Lloyd <[jeffpfiffner@gmail.com](mailto:jeffpfiffner@gmail.com)>, Salman Alani <[alani@indiana.edu](mailto:alani@indiana.edu)>, Matthew Lloyd <[matt@lloyd-law.com](mailto:matt@lloyd-law.com)>, Chun Chi Chi An <[can@indiana.edu](mailto:can@indiana.edu)>, Lucy Cherbas <[cherbasl@indiana.edu](mailto:cherbasl@indiana.edu)>, James Diehl <[diehl@indiana.edu](mailto:diehl@indiana.edu)>, Bruce Bransby <[bransby@indiana.edu](mailto:bransby@indiana.edu)>, Donald & Jennie & Jennie Buehner <[dvbuehner@earthlink.net](mailto:dvbuehner@earthlink.net)>, Melissa & Michael Baye <[m-baye@comcast.net](mailto:m-baye@comcast.net)>, Carolyn Dejong <[carolyn.dejong@gmail.com](mailto:carolyn.dejong@gmail.com)>, Nisha Burton <[nisha.burton@att.net](mailto:nisha.burton@att.net)>, David Estell <[destell@indiana.edu](mailto:destell@indiana.edu)>, Marilyn & Robert & Robert Horlander <[marilyn711@comcast.net](mailto:marilyn711@comcast.net)>, Danza Lloyd <[danzakharrison@hotmail.com](mailto:danzakharrison@hotmail.com)>, Laurie Antolovic <[lantolov@indiana.edu](mailto:lantolov@indiana.edu)>, Hamid Ekbia <[hekbia@indiana.edu](mailto:hekbia@indiana.edu)>, John & Riese & Riese Bowers <[nelg911@aol.com](mailto:nelg911@aol.com)>, "A.D. Ludlow" <[adludlow@comcast.net](mailto:adludlow@comcast.net)>, Patricia Hallagan <[pmhallagan@sbcglobal.net](mailto:pmhallagan@sbcglobal.net)>, Arthur Dahlgreen <[adahlgre@indiana.edu](mailto:adahlgre@indiana.edu)>, Matt Bomba <[mattbomba@att.net](mailto:mattbomba@att.net)>, John Jesseph <[johnjesseph@hotmail.com](mailto:johnjesseph@hotmail.com)>, "Keith A. A. Buckley" <[buckley@indiana.edu](mailto:buckley@indiana.edu)>, Joan Goodman <[medgal46@hotmail.com](mailto:medgal46@hotmail.com)>, Norman Deckard <[nordeckard@aol.com](mailto:nordeckard@aol.com)>, Sharon Adams <[sharco@gmail.com](mailto:sharco@gmail.com)>, Pat Chase <[chase@indiana.edu](mailto:chase@indiana.edu)>, Bobbi Diehl <[diehlr@indiana.edu](mailto:diehlr@indiana.edu)>, Danko Antolovic <[dantolov@indiana.edu](mailto:dantolov@indiana.edu)>, Hank Berman <[hberman1005@comcast.net](mailto:hberman1005@comcast.net)>, Patricia Gibbs <[pgibbs6316@aol.com](mailto:pgibbs6316@aol.com)>, Tariq Khan <[northstar156@hotmail.com](mailto:northstar156@hotmail.com)>, David Lawler <[lawler@kiva.net](mailto:lawler@kiva.net)>, Mary Hoffmann <[mh5@indiana.edu](mailto:mh5@indiana.edu)>, Matthew Cole <[matthewcole@remax.net](mailto:matthewcole@remax.net)>, Roger Hangarter <[rhangart@indiana.edu](mailto:rhangart@indiana.edu)>, Alan Foutty <[fouttyalan@att.net](mailto:fouttyalan@att.net)>, Richard Lippke <[rlippke@indiana.edu](mailto:rlippke@indiana.edu)>, Julia Copeland <[juliacopeland@aol.com](mailto:juliacopeland@aol.com)>, Steve Brown <[steveorpam@att.net](mailto:steveorpam@att.net)>, Doug Goldstein <[douggold@indiana.edu](mailto:douggold@indiana.edu)>, Luanne Chamness <[mlchamness@yahoo.com](mailto:mlchamness@yahoo.com)>, Kristi Gibbs <[kristimgibbs@gmail.com](mailto:kristimgibbs@gmail.com)>, Patricia & Gates Agnew <[gpagnew@comcast.net](mailto:gpagnew@comcast.net)>, Alex & Shannon Lehr <[americancolors@mac.com](mailto:americancolors@mac.com)>, Brad Hanna <[hannaconda21@comcast.net](mailto:hannaconda21@comcast.net)>, Joeline Bergonzi <[joeleneberg@yahoo.com](mailto:joeleneberg@yahoo.com)>, Jan Grant <[jancgrant@gmail.com](mailto:jancgrant@gmail.com)>, Stine Levy <[stinelevy@comcast.net](mailto:stinelevy@comcast.net)>, Mahin Daneshvar <[mahindanesh@gmail.com](mailto:mahindanesh@gmail.com)>, Molly Balas <[mollybalas@gmail.com](mailto:mollybalas@gmail.com)>, Jason Johnson <[ajohnson@firstappraisalgroup.com](mailto:ajohnson@firstappraisalgroup.com)>, Jason Baumgartner <[jlbaumga@indiana.edu](mailto:jlbaumga@indiana.edu)>, "Frew, Sean E" <[sfrew@indiana.edu](mailto:sfrew@indiana.edu)>, Susan Dunn <[sudunn@comcast.net](mailto:sudunn@comcast.net)>, Connee Headley <[conneeheadley@gmail.com](mailto:conneeheadley@gmail.com)>, Kelly Bomba <[kbomba@indiana.edu](mailto:kbomba@indiana.edu)>, Jay Arthur <[jdarther@indiana.edu](mailto:jdarther@indiana.edu)>, Randy & Heidi Brown <[r.brownie1976@yahoo.com](mailto:r.brownie1976@yahoo.com)>, Julie & Michael Wasserman <[juliebess17@gmail.com](mailto:juliebess17@gmail.com)>  
**Cc:** [loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)  
**Subject:** Fwd: 605 S. Meadowbrook Drive/Sidewalk Variance request

Dear Hoosier Acres Residents,

The note below is from Loren Wood of Loren Wood Builders. It is in reference to the proposed house on the 605 Meadowbrook Drive lot (corner of Meadowbrook Drive and Brownridge Road).

Please direct your responses to Loren.

Thank you.

Rebecca Harris  
 614 S. Meadowbrook Drive

Begin forwarded message:

V-21-16  
 Comments from  
 Neighbors

**From:** Loren Wood <[loren@lorenwoodbuilders.com](mailto:loren@lorenwoodbuilders.com)>  
**Subject:** 605 S. Meadowbrook Drive/Sidewalk Variance request  
**Date:** May 20, 2016 at 10:35:02 AM EDT  
**To:** Rebecca Harris <[rebeccaharris@mac.com](mailto:rebeccaharris@mac.com)>

Rebecca,

New construction in Bloomington requires sidewalks on all city streets. This

means that the city will require sidewalks on both the West side and the North side of the lot. It is required to be 5' wide.

We are applying for a variance because we do not like the idea of building a sidewalk to nowhere and we believe that it is out of character with the neighborhood. In order to convince the Board of Zoning Appeals to approve the variance, it is going to be important that the city hears from the neighborhood that they support the variance.

I am not sure what the response will be, but I have heard from at least one neighbor that he is opposed to the sidewalk variance. Would you please send this out to the neighborhood list and see what sort of response it receives? I need to submit the application by next Friday, so if any of the neighbors feel strongly one way or the other, they are welcome to write something in support of their opinion and email it to me. Additionally, I would be happy to meet with any of the neighbors who want to discuss this in person.

Thanks so much for your help!

Loren

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
[www.lorenwoodbuilders.com](http://www.lorenwoodbuilders.com)

V-21-16  
Comments from  
Neighbors



Beth Rosenbarger <rosenbab@bloomington.in.gov>

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## Fwd: Sidewalk Variance

1 message

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**Loren Wood** <loren@lorenwoodbuilders.com>  
To: Beth Rosenbarger <rosenbab@bloomington.in.gov>

Thu, Jun 16, 2016 at 5:36 AM

Loren Wood Builders  
4535 E. 3rd St.  
Bloomington, IN 47401

(812) 345-3801  
www.lorenwoodbuilders.com

----- Forwarded message -----  
From: **Saunders, W. Phillip** <saunders@indiana.edu>  
Date: Wed, May 25, 2016 at 11:17 PM  
Subject: Sidewalk Variance  
To: "loren@lorenwoodbuilders.com" <loren@lorenwoodbuilders.com>

You may include my comments in your submission requesting a variance.

Phil Saunders

V-21-16  
Comments from  
Neighbors

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**Location: 425 E. Kirkwood Avenue**

**CASE #: CU-20-16**  
**DATE: June 23, 2016**

**PETITIONER:** Bloomington Bagel Company (Sue Aquila)  
 113 N. Dunn Street

**REQUEST:** The petitioner is requesting conditional use approval to allow a standardized business to be relocated within the University Village Overlay within the Commercial Downtown district.

**STAFF REPORT:** The petitioner currently owns and operates the Bloomington Bagel Company at 113 N. Dunn Street. The petitioner plans to renovate or build new at the Dunn St. location, but in the meantime, would like to relocate the business to 425 E. Kirkwood Ave. The property is zoned Commercial Downtown (CD) and is within the University Village Overlay.

The UDO lists Standardized Businesses as a conditional use in the University Village Overlay District and a conditional use approval is required for the use to be permitted.

The UDO defines a Standardized Business as-

*Any type of commercial business establishment, not including commercial businesses located in such a manner as to be devoid of any building frontage which is visible to a street, located in the Courthouse Square Overlay and University Village Overlays, which are required by contractual or other arrangement or affiliation to offer or maintain standardized services, merchandise, menus, employee uniforms, trademarks, logos, signs, or exterior design.*

The Planning Department determined that the proposed Bloomington Bagel Company is a Standardized Business based on the following facts:

- The BBC has three locations throughout Bloomington that share the same name, logos, products, and signage.
- This location will sell the same types of merchandise as the other location, thus meeting the "...maintain standardized services, merchandise....and logos" aspect of the definition.

## **CRITERIA AND FINDINGS**

### **20.05.023 Standards for Conditional Use Permits**

No Conditional Use approval shall be granted unless the petitioner shall establish that the standards for the specific Conditional Use are met and that the following general standards are met.

1. *The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies Plan;*

**Staff Finding:** The Growth Policies Plan identifies this area as “Downtown.” The use of the property as a mixed-use building is identical to a majority of the surrounding uses and will not interfere with the achievement of the goals and objectives of the Growth Policies Plan.

2. *The proposed use and development will not create nuisance by reason of;*

**Staff Finding:** The proposed use will not have any nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights. The only odors will be those associated with a restaurant.

3. *The proposed use and development will not have an undue adverse impact upon the adjacent property, the character of the area, or the public health, safety and general welfare;*

**Staff Finding:** Staff finds no adverse impacts to the adjacent properties or character of the area as a result of this petition. The use is completely surrounded by other commercial businesses and mixed-use buildings.

4. *The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;*

**Staff Finding:** The use requires no additional infrastructure services. There is adequate utility service in this area and no improvements are needed.

5. *The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;*

**Staff Finding:** The use is completely surrounded by commercial businesses. Additionally, the use is relocating from its current location around the corner; therefore it’s reasonable to assume the traffic will remain the same.

6. *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance;*

**Staff Finding:** The building is not on the historic survey but is being reused with this petition. There will be no significant natural features lost with this petition.

7. *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*

**Staff Finding:** No special lighting or waste collection needs are proposed. This use is located among similar uses in a mixed-use, urban neighborhood.

8. *Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage that is out of character, in the Board of Zoning Appeal's*

*determination, shall not be approved.*

**Staff Finding:** No signage has been proposed at this time. Staff will review signage according to the UDO standards.

9. *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.*

(a) The proposed use shall be designed and constructed in a style that visually complements its surroundings, especially the existing buildings on both sides of the same block the business is to be located, as well as the character of the particular overlay district. Visual complementation shall include, but may not be limited to: architecture, scale, façade, and signage. If the use is proposed for a site which contains an existing building of special historical, cultural, or architectural significance, with or without official historic designation, the proposed use shall seek to preserve and reuse as much of the existing building as possible, particularly the building's façade. Visual complementation may also include interior décor. Elements of interior décor such as displays of public art, photos or memorabilia of Bloomington or Indiana University, may be considered, but should not be viewed as sufficient to meet this criterion.

**Staff Finding:** The proposed use will take place within an existing building and no additions or other significant exterior modifications are necessary. The business is relocating to this property in order to rebuild its existing building. The BBC usually displays photos in the interior of Bloomingtonians and their bagels traveling around the world.

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**RECOMMENDATION:** Staff recommends approval of CU-20-16.

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**BLOOMINGTON BAGEL CO. LLC & BLOOMINGTON BAGEL CO. INC.**

812-322-8209  
sue@bbcbagel.com

113 N Dunn St  
Bloomington, IN  
47408

May 18, 2016

Board of Zoning Appeals  
City of Bloomington Planning and Transportation Department  
401 N Morton St  
Bloomington IN 47404

To Whom it May Concern,

The Bloomington Bagel Co. will be celebrating it's 20th anniversary in August of 2016. What better way to celebrate than demolishing the ugliest building in the downtown corridor?

In the meantime, I intend to keep our main store open and our staff employed. To do this, I will need to move our main store at 113 N Dunn to a temporary location at 425 E. Kirkwood Avenue. We will be in this location for a year. The retail location of this building was previously used as Panda Express.

I will be making no changes to the exterior of the building. This is essentially a temporarily "pop" up location for us.

As with all of our locations, we go above and beyond to meet the the Conditional Use Criteria. We are and will always be good neighbors. And eventually good neighbors with better architecture. It turns out that you can fix ugly...with your help.

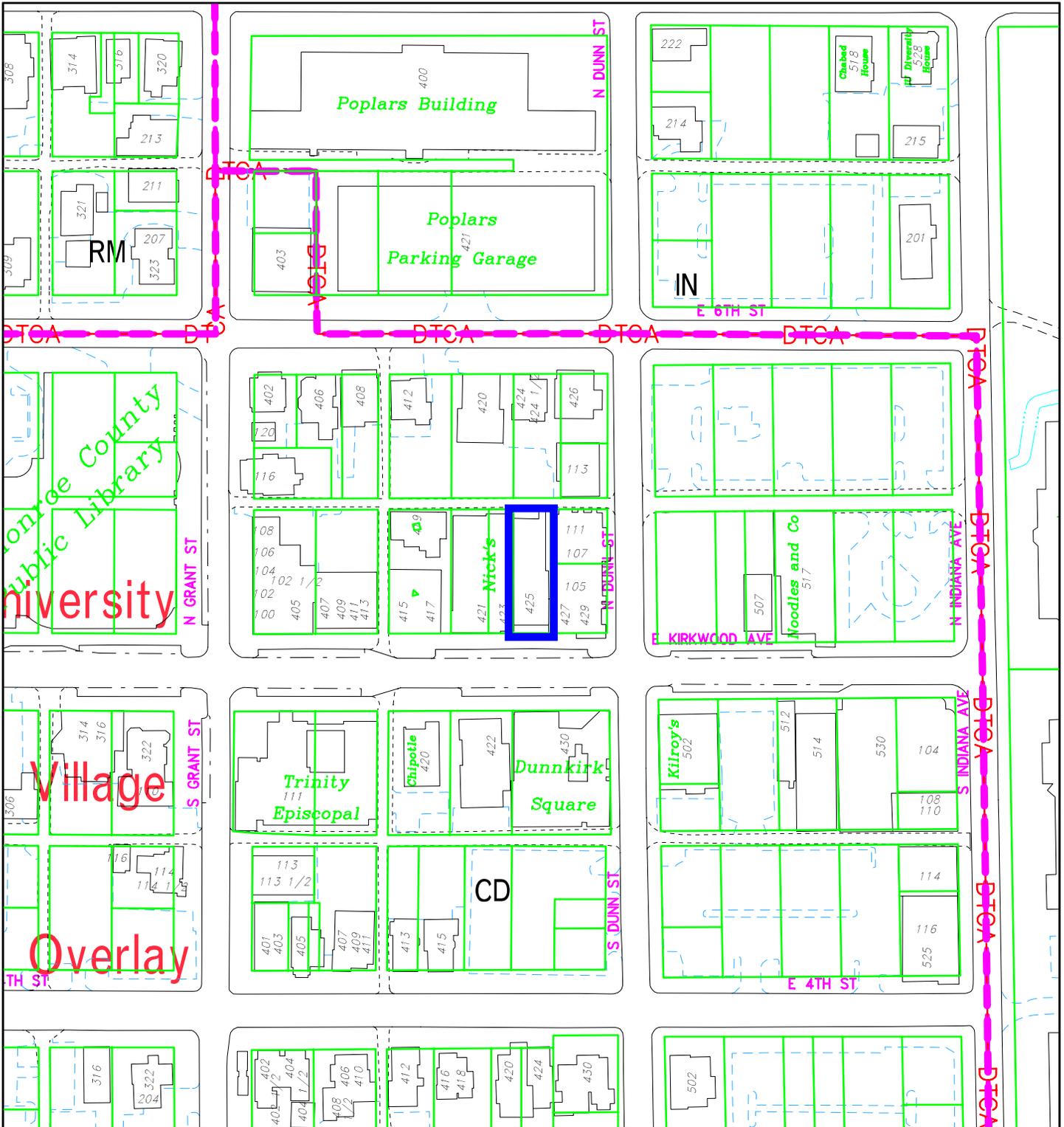
Sincerely yours,



Suzanne K Aquila

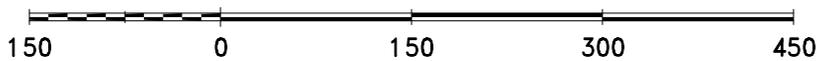
**CU-20-16  
Petitioner's  
Statement**

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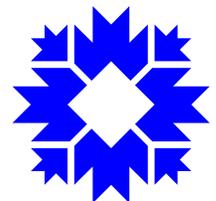
CU-20-16  
 425 E. Kirkwood Ave.

By: rosenbab  
 16 Jun 16



For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation



Scale: 1" = 150'



Images submitted by petitioner  
CU-20-16



Front of the building, 425 E. Kirkwood Ave., adjacent to Bluetique



Front of the building, 425 E. Kirkwood Ave.



Front of the building, 425 E. Kirkwood Ave., adjacent to Nick's English Hut