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The Board of Zoning Appeals (BZA) met on June 26, 2025 at 5:30 pm; a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall – Bloomington, IN 47404 and remotely via Zoom. Members present in the Council Chambers: Tim Ballard, Flavia Burrell, John Fernandez, Ryne Shadday, and Jo Throckmorton.

APPROVAL OF MINUTES: May 22, 2025

Burrell made a motion to approve the meeting minutes. Ballard seconded. Motion passes 5:0.

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

Jackie Scanlan, Assistant Director, stated case V-26-25 will be continued to the July 24, 2025 meeting.

Fernandez made a motion to continue V-26-25 to the July 24, 2025 meeting. Shadday seconded. Motion passes by roll call – 5:0.

Throckmorton wanted a motion to be made to change the order of the agenda to hear CU-24-25 first.

Fernandez made a motion to hear CU-24-25 first. Ballard seconded. Motion passes by roll call – 5:0.

PETITIONS CONTINUED TO: July 24, 2025

AA-17-22

Joe Kemp Construction, LLC & Blackwell Construction, Inc.
Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Dr.
Parcel(s): 53-08-07-400-008.002-009, 53-08-07-400-008.004-009...
Request: Administrative Appeal of the Notice of Violation (NOV) issued March 25, 2022.
Case Manager: Jackie Scanlan

CU-33-24/ USE2024-11-0068

Hat Rentals, LLC
202 N. Walnut Street
Parcel: 53-05-33-310-028.000-005
Request: Request for conditional use approval of "student housing or dormitory" to allow one four-bedroom unit in the Mixed-Use Downtown (MD) zoning district. Case Manager: Jackie Scanlan

V-13-25/ VAR2025-03-0063

Carolina Lopes

4216 E. Penn Court

Parcel: 53-05-36-302-045.000-005

Request: Variance from Fence Height standards to allow a six-foot tall fence along the front east side of the property located in the Residential Medium Lot (R2)

zoning district. Case Manager: Joe Patterson

V-22-25/ ZR2025-06-0075

Autovest, LLC

2130 S. Walnut Street

Parcel: 53-08-09-301-005.000-009

Request: Variance from front parking setback requirements and landscaping standards to allow the expansion of a vehicle display area for the use "Vehicle sales or rental" in the Mixed-Use Corridor (MC) zoning district. Case Manager: Eric Greulich

PETITIONS:

CU-24-25/ ZR2025-06-0076

North College Partners, LLC

717 S. Henderson Street

Parcel: 53-08-04-112-052.000-009

Request: Conditional Use approval to allow a "Dwelling, Duplex" in the Residential Small Lot (R3) zoning district. Case Manager: Eric Greulich

Greulich presented CU-24-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve CU-24-25 with the following conditions:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. Street trees not more than 30' from center are required along the property frontage. A sidewalk and tree plot consistent with the Transportation Plan are required along the frontage.
3. Any portions of the sidewalk not located in public right-of-way must be placed in a pedestrian easement.

Ernest Xi, petitioner, presented his request for conditional use approval.

PUBLIC COMMENT:

Eric Ost, Elm Heights Association President, had concerns about the parking. Ost stated the current parking situation is already very constrained so adding 3 bedrooms in each of these units will make parking even worse. Ost would like to have the board make a commitment from the developer that they will work with the Sycamore Land Trust as it will require attention. Ost wants to respect Sarah Clevenger's wishes and intentions. Clevenger was a long-term board member of Elm Heights who contributed significantly to this community. Lastly, Ost asked how Bloomington can create more homes where

people live, as opposed to creating housing where people just sleep. Ost hopes this topic will be discussed regarding the UDO revisions.

Ballard made a motion to adopt the Proposed Findings of Fact and approve CU-24-25 with the conditions listed in the staff report. Fernandez seconded. Motion passes by roll call – 5:0.

V-11-25/ VAR2025-03-0065

Smith and Hays Properties, LLC

300 W. 6th Street

Parcel: 53-05-33-310-263.000-005

Request: Variance from use specific standards to allow ground floor dwelling units within 20' of the first floor façade within the Mixed-Use Downtown in the Downtown Core Overlay (MD-DCO). Case Manager: Eric Greulich

Greulich presented V-11-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and deny V-11-25.

Bill Beggs, Consultant, presented the variance request on behalf of the petitioner.

David Hays, property owner, mentioned that the Arts Alliance of Greater Bloomington, Inc., have made an agreement to display local art on the pillars at no cost. Hays also stated they have tried to rent out the commercial space for 3 years, but with no luck.

Krista Huttenlocker, Property Manager for Hoosier Choice Properties, presented foot traffic numbers on the B-Line Trail versus the Morton Street foot traffic.

Ballard made a motion to adopt the Proposed Findings of Fact and deny V-11-25. Burrell seconded. Motion denied by roll call – 5:0.

V-19-25/ ZR2025-05-0072

Lance and Gretchen Weidner

1215 N. Woodburn Avenue

Parcel: 53-05-33-204-118.000-005

Request: Variance from front parking setback requirements and request for determinate sidewalk variance to allow for construction of a new duplex in the Mixed Use Medium Scale (MM) district. Case Manager: David Brantez

David Brantez, case manager, presented V-19-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the requested variances with the following conditions:

1. A building permit is required prior to construction.
2. A zoning commitment for the determinate sidewalk variance must be recorded prior to issuance of a building permit.
3. Street trees not more than 30' on center are required along both frontages.

Matt Ellenwood, Architect, presented the variance request on behalf of the petitioner.

Fernandez made a motion to adopt the Proposed Findings of Fact and approve V-19-25 with the conditions listed in the staff report. Shadday seconded. Motion passes by roll call – 5:0.

V-20-25/ ZR2025-05-0073

**City of Bloomington Parks and Recreation
Department**
1510 S. Strong Drive
Parcel: 53-08-08-200-001.000-009
Request: A variance from the Environmental
Standards of Section 20.04.030 requiring the
platting of easements to allow the installation of a
multi-use path on a property in a Planned Unit
Development (PUD). Case Manager: Eric Greulich

Greulich presented V-20-25 See meeting packet for more details. The department recommends that the board adopt the proposed findings and approve the variance with the following conditions:

1. The granting of this variance does not relieve any future land disturbing activities from the requirements of the UDO.
2. This approval is valid for this project as proposed only.

Rebecca Swift, petitioner, presented the variance request.

Shadday made a motion to adopt the Proposed Findings of Fact and approve V-20-25 with the conditions listed in the staff report. Ballard seconded. Motion passes by roll call – 5:0.

V-21-25/ ZR2025-05-0074

Greystar Development Central, LLC
503 N. Rogers Street
Parcel: 53-05-32-100-006.000-005
Request: Variances from use-specific standards
for multifamily dwellings regarding ground-floor
dwelling units, maximum front building setback,
upper floor facade stepback standards, and
building design standards for windows and doors
on primary facades to allow construction of a
"dwelling, multifamily" use in the Mixed-Use
Downtown zoning district within the Showers
Technology downtown character overlay (MD-ST).
Case Manager: Gabriel Holbrow

Greulich presented V-21-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the requested variances with the following conditions:

1. The project shall earn the affordable housing incentives and the sustainable development incentives established in UDO section 20.04.110(c), as demonstrated in an approved site plan.
2. The site shall provide a new multiuse trail with access easement that is open to the public providing a direct pedestrian and bicycle connection from Rogers Street at the B-Line trail to Reverend Butler Park as shown on the submitted conceptual site plan and as demonstrated in an approved site plan.
3. The variances are approved only for the proposed buildings as shown on the submitted conceptual site plan. Any future additions or new structures on the property shall comply with all applicable standards in the UDO.
4. All building facades shall conform to the facade designs shown on the submitted conceptual site plan, including materials, facade layout, and detailing. Minor changes that are consistent with the intent of the submitted designs shall be considered compliant with this condition. The determination whether a proposed change to facade design is compliant with this condition shall be made by the Planning and Transportation Department.

Hailey Vergatos, petitioner, introduced the Greystar Development project management team.

Burt Coffin, ESG Architects, presented attributes and design of this project.

Throckmorton had concerns about the angle on the B-Line trail and asked if this intersection has been discussed with the petitioner. Holbrow stated he wasn't aware of communication regarding this intersection. Holbrow said he has confidence that the Engineering department's expertise and knowledge will come up with a plan that will make this intersection safe.

Fernandez mentioned that The Mill has been in discussion with the City's Project Manager to create a formal pedestrian crossing for the B-Line Trail due to the increase of pedestrian and bicycle traffic.

PUBLIC COMMENT:

Steve Volan, Transportation Commission member, wanted to request a hawk signal, at the minimum, due to the busy intersection at this proposed site.

Kathy Romy, asked how many total bedrooms will be in the 370 units and how many parking spaces would be available. Romy also asked how long the construction will take for this project. Romy hopes there will be plans to upgrade Fairview Street due to the narrowness of it.

BACK TO THE BZA:

Vergatos addressed the questions that were asked by the board and the public.

Shadday stated this proposal is a good transition from the downtown area into the residential area.

Fernandez stated he's excited to see a significant investment of this scale that will add to the vibrancy of this part of the Trades District.

Fernandez made a motion adopt the Proposed Findings of Fact and approve V-21-25 with the conditions listed in the staff report.

Burrell finds this design very elegant and unique and brings forth the B-Line Trail as the emphasis of this lot.

Ballard stated this development is one of the most elegant architectural renderings that he's seen, especially with the odd shape of the lot.

Ballard seconded. Motion passes by roll call - 5:0

Greulich stated that he incorrectly referenced the variance in case V-20-25 was from section 20.04.090 but it should be corrected to section 20.04.030.

Meeting adjourned at 7:57 p.m.