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The Board of Zoning Appeals (BZA) met on August 21, 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, and Leslie Kutsenkow.

**APPROVAL OF MINUTES:** July 24, 2025

**Ballard made a motion to approve the meeting minutes. Kutsenkow seconded. Motion passes by roll call – 3:0.**

**REPORTS, RESOLUTIONS, AND COMMUNICATIONS:**

**PETITIONS CONTINUED TO:** September 18, 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

CU-32-25/ ZR2025-07-0086

**Springpoint Architects (Barre Klapper)**  
312 S. Arbutus Drive  
Parcel: 53-08-03-202-053.000-009  
Request: Conditional use approval to allow for construction of a new “Dwelling, Fourplex” in the Residential Urban (R4) zoning district. Case Manager: David Brantez

CU-33-25/ ZR2025-07-0087

**Weihe Engineers (Saint Remy HOA)  
3716 E. St Remy Drive**

Parcel: 53-08-11-401-029.000-009

Request: Conditional Use approval to allow a driveway in the Floodplain. Also requested is a variance from Environmental Standards to allow maintenance to a detention pond and wetland in St. Remy in the Residential Small Lot (R3) zoning district. Case Manager: Eric Greulich

**PETITIONS:**

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

Joe Patterson, Case Manager, presented V-13-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and deny V-13-25.

Carolina Lopes, petitioner, presented her request for a variance.

**PUBLIC COMMENT:**

Nancy Martin spoke in favor of this petition.

Michele Wilson spoke in favor of this petition.

Darrell Boggess spoke in favor of this petition.

Craig Mercer spoke in favor of this petition.

Tya Hanna spoke in favor of this petition.

Kathleen Boggess spoke in favor of this petition.

Georgia Fry spoke in favor of this petition.

**Ballard made a motion to approve V-13-25 with *Amended Findings of Fact*.  
Kutsenkow seconded. Motion passes by roll call – 3:0.**

Amended Findings of Fact #3: Practical Difficulty:

*The slope of the neighboring yard being much higher than the petitioner's yard therefore would need an extra two feet of fence.*

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

Eric Greulich, Development Services Manager, stated that due to the Findings of Fact that were adopted at the July 24, 2025 meeting, the conditions of approval needed to be amended.

**Ballard made a motion to adopt the *Proposed Findings of Fact* and approve V-22- with the *Amended* conditions of approval:**

1. These variances are for this use only, any future development must meet all UDO requirements.
2. Site plan approval is required prior to issuance of any permits.

**Kutsenkow seconded. Motion passes by roll call – 3:0.**

V-29-25/ ZR2025-06-0081

**Valu-Built Construction (Ernest Xi)**

1017 E. Erin Court

Parcel: 53-08-09-111-022.017-009

Request: Determinate sidewalk variance to allow for construction of a single family dwelling unit (detached) in the Residential Medium Lot (R2) zoning district. Case Manager: David Brantez

David Brantez, Case Manager, presented V-29-25. See meeting packet for more details. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and deny the requested determinate sidewalk variance on Azalea LN and approval of determinate sidewalk variance on Erin CT with the following conditions:

1. Large street trees 30' on center are required along Erin CT and Azalea LN.
2. A zoning commitment for the determinate sidewalk variance must be recorded prior to issuance of a building permit.

Sable Beyers, Petitioner, presented the request for a Determinate Sidewalk Variance.

**Ballard made a motion to approve both determinate sidewalk variances with *Amended Findings of Fact* with the following amended conditions:**

1. Large street trees 30' on center are required along Erin CT and Azalea LN.
2. A zoning commitment for the determinate sidewalk variance must be recorded prior to issuance of a building permit.
3. A 4' sidewalk and 8' tree plot are required along Azalea Lane

**Kutsenkow seconded. Motion passes by roll call – 3:0.**

Amended Findings of Fact #1:

*This approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

Amended Findings of Fact D&E:

*Peculiar condition is found in that there is a complete sidewalk system along both sides of Azalea Lane, including along this petition site, and that installation of a 7' wide sidewalk along Azalea would best be served by deferring a wider sidewalk system along this corridor to a future date when a wider sidewalk system can be implemented for the entire corridor. In addition, there are no other vacant lots along this segment where future construction would require compliant 7' wide sidewalks to be installed.*

V-31-25/ ZR2025-07-0085

**Kathy Church**

318 E. Wylie Street

Parcel: 53-08-04-200-033.000-009

Request: Variance from front build-to-line to allow for an addition to a single-family dwelling in the Residential Small Lot (R3) zoning district. Case Manager: David Brantez

Brantez presented V-31-25. See meeting packet for more details. The department recommends that the board adopt the proposed findings and deny V-31-25.

Kathy Church, Petitioner, presented her request for a variance.

**Ballard made a motion to V-31-25 with *Amended Findings of Fact*. Kutsenkow seconded. Motion passes by roll call – 3:0.**

Amended Findings of Fact #3: Practical Difficulty:

*The location of the residence in relation to the property line and required setback line limit the ability to add an ADA accessible entry way to the residence.*

Meeting adjourned at 6:54 p.m.