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The Board of Zoning Appeals (BZA) met on December 18, 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, Leslie Kutsenkow, and Jo Throckmorton.

APPROVAL OF MINUTES: November 20, 2025

Ballard made a motion to approve the meeting minutes. Kutsenkow seconded. Motion passes by roll call – 5:0.

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS CONTINUED TO: January 22, 2026

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

Burrell made a motion to move V-42-25 after petitions CU-54-25 and CU-56-25. Kutsenkow seconded. Motion passes by roll call – 5:0.

PETITIONS:

CU-54-25/ ZR2025-11-0110

Charlie Jesseph

1119 W. 8th Street
53-05-32-404-006.000-005
Request: Conditional Use to allow a "Dwelling, duplex" in the Residential Small Lot (R3) zoning district. Case Manager: Joe Patterson

Joe Patterson, Case Manager, presented CU-54-25. See meeting packet for more detail. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve CU-54-25 with the following conditions:

1. This conditional use approval is limited to the design shown and discussed in the packet with the exception if window replacement requires minor exterior changes, those design changes shall be approved by the Historic Preservation Commission as applicable.
2. A one-for-one replacement for any street trees removed for the driveway installation is to be satisfied.
3. This conditional use approval requires the petitioner to pass a rental inspection from HAND and procure a rental permit for any units that will be rented.

Charlie Jesseph presented his request for conditional use approval.

PUBLIC COMMENT:

Bill Baus spoke.

Tom Flynn spoke.

Tom Payne spoke via Zoom.

Jude Flynn spoke.

Matt Gleason spoke.

BACK TO BZA:

Fernandez made a motion to adopt the *Proposed Findings of Fact* and approve CU-54-25 with the conditions listed in the staff report. Ballard seconded. Motion passes by roll call – 5:0.

CU-56-25/ ZR2025-11-0112

Unlabeled Holdings (David Roberts)

102 S. Clark Street

53-05-34-423-014.000-005

Request: Conditional use approval to allow a "Dwelling, duplex" in the Residential Small Lot (R3) zoning district. Case Manager: Jamie Kreindler

Jamie Kreindler, Case Manager, presented case CU-56-25. See meeting packet for more detail. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve CU-56-25 with the following conditions:

1. The conditional use approval is limited to the design shown and discussed in the packet.
2. If any trees are proposed to be removed with this development, this needs to be shown on the plan and compliant with UDO Section 20.04.030(h).

3. Street trees are required to be planted with compliant spacing and species as established in UDO Section 20.04.080(f).
4. Certificates of Zoning Compliance (CZCs) are required for the proposed duplex and detached carport prior to construction.
5. A right-of-way use permit is required prior to any work in the public right-of-way.

Matt Ellenwood, Architecture, presented the conditional use request on behalf of the petitioner.

Fernandez made a motion to adopt the *Proposed Findings of Fact* and approve CU-56-25 with the conditions listed in the staff report. Kutsenkow seconded. Motion passes by roll call – 5:0.

V-42-25/ ZR2025-09-0097

Greystar Development Central, LLC
503 N. Rogers Street
Parcel: 53-05-32-100-006.000-005
Request: Variances from tree and forest preservation standards, minimum tree plot width standards, and landscaping standards 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

Gabriel Holbrow, Case Manager, presented V-42-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-42-25 with the following conditions:

1. 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.
2. Prior to final occupancy for the proposed development, the petitioner shall plant large canopy trees as remediation at offsite locations. The number of offsite remediation trees shall be at least the sum of 97 plus any deficit in the number of onsite interior planting trees. Prior to issuing a site development permit associated with this development, the petitioner shall execute an agreement with the City of Bloomington Parks and Recreation Department and the Planning and Transportation Department, in a form acceptable to both departments, which commits the petitioner to the offsite remediation plantings required by this condition.
3. The site shall provide at least as many street trees as required by the UDO along frontages in the areas shown on the submitted landscape plan, at spacing distances that comply with UDO standards to the maximum extent practicable, as demonstrated in an approved site plan.

John Anest, Petitioner, presented his request for variances.

Tim Oaks, Consultant, presented information regarding the variance request on behalf of the petitioner.

PUBLIC COMMENT:

Bill Baus spoke.

Shahyar Daneshgar spoke.

Vassiliki Tsitsopoulou spoke.

Tim Dwyer spoke.

Fernandez made a motion to adopt the *Proposed Findings of Fact* and approve V-42-25 with the conditions listed in the staff report. Ballard seconded. Motion passes by roll call – 5:0.

V-57-25/ ZR2025-11-0113

City of Bloomington Parks and Recreation
790 S. Basswood Drive
Parcel: 53-08-06-100-029.000-009
Request: Variance request from Environmental Standards for riparian buffer, steep slope, and karst preservation standards and easement standards in BMC 20.04.030 for the use “Park” in the Mixed-Use Institutional (MI) zoning district. Case Manager: David Brantez

David Brantez, Case Manager, presented V-57-25. See meeting packet for more details. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-57-25 with the following conditions:

1. Petitioner must submit a remediation plan for all disturbed areas, including any trees removed that are 5" caliper or greater.
2. Erosion control measures shall be installed around all topsoil stockpiles on stream side, steep slope area on south side of the site, and karst feature on the southeast side
3. Approved per terms and conditions of case #SP-27-00

Rebecca Swift, petitioner, presented her request for a variance.

Kutsenkow made a motion to adopt the *Proposed Findings of Fact* and approve V-57-25 with the conditions listed in the staff report. Burrell seconded. Motion passes by roll call – 5:0.

***Per Article 5 Section G in the Board of Zoning Appeals Rules and Procedures, Throckmorton made a motion to deny continuance of petitions AA-17-22 and CU-33-24. Fernandez seconded. Motion passes by roll call – 5:0.**

Meeting adjourned at 7:40 p.m.