

Board of Zoning Appeals (BZA) Draft

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The Board of Zoning Appeals (BZA) met on February 26, 2026 at 5:30 pm; a hybrid meeting was held in Council Chamber, located in Room 115, at 401 N. Morton Street, City Hall – Bloomington, IN 47404 and remotely via Zoom.

Approval of Minutes

January 22, 2026

Burrell made a motion to approve the meeting minutes. Ballard seconded. Motion passes by roll call – 4:0.

Old Business

Fernandez made a motion to hear an item of old business that staff would like to address. Ballard seconded. Motion passes by roll call – 4:0.

Margie Rice, Corporation Counsel, provided information regarding a lawsuit from Lamar Advertising that was filed against the BZA on October 18, 2022. Rice requested that the Board provide delegated authority to the BZA chair to execute the settlement agreement.

Fernandez made a motion to delegate the BZA chair to execute the settlement agreement. Burrell seconded. Motion passes by 4:0.

Reports, Resolutions, and Communications

Eric Greulich, Development Services Manager, stated that the department is working on an expedited agenda implementation. Petitions where staff is recommending approval would be placed on the 'Consent Agenda'. This implementation would require an adjustment to the BZA Rules and Procedures. Staff is planning on bringing this to the board at the March 26, 2026 BZA meeting.

Petitions Continued to March 26, 2026

ZR2026-01-0001 - A request at 618 W. Howe Street for a variance from setback standards and maximum impervious surface coverage standard to allow construction of an addition to a "Dwelling, single-family (detached)" in the Residential Small-Lot (R3) zoning district by Michael Burnett and Heidi Beidinger-Burnett. (Case Manager: David Brantez)

Petitions

A. ZR2025-12-0114 - A request at 2511 N. Dunn Street for variances from minimum lot area, minimum lot width, minimum side setbacks, tree and forest preservation standards, and riparian buffer requirements to allow an 18-lot single family subdivision in the Residential Medium Lot (R2) zoning district by Paul Pruitt and Keith Kline. (Case Manager: Keith Kline)

Jamie Kreindler, case manager, presented ZR2025-12-0114. See meeting packet for more detail. The Department recommends that the Board of Zoning Appeals adopt the proposed findings in Case #ZR2025-12-0114 and approve the variances from tree canopy preservation, tree protection fencing, and riparian buffer intermediate and fringe zone disturbance activities but deny the variances from minimum lot area, minimum lot width, and minimum side building setback with the following conditions:

1. Subject to terms and conditions of Plan Commission Case #SUB2025-12-0051. If damage or death occurs to trees that are not properly protected per UDO Sections 20.04.080(c)(3) and 20.04.030(h)(7), the petitioner is responsible for replacing the impacted tree(s) to the satisfaction of the Planning and Transportation Department.
2. The petitioner will continue to work with staff on a replanting plan to remediate the canopy loss to the satisfaction of the Planning and Transportation Department. During the replanting stage, any ground or riparian disturbance shall require remediation, such as but not limited to the replacement of ground cover and stream stabilization.
3. Trees are required along the north and south property lines as shown.
4. The staking of the streamside zones is required in the riparian area. 6. The sidewalk within the designated riparian area shall be constructed with permeable pavers and materials.
5. Final acceptance and approval from City of Bloomington Utilities (CBU) is required.
6. These variances are related to the general layout of the lots and street as submitted only; any new or substantially different plans must meet all the UDO standards.

Paul Pruitt, petitioner, presented his request for variances.

Daniel Butler, Project Engineer, presented information on behalf of the petitioner.

Public Comment

Jessica Will spoke.

Julia Livingston spoke.

Hopi Stosberg spoke via Zoom.

Jim Hart spoke.

Tom Yeiser spoke

Robin Young spoke.

Maryln Bauchat spoke.
Greg Grant spoke.
Stephanie Dickinson spoke.
Susan Sandberg spoke.
Meghan Blair spoke.

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Fernandez made a motion to adopt the Proposed Findings of Fact listed in the staff report and approve the variances from tree canopy preservation, tree protection fencing, and riparian buffer intermediate and fringe zone disturbance activities but deny the variances from minimum lot area, minimum lot width, and minimum side building setback in Case #ZR202512-0114. Ballard seconded. Motion passes by roll call - 4:0 along with the staff recommended conditions of approval.

B. ZR2025-12-0115 - A request at 614 N. Grant Street for a Variance from tree and forest preservation standards to allow tree removal for construction of a new "Dwelling, triplex" in the Residential High-Density Multifamily (RH) zoning district by Valu-Built, Inc. (Case Manager: Gabriel Holbrow)

Gabriel Holbrow, case manager, presented ZR2025-12-0115. See meeting packet for more details. The Department recommends that the Board of Zoning Appeals adopt the Proposed Findings of Fact and approve the variance with the following condition:

1. At least nine new trees, chosen from species listed in the UDO as permitted large street trees or permitted large interior trees, shall be planted on the property. These nine trees shall be in addition to required street trees. The required tree planting shall be verified by a site inspection by Planning and Transportation Department staff either before any of the dwelling units are occupied or within six weeks after any of the dwelling units are occupied.

Ernest Xi, petitioner, presented his request for a variance.

Public Comment

Amy Butler spoke.
James Ford spoke.

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Fernandez made a motion to adopt the Proposed Findings of Fact listed in the staff report and approve ZR2025-12-0115. Burrell seconded. Motion passes by roll call - 4:0 with the staff recommended condition of approval.

C. ZR2025-12-0116 - A request at 1004 S. Henderson Street for a condition use to allow a "Dwelling, duplex" in the Residential Small Lot (R3) zoning district by H&E Rentals, LLC. (Case Manager: Joe Patterson)

Joe Patterson, case manager, presented ZR2025-12-0116. The Department recommends that the Board of Zoning Appeals adopt the Proposed Findings of Fact and approve ZR2025-12-0116 with the following conditions of approval:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. 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.

Eric Masten, petitioner, presented his request for conditional use approval.

Public Comment

David Stewart spoke.

Jon Lawrence spoke.

Cory Hawkins spoke.

Jan Sorby spoke.

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Ballard made a motion to adopt Proposed Findings of Fact listed in the staff report and approve ZR2025-12-0116. Fernandez seconded. Motion passes by roll call - 4:0 with the following amended conditions of approval:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. 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.
3. Petitioner shall work with staff to not require back out parking.

D. ZR2025-12-0117 - A request at 105 E. Driscoll Drive for Conditional Use approval to allow "Dwelling, duplex" use in the Residential Small-Lot (R3) zoning district by Rusty Wampler. (Case Manager: David Brantez)

David Brantez, case manager, presented ZR2025-12-0117. See meeting packet for more detail. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve ZR2025-12-0117 with the following conditions of approval:

1. This conditional use approval requires the petitioner to pass a rental inspection from HAND and procure a rental permit for all units that will be rented.
2. A building permit from the Monroe County Building Department is required.

3. Construction to replace the front porch must meet applicable standards in the UDO.
4. A maximum of one drive cut is permitted on this property, and must be located on the alley.

Rusty Wampler, petitioner, presented his request for conditional use approval.

Public Comment

Jan Sorby spoke.

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Burrell made a motion to adopt the Proposed Findings of Fact listed in the staff report and approve ZR2025-12-0117. Fernandez seconded. Motion passes by roll call - 4:0 with staff recommended conditions of approval.

E. ZR2025-12-0119 - A request at 3901 N. Kinser Pike for a Variance from parking standards for electric vehicle charging stations for the use "school, public or private" in the Mixed-Use Institutional (MI) zoning district by the Monroe County School Corporation. (Case Manager: Eric Greulich)

Greulich presented ZR2025-12-0119. See meeting packet for more detail. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve ZR2025-0119 with the following condition of approval:

1. A total of 3 electric vehicle charging stations are required.

Andrew Knust, consultant, presented the request for a variance on behalf of the petitioner.

Sam Fleener, petitioner, presented the request for variance approval.

Public Comment

Hopi Stosberg spoke.

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Fernandez made a motion to approve ZR2025-12-0119 with Amended Findings of Fact and remove the condition of approval. No motion to second. Motion fails.

Fernandez made a motion to adopt the Proposed Findings of Fact listed in the staff report and approve ZR2025-12-0119. Burrell seconded. Motion passes by roll call - 4:0 with the staff recommended condition of approval.

F. ZR2026-02-0002 - A request at 3002 E. 3rd Street for an Administrative Appeal for staff determination for wall signs above roofline by JC Bank. (Case Manager: Jamie Kreindler)

Kreindler presented ZR2026-02-0002. See meeting packet for more detail. In accordance with UDO Section 20.06.080(d)(3)(B)(ii), staff shall not make a formal recommendation.

Marvin Veatch, CEO of JC Bank, presented his request for an administrative appeal.

Melodie Yarnell, Senior Vice President of JC Bank, presented information regarding the architectural structure of the building and to appeal staff's recommendation of denying the permit.

Ryan Strauser, consultant, presented information on behalf of the petitioner regarding the construction and architectural standpoint of the building.

Public Comment

None.

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Fernandez made a motion to approve the administrative appeal for ZR2026-02-0002. Ballard seconded. Motion passes by roll call – 4:0

Meeting Adjourned at 10:15 p.m.