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The Board of Zoning Appeals (BZA) met on March 23, 2023 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: Barre Klapper, Tim Ballard, Flavia Burrell, Nikki Farrell, and Jo Throckmorton.

APPROVAL OF MINUTES: August – December 2022, February 23, 2023

Throckmorton made a motion to approve minutes from August – December 2022, and February 23, 2023 meetings. Ballard Seconded. Motion carried unanimously.

REPORTS, RESOLUTIONS, COMMUNICATIONS: Klapper welcomed Nikki Farrell, the newest BZA board member, and thanked her for joining.

PETITIONS CONTINUED TO: April 20, 2023

- AA-17-22 **Joe Kemp Construction & Blackwell Construction** – Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Drive – Administrative Appeal of the Notice of Violation (NOV) issued March 25, 2022. Case Manager: Jackie Scanlan
- AA-08-23 **Leo Pilachowski** - 2028 E. 1st St. - Parcel: 53-08-03-200-021.000-009 Request: Administrative Appeal of the staff determination regarding non-compliance for a required sidewalk and tree plot with street trees. Case Manager: Eric Greulich

PETITIONS:

AA-08-23 **Leo Pilachowski**
2028 E. 1st St.
Parcel: 53-08-03-200-021.000-009
Request: Administrative Appeal of the staff determination regarding non-compliance for a required sidewalk and tree plot with street trees.
Case Manager: Eric Greulich

Jackie Scanlan, Development Services Manager, asked the board to amend the agenda. Scanlan stated Mr. Pilachowski has requested a continuance until April 20, 2023. Scanlan asked that the board votes to move Mr. Pilachowski's petition to the front of the agenda so this petition can be continued.

Throckmorton made a motion to move AA-08-23 to the first item on the agenda. Burrell seconded. Motion carried unanimously.

Pilachowski agreed to move the petition to next month's meeting.

Throckmorton made a motion to continue AA-08-23 to next month's meeting. Ballard seconded. Motion carried unanimously.

V-03-23 **David Howard (Tabor Bruce Architecture)**
Parcel: 53-01-54-726-000.000-009
Request: Variance from the minimum number of required parking spaces to allow the construction of two ground floor dwelling units in the Mixed-Use Medium Scale (MM) zoning district.
Case Manager: Eric Greulich

Eric Greulich, Planning and Transportation, presented the variance petition. Staff does not recommend approval. See meeting packet for more details.

Doug Bruce, Architect, spoke on behalf of the petitioner.

David Howard, petitioner, presented his variance request.

BZA Discussion

Discussion ensued regarding the development history of this property and how it was developed without enough parking spaces.

Farrell needed clarification on what the board is supposed to be determining; Greulich confirmed.

Public Comment:

Joshua Herring urged the board to deny the petition. Scott Hogsed, spoke against this petition.

BZA Discussion

Discussion ensued regarding the use variance and variance that was approved by the BZA in 2019.

Scanlan elaborated on the different options the petitioner could use to meet the UDO requirements.

Ballard asked the petitioner if they have explored other options in terms of the alternatives that were presented. Howard stated they did explore other options but they couldn't find anyone to fill it.

Discussion ensued regarding granting an additional variance when there is already parking issues.

Throckmorton made a motion to deny V-03-23. Farrell seconded. Motion carried unanimously. Motion is denied.

V-06-23 **Walnut Star, LLC (Studio 3 Design, Inc.)**
3391 S. Walnut St.
Parcel: 53-01-53-681-002.000-009
Request: Variance from the minimum number of required parking spaces
to allow the construction of two ground floor dwelling units in the Mixed-
Use Medium Scale (MM) zoning district.
Case Manager: Eric Greulich

Greulich presented the variance petition. Staff does not recommend approval. See meeting packet for more details.

Zack Bode, Architect, presented on behalf of the petitioner.

BZA Discussion

Discussion ensued regarding data in Monroe County and in the City of Bloomington. Ballard stated Bloomington is different in terms of being a progressive city.

Discussion ensued regarding the burden for requesting this variance.

Throckmorton made a motion to deny V-06-23. Burrell seconded. Motion carried unanimously. Motion is denied.

Meeting adjourned at 6:29 p.m.