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The Board of Zoning Appeals (BZA) met on April 18, 2024 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 Nikki Farrell.

APPROVAL OF MINUTES: March 21, 2024

REPORTS, RESOLUTIONS, COMMUNICATIONS:

PETITIONS CONTINUED TO: May 23, 2024

- 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
- V-27-22 **Cutters Kirkwood 123, LLC**
113 E. Kirkwood Ave.
Parcel: 53-05-33-310-062.000-005
Request: Variances from Downtown Character Overlay standards to allow
less non-residential area and less large display windows; and a variance
from the requirement to align with the front setback of an adjacent historic
structure in the Mixed-Use Downtown zoning district with the Courthouse
Square Character Overlay (MD-CS). Case Manager: Jackie Scanlan
- V-05-24 **Candi Sipes**
2303 S Rockport Road
Parcel: 53-01-51-137-500.000-009
Request: Variances from accessory structure size standards, accessory
structure setbacks, driveway width standards, and a determinate sidewalk
variance to allow construction of a new single-family dwelling structure in
the Residential Medium Lot (R2) zoning district.
Case Manager: Gabriel Holbrow
- V-08-24 **Andrew Huck**
2226 East Maxwell Lane
Parcel: 53-08-03-100-002.000-009
Request: Variance from riparian buffer standards to allow construction of
deck stairs and terrace for an existing single-family dwelling in the
Residential Medium Lot (R2) zoning district.
Case Manager: Gabriel Holbrow

- V-10-24 **Ruby Creek Homes**
914 N. Oolitic Drive
Parcel(s): 53-05-32-201-076.057-005
Request: Variance from the Karst Geology standards to allow the construction of single-family homes in the Residential Medium Lot (R2) zoning district. Case Manager: Katie Gandhi
- V-13-24 **Ruby Creek Homes**
918 N. Oolitic Drive
Parcel(s): 53-05-32-201-106.058-005
Request: Variance from the Karst Geology standards to allow the construction of single-family homes in the Residential Medium Lot (R2) zoning district. Case Manager: Katie Gandhi
- V-14-24 **Ruby Creek Homes**
922 N. Oolitic Drive
Parcel(s): 53-05-32-201-077.059-005
Request: Variance from the Karst Geology standards to allow the construction of single-family homes in the Residential Medium Lot (R2) zoning district. Case Manager: Katie Gandhi

PETITIONS:

- V-09-24 **Hang Tight, LLC**
2002 W. 3rd Street
Parcel(s): 53-05-31-400-011.000-005, 53-05-31-400-004.000-005
Request: Variance to allow disturbance within 25' of the last closed contour of a karst feature for a property in the Mixed-Use Corridor (MC) zoning district. Case Manager: Eric Greulich

Eric Greulich, Case Manager, presented the staff report. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the petition.

Aaron Steele, Petitioner, didn't have anything to add but was happy to answer any questions.

Alex Rosenberg, Consultant, didn't have anything to add.

Ballard made a motion to approve V-09-24. Farrell seconded. Motion passes by roll call – 3:0.

- CU-11-24 **Jonathan Brandt Badger & Kaitlin King**
815 S. Grant Street
Parcel: 53-08-04-301-063.000-009, 015-49480-00
Request: Conditional use approval for a home occupation in the Residential Small Lot (R3) zoning district. Case Manager: Katie Gandhi

Katie Gandhi, Case Manager, presented the staff report. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and deny the requested variance.

Kaitlin King, Petitioner, presented her request for a conditional use approval.

PUBLIC COMMENT:

Scott O'Bryan, neighbor, spoke against this petition. O'Bryan states the question of residency is extremely murky. Communication has been an issue, and the story has changed multiple times. The trust level is low, and the amount of traffic is the main concern.

Jan Sorby, Bryan Park resident, stated a similar situation happened in the neighborhood before and it did not do well or last long. Sorley is very distressed about this petition and about the petitioner closing on their house tomorrow. Sorley wants the board to consider the intent of an in home office.

Jon Lawrence, neighbor, had concerns with the housing shortage in Bloomington. He wants the board to protect the single family homes.

Marcus Moyer, neighbor, does not support this proposal. He believes traffic would be a nightmare. He doesn't believe the residency requirement would be met and that's a concern for him.

Christie Popp, neighbor, is very opposed to this petition. Popp believes what the petitioner is proposing is implausible. Popp loves how quiet the street is on Grant so her children can play safely. With no sidewalks in the neighborhood, the children and neighbors have to walk in the street. If this petition does get passed, the street will not be safe for her children.

Kim Vint, states if this petition gets passed, it will affect every generation.

Katie Kopp Miller, spoke against this petition. Miller also works in the same field as King. Miller echoes all of the concerns expressed previously. Miller is concerned about the safety and increased traffic this approval would bring.

Kevin Makice, spoke in favor of this petition. He's very familiar with the traffic in the area and doesn't have any fears about the amount of traffic it could bring to the neighborhood. He believes this petition is needed.

Christine Earheart, Co-worker of Brandt, spoke in favor of this petition. Earheart spoke about how sought after King is in the mental health field.

Farrell made a motion to adopt the proposed findings and deny the conditional use. Ballard seconded. Motion denied – 0:3.

Meeting adjourned 7:15 P.M.