

# CITY OF BLOOMINGTON



July 25, 2024 @ 5:30 p.m.  
City Hall, 401 N. Morton Street  
Common Council Chambers, Room #115

[https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDI  
nWGROTU43dEpXdz09](https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDI<br/>nWGROTU43dEpXdz09)

Meeting ID: 824 4898 3657  
Passcode: 319455

**CITY OF BLOOMINGTON  
BOARD OF ZONING APPEALS (Hybrid Meeting)**

City Hall, 401 N. Morton Street  
Common Council Chambers, Room #115 and via Zoom

July 25, 2024 at 5:30 p.m.

❖ **Virtual Meeting:**

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVdInWGROTU43dEpXdz09>

Meeting ID: 824 4898 3657

Passcode: 319455

Petition Map:

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**ROLL CALL**

**APPROVAL OF MINUTES:** June 20, 2024

**PETITIONS CONTINUED TO:** August 22, 2024

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*

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*

**WITHDRAWN:**

V-08-24      **Andrew Huck**  
2226 E. 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*

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or  
E-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact Melissa Hirtzel at [hirtzelm@bloomington.in.gov](mailto:hirtzelm@bloomington.in.gov) and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

**PETITIONS:**

- CU-17-24     **Bloomington Builders, LLC & Latitude 39 North Properties, LLC**  
 506 E. Wylie Street  
 Parcel: 53-08-04-113-095.000-009  
 Request: Conditional Use approval to allow a duplex in the Residential Lot (R3) zoning district. Case Manager: Eric Greulich
- CU/V-20-24     **Tabor Bruce Architecture**  
 1020 W. 6<sup>th</sup> Street  
 Parcel: 53-05-32-409-013.000-005  
 Request: Conditional use approval to allow a duplex in the Residential Small Lot (R3) zoning district. Also requested is a variance from front and side yard building setback standards to allow a second story addition to a building in the Residential Small Lot (R3) zoning district. Case Manager: Eric Greulich
- V-22-24     **Sam Heale/American Storage, LLC**  
 2401 N. Walnut St  
 Parcel: 53-05-28-200-040.000-005  
 Request: Variance from development standards to allow side setbacks along the north property line; a development standards variance from pedestrian facility standards along N Old State Rd 37; and a determinate sidewalk variance for 140 feet of N Walnut St, to allow a new self-service storage building in the Mixed Use Corridor (MC) zoning district. Case Manager: Katie Gandhi
- V-24-24     **Storage Express Holdings, LLC**  
 221 W. Dodds St  
 Parcel: 53-08-04-305-002.000-009, 53-08-04-305-007.000-009,  
 53-08-04-305-006.000-009, 53-08-04-305-015.000-009  
 Request: Variance to allow a driveway wider than 24 feet on a non-classified road. Case Manager: Jackie Scanlan
- V-25-24     **Clearpath Services/Cutters Kirkwood 123, LLC**  
 115 E. Kirkwood Ave  
 Parcel: 53-05-33-310-062.000-005  
 Request: Variance from height standards in the Mixed-Use Downtown zoning district in the Courthouse Square Downtown Character Overlay (MD-CS.)  
Case Manager: Jackie Scanlan
- V-26-24     **Elisha Spier**  
 2110 E. Covenant Drive  
 Parcel: 53-08-03-407-027.000-009, 53-08-03-409-002.000-009  
 Request: Conditional use request to allow a home occupation in the home and variances from use-specific standards related to the number of employees and on-site sales in the Residential Medium Lot (R2) zoning district. Case Manager: Jackie Scanlan

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**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT – Second Hearing**  
**LOCATION: 506 E. Wylie Street**

**CASE#: CU-17-24**  
**DATE: July 25, 2024**

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**PETITIONER:** Bloomington Builders LLC & Latitude 39 North Properties, LLC  
 PO Box 67  
 Bloomington, IN 47402

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**REQUEST:** The petitioner is requesting Conditional Use approval to allow a “Dwelling, duplex” use in the Residential Small Lot (R3) zoning district.

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**FIRST HEARING SUMMARY:** This petition was heard at the May 23, 2024 hearing and was continued to allow the petitioner the opportunity to address comments from the neighbors and Board of Zoning Appeals members. Comments expressed at the first hearing included a desire to reduce the number of bedrooms, reduce the size of the structure to match existing homes along Wylie, and consider adding additional parking. The petitioner did meet with some members of the neighborhood after the hearing, however there were no changes submitted with the petition.

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**REPORT:** The property is located at 506 E. Wylie Street and is zoned Residential Small Lot (R3). All surrounding properties are zoned Residential Small Lot (R3) and have been developed with single family residences. The property is currently vacant and within the Bryan Park Neighborhood Association area.

The petitioner is proposing to develop the site with a new duplex. The residence would face Wylie Street and be accessed by a driveway along the east side of the residence. Each unit would have its own entry facing Wylie Street with a sidewalk connecting the residence to Wylie Street. There is no sidewalk along this property frontage or sidewalks along adjacent properties. This petition would not be required to install a sidewalk along the property frontage, however new street trees are required and have been shown. The new residence will be two-stories with three bedrooms in each unit.

This petition was presented to both the Bryan Park and Elm Heights Neighborhood Associations. At those meetings neighbors expressed concerns regarding the amount of parking provided, the location of the driveway on the property, tree preservation, and potential for future home ownership of the units. In response to those comments the petitioner has adjusted the location of the driveway on the property to relocate it away from the residence to the west, and extended the length of the driveway. Unfortunately the location of a large Sycamore tree in the center of the property cannot be avoided. Each individual unit in the duplex will have its own entrance and separate utility connection to enable the possibility of future ownership through a condominium design.

The petitioner is requesting conditional use approval to allow the establishment of a “Duplex, dwelling” use on the property.

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**CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT**

**20.06.040(d)(6)(B) General Compliance Criteria:** All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. *Compliance with this UDO*
- ii. *Compliance with Other Applicable Regulations*
- iii. *Compliance with Utility, Service, and Improvement Standards*
- iv. *Compliance with Prior Approvals*

**PROPOSED FINDING:** There are use-specific standards that apply to the use “dwelling, duplex” within the R3 zoning district and this petition meets those standards. The property owner does not have any notices of violation on file. Each unit has its own separate exterior entrance and the design of the building incorporates many elements similar to surrounding residences on this block face including- pitched roof, covered porches, and building setback. The structure will contain no more than six bedrooms. Each unit will have its own separate utility meters. The petitioner did attend Bryan Park and Elm Heights Neighborhood Association meetings and presented this petition as required. There are no other known applicable regulations for this petition. There are water and sewer connections available in Wylie Street and no conflicts with connecting to those services have been identified. There are no known prior approvals for this site.

**20.06.040(d)(6)(C) ADDITIONAL CRITERIA APPLICABLE TO CONDITIONAL USES**

i. ***Consistency with Comprehensive Plan and Other Applicable Plans***

*The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other applicable adopted plans and policies.*

**PROPOSED FINDING:** This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as the “Mixed Urban Residential” land use category. The Comprehensive Plan states that the Mixed Urban Residential land use category is largely in older neighborhoods and that redevelopment should be compatible with surroundings. Policy 5.3.1 encourages opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and underutilized housing types such as accessory dwelling units and duplexes. This location is also well served by existing services and utilities. The proposal also accomplishes many of the design goals of the Comprehensive Plan in relation to compatibility with adjacent structures and has a clear relationship with the adjacent public street through the sidewalk connection from the residence to the sidewalk on the street. The proposal is in line with the Comprehensive Plan.

ii. ***Provides Adequate Public Services and Facilities***

*Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.*

**PROPOSED FINDING:** The site has existing utility connection and no issues have been identified with the proposed connections.

**iii. *Minimizes or Mitigates Adverse Impacts***

1. *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
2. *The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
3. *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*
4. *The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.*

**PROPOSED FINDING:** There are no regulated natural or scenic features that will be impacted. Although there is one tree in the center of the property that the neighborhood expressed a desire to save, the location of the tree in the center of the property does not allow it to be saved and still develop the lot. The building is not located within a historic district. No significant adverse impacts are expected from the creation of the proposed duplex. No changes to trash and waste collection service are expected. Concerns from adjoining property owners were expressed at the respective Neighborhood Meetings and most have been addressed through the changes mentioned previously.

**iv. *Rational Phasing Plan***

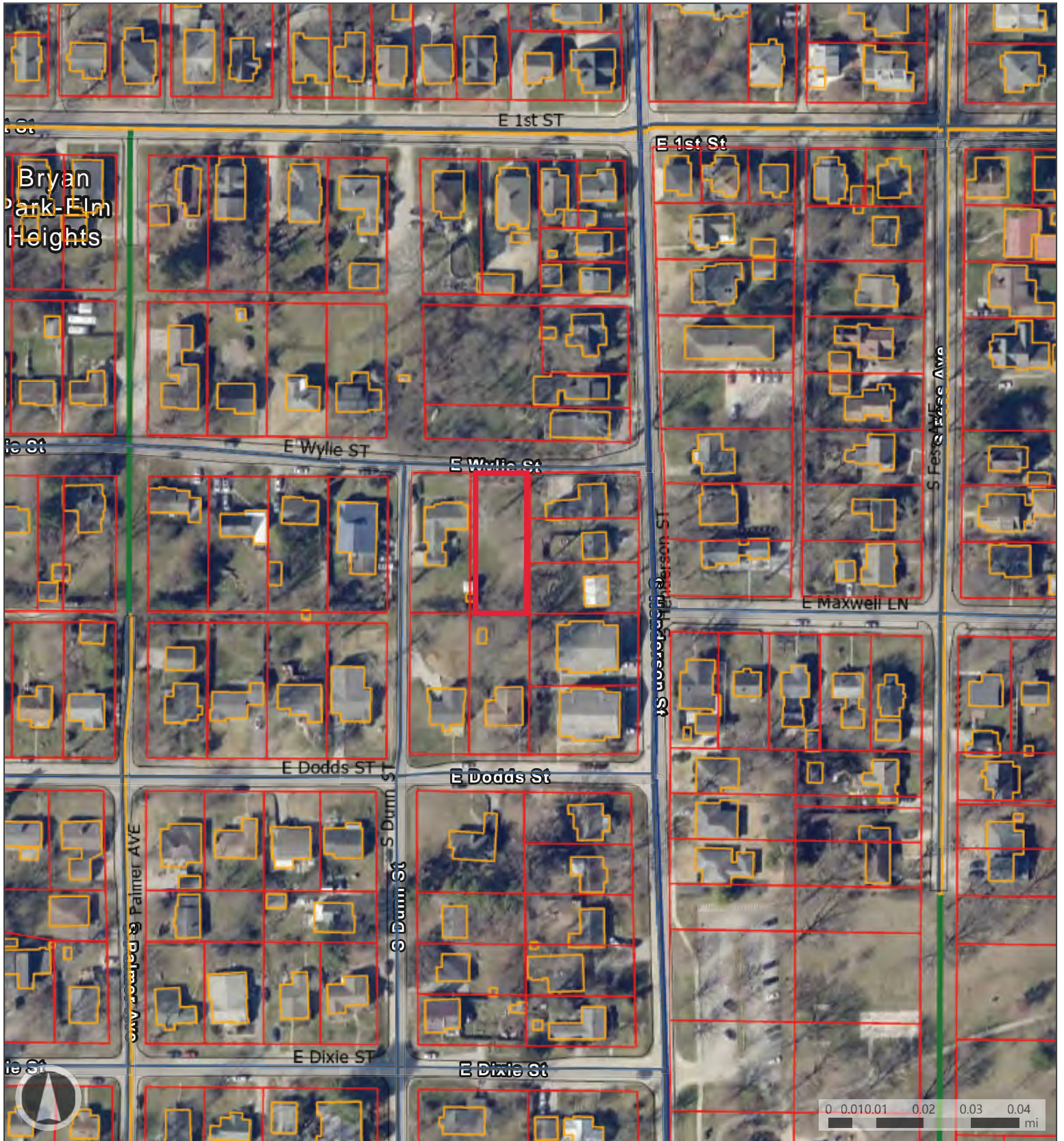
*If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.*

**PROPOSED FINDING:** No phasing is proposed with this plan.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU-17-24 with the following conditions:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. Street trees not more than 30' from center are required along the property frontage.



**Map Legend**

- Parcels
- Buildings
- Pavement

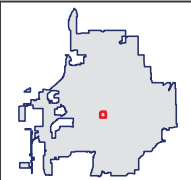
- Alley
- Current
- City Maintained Streets

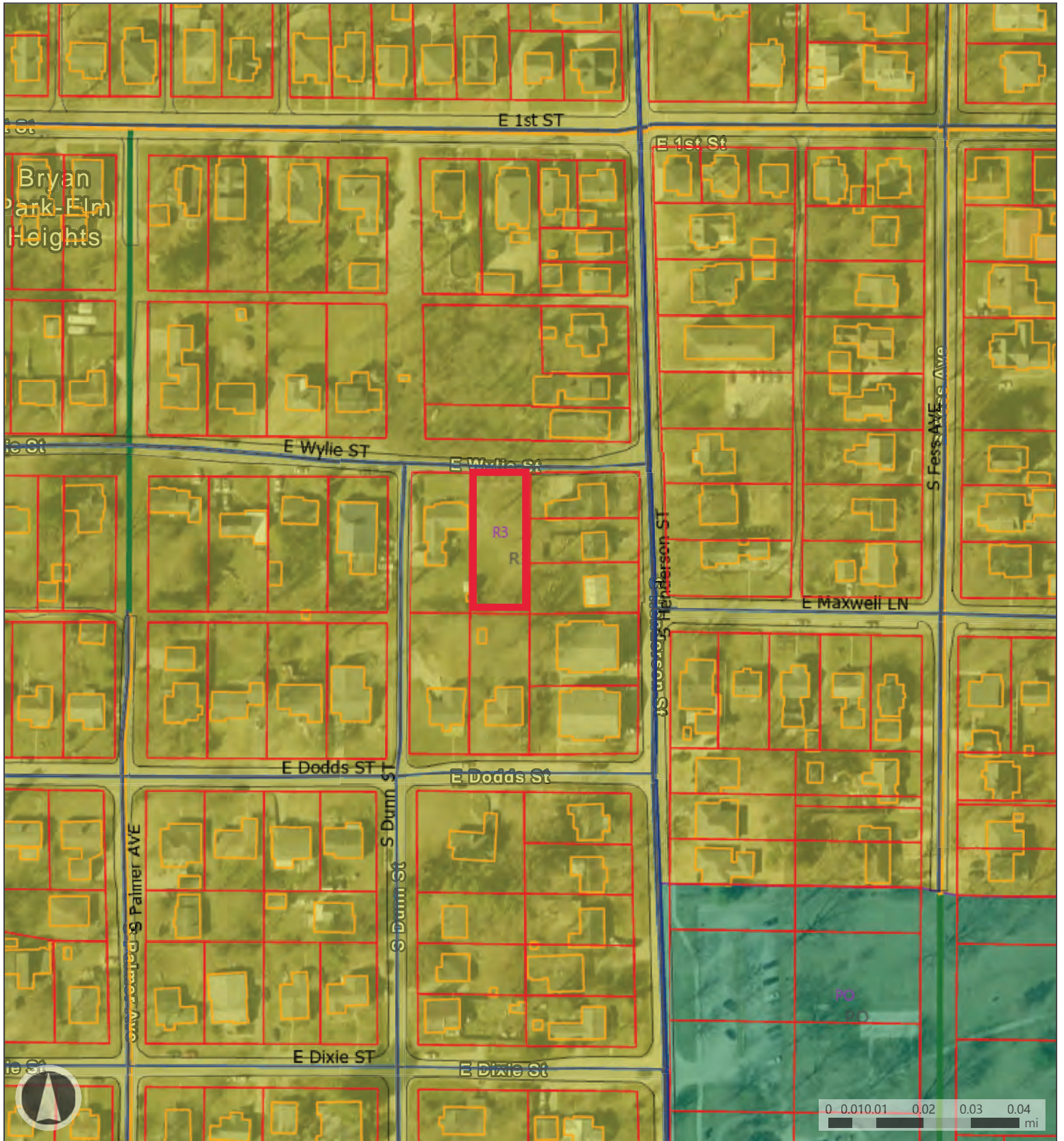
**Street Typology**

- Neighborhood Connector
- Neighborhood Residential

**Functional Classification**

- Secondary Arterial
- Primary Collector





**Map Legend**

- Parcels
- Buildings
- Pavement

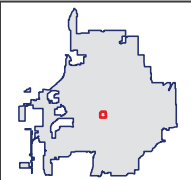
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- Current
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**Street Typology**

- Neighborhood Connector
- Neighborhood Residential

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- Primary Collector





# 506 East Wylie Street, LLC

PO Box 67, Bloomington, Indiana

## Petitioner's Statement

506 East Wylie Street Residence

Petitioner: 506 East Wylie Street, LLC, Bloomington, Indiana

### Property Description

506 East Wylie Street is a vacant, residential lot near the intersection of East Wylie Street and South Henderson Street in the Bryan Park Neighborhood. The property is zoned R3 (Residential Small Lot). The property is bounded by single family residential uses on all sides as well as multifamily apartments to the Southeast. Adjacent Zoning is R3 on all sides.

### Conditional Use Request

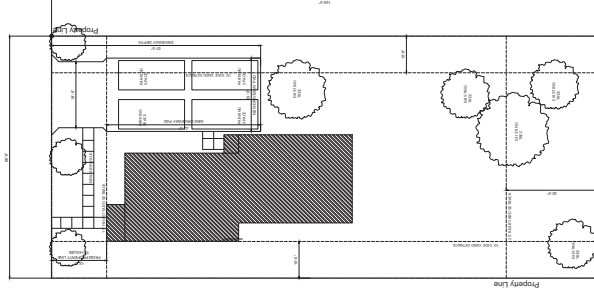
506 East Wylie Street, LLC, is filing a request for Conditional Use per the UDO for Dwelling, Duplex construction in R3 Zoning. The proposal meets the design requirements and the development standards in the UDO. The proposal consists of a new 1.5-story structure that includes two 3 bedroom, 3 bath dwelling units. The design reflects the requirements of the UDO in that separate exterior entrances for each unit face East Wylie Street. Additionally, various gable roof pitches reflect similar roof styles found in the surrounding neighborhood. The combination of horizontal "lap style" and vertical board and batten siding also help differentiate each dwelling unit. The building setback and vehicular access is also consistent with other homes along East Wylie Street. New water and sewer service, separate for each unit, has been coordinated with City of Bloomington Utilities and Engineering, and new electrical service, separate for each unit, will be coordinated with Duke Energy. Upon approval, construction would likely begin in December of 2024 with completion expected in the Summer of 2025.





**01 VICINITY MAP**

SCALE: 1/2" = 1'-0"



**02 PROPOSED SITE PLAN**

SCALE: 1/8" = 1'-0"

- EXISTING** PLANTING: EXISTING STREET TREES TO BE MAINTAINED. PLANTING TO BE REPLACED OR REPLANTED WITH TREES OF EQUAL OR GREATER CALIBER.
- NEW** PLANTING: NEW PLANTING TO BE INSTALLED AT THE INTERSECTION OF THE PROPERTY LINE AND THE SIDEWALK. PLANTING TO BE MAINTAINED THROUGHOUT THE LIFE OF THE PROJECT.
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- NEW** PLANTING: NEW PLANTING TO BE INSTALLED AT THE INTERSECTION OF THE PROPERTY LINE AND THE SIDEWALK. PLANTING TO BE MAINTAINED THROUGHOUT THE LIFE OF THE PROJECT.



SCOPE OF WORK:  
REFER TO ARCHITECTURAL SHEETS BY OTHERS FOR SCOPE

# EAST WYLIE NEW DUPLEX

East Wylie Street  
Bloomington, IN 47401

Table of Contents  
SITE PLAN  
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No.	Revision / Issue	Date
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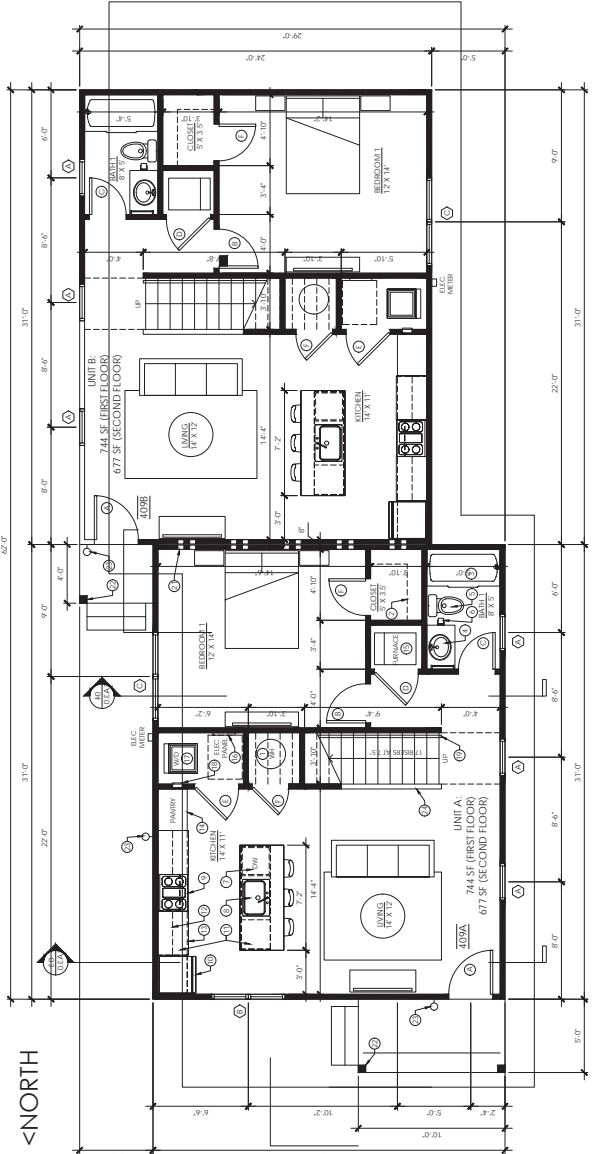
Project Name	SITE PLAN
Client	Bloom Design + Build
Date	05-13-2024
Drawn By	Bloom Design + Build
Check	Refer to Sheets

**SITE**

**1**

# 506 East Wylie Street Duplex Preliminary Plan Set

OWNER:  
506 EAST WYLIE STREET, LLC



FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

DOOR SCHEDULE			
NO.	TYPE	FINISH	REMARKS
1	6'-0" WIDE	INTERIOR	WOOD
2	6'-0" WIDE	EXTERIOR	WOOD
3	6'-0" WIDE	EXTERIOR	WOOD
4	6'-0" WIDE	EXTERIOR	WOOD
5	6'-0" WIDE	EXTERIOR	WOOD
6	6'-0" WIDE	EXTERIOR	WOOD
7	6'-0" WIDE	EXTERIOR	WOOD
8	6'-0" WIDE	EXTERIOR	WOOD
9	6'-0" WIDE	EXTERIOR	WOOD
10	6'-0" WIDE	EXTERIOR	WOOD

WINDOW SCHEDULE			
NO.	TYPE	FINISH	REMARKS
1	6'-0" WIDE	INTERIOR	WOOD
2	6'-0" WIDE	EXTERIOR	WOOD
3	6'-0" WIDE	EXTERIOR	WOOD
4	6'-0" WIDE	EXTERIOR	WOOD
5	6'-0" WIDE	EXTERIOR	WOOD
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8	6'-0" WIDE	EXTERIOR	WOOD
9	6'-0" WIDE	EXTERIOR	WOOD
10	6'-0" WIDE	EXTERIOR	WOOD

WINDOW SCHEDULE			
NO.	TYPE	FINISH	REMARKS
1	6'-0" WIDE	INTERIOR	WOOD
2	6'-0" WIDE	EXTERIOR	WOOD
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8	6'-0" WIDE	EXTERIOR	WOOD
9	6'-0" WIDE	EXTERIOR	WOOD
10	6'-0" WIDE	EXTERIOR	WOOD

WINDOW TYPES			
1	6'-0" WIDE	INTERIOR	WOOD
2	6'-0" WIDE	EXTERIOR	WOOD
3	6'-0" WIDE	EXTERIOR	WOOD
4	6'-0" WIDE	EXTERIOR	WOOD
5	6'-0" WIDE	EXTERIOR	WOOD
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GENERAL NOTES			
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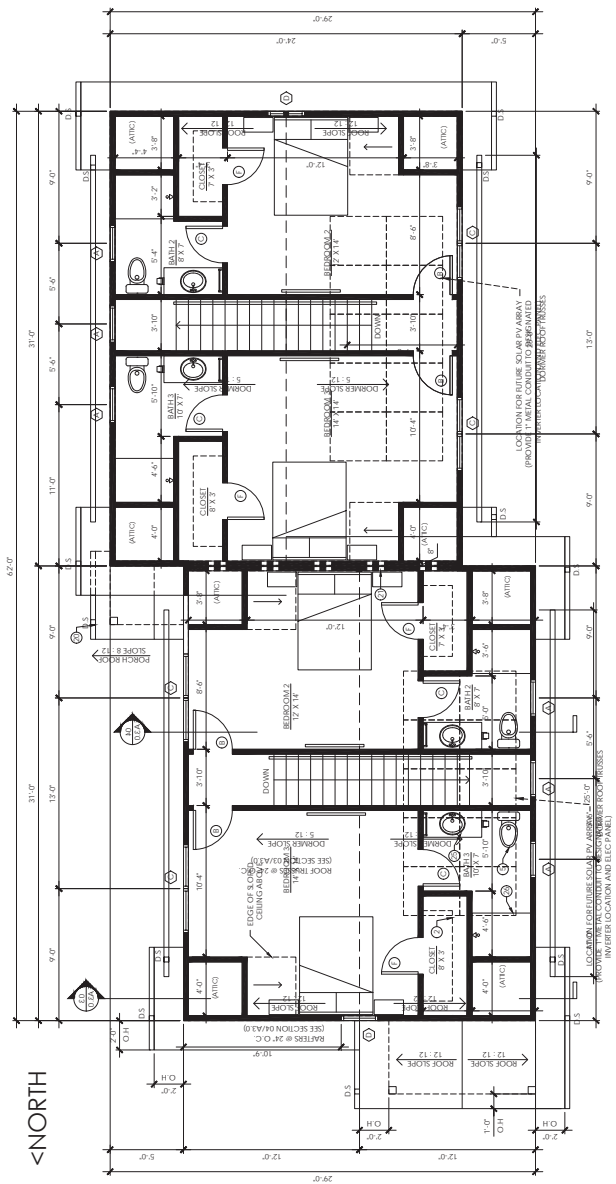
ROOM FINISH SCHEDULE			
NO.	ROOM	FINISH	REMARKS
1	LIVING	WOOD	
2	KITCHEN	WOOD	
3	BATH	WOOD	
4	BEDROOM	WOOD	
5	HALL	WOOD	
6	CL. (CLOSET)	WOOD	
7	CL. (CLOSET)	WOOD	
8	CL. (CLOSET)	WOOD	
9	CL. (CLOSET)	WOOD	
10	CL. (CLOSET)	WOOD	
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10	6'-0" WIDE	EXTERIOR	WOOD

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8	6'-0" WIDE	EXTERIOR	WOOD
9	6'-0" WIDE	EXTERIOR	WOOD
10	6'-0" WIDE	EXTERIOR	WOOD

**GENERAL FLOOR PLAN NOTES:**  
 A. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 B. FINISH FLOOR TO FINISH FLOOR.  
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**FLOOR PLAN KEY NOTES:**  
 1. FINISH FLOOR TO FINISH FLOOR.  
 2. FINISH FLOOR TO FINISH FLOOR.  
 3. FINISH FLOOR TO FINISH FLOOR.  
 4. FINISH FLOOR TO FINISH FLOOR.  
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**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**DOOR SCHEDULE**

NO.	TYPE	SIZE	FINISH	REMARKS
1	INTERIOR	3'0" x 7'0"	WOOD	
2	EXTERIOR	4'0" x 6'0"	WOOD	
3	GLASS	4'0" x 6'0"	GLASS	
4	GLASS	6'0" x 8'0"	GLASS	
5	GLASS	4'0" x 6'0"	GLASS	
6	GLASS	3'0" x 7'0"	GLASS	
7	GLASS	3'0" x 7'0"	GLASS	
8	GLASS	3'0" x 7'0"	GLASS	

- GENERAL NOTES:**
- A. FINISHES TO BE SELECTED BY OWNER.
  - B. ALL FINISHES TO BE SELECTED BY OWNER.
  - C. ALL FINISHES TO BE SELECTED BY OWNER.
  - D. CANNOT FINISHES TO BE FINISHED BY OWNER.

**WINDOW SCHEDULE**

NO.	TYPE	SIZE	FINISH	REMARKS
1	INTERIOR	4'0" x 6'0"	WOOD	
2	INTERIOR	6'0" x 8'0"	WOOD	
3	INTERIOR	4'0" x 6'0"	WOOD	
4	INTERIOR	3'0" x 7'0"	WOOD	
5	INTERIOR	3'0" x 7'0"	WOOD	
6	INTERIOR	3'0" x 7'0"	WOOD	

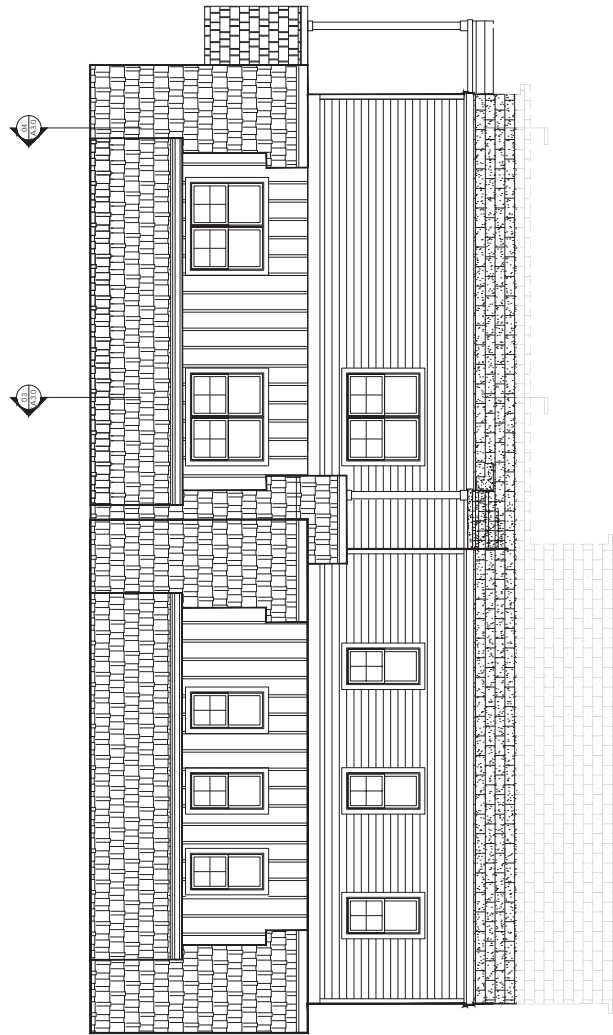
- WINDOW TYPES**
- ① SINGLE GLASS
  - ② DOUBLE GLASS
  - ③ TINTED GLASS
  - ④ LOW E
  - ⑤ TINTED & LOW E
  - ⑥ DOUBLE GLASS, TINTED & LOW E
  - ⑦ DOUBLE GLASS, TINTED & LOW E, ARGON
  - ⑧ DOUBLE GLASS, TINTED & LOW E, ARGON, INSULATED SHUTTERS
- GENERAL NOTES:**
- A. FINISHES TO BE SELECTED BY OWNER.
  - B. FINISHES TO BE SELECTED BY OWNER.

**ROOM FINISH SCHEDULE**

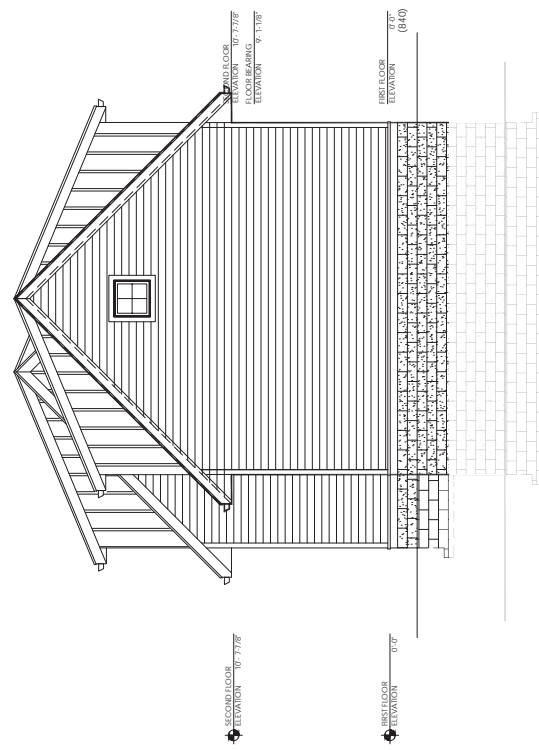
ROOM NO.	FLOOR	WALLS	CEILING	FLOORING	REMARKS
101	WOOD	PAINT	POP	TILE	
102	WOOD	PAINT	POP	TILE	
103	WOOD	PAINT	POP	TILE	
104	WOOD	PAINT	POP	TILE	
105	WOOD	PAINT	POP	TILE	
106	WOOD	PAINT	POP	TILE	
107	WOOD	PAINT	POP	TILE	
108	WOOD	PAINT	POP	TILE	
109	WOOD	PAINT	POP	TILE	
110	WOOD	PAINT	POP	TILE	

- GENERAL NOTES:**
- A. WALLS TO BE PAINTED OFF-PAINTED BOARD.
  - B. FINISHES TO BE SELECTED BY OWNER.
  - C. FINISHES TO BE SELECTED BY OWNER.
  - D. ALL FINISHES TO BE SELECTED BY OWNER.
  - E. FINISHES TO BE SELECTED BY OWNER.
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- GENERAL FLOOR PLAN NOTES:**
- A. FINISHES TO BE SELECTED BY OWNER.
  - B. FINISHES TO BE SELECTED BY OWNER.
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  - Y. FINISHES TO BE SELECTED BY OWNER.
  - Z. FINISHES TO BE SELECTED BY OWNER.
- FLOOR PLAN KEY NOTES:**
- ① INTERIOR WALL
  - ② EXTERIOR WALL
  - ③ FINISHES TO BE SELECTED BY OWNER
  - ④ FINISHES TO BE SELECTED BY OWNER
  - ⑤ FINISHES TO BE SELECTED BY OWNER
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EAST ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

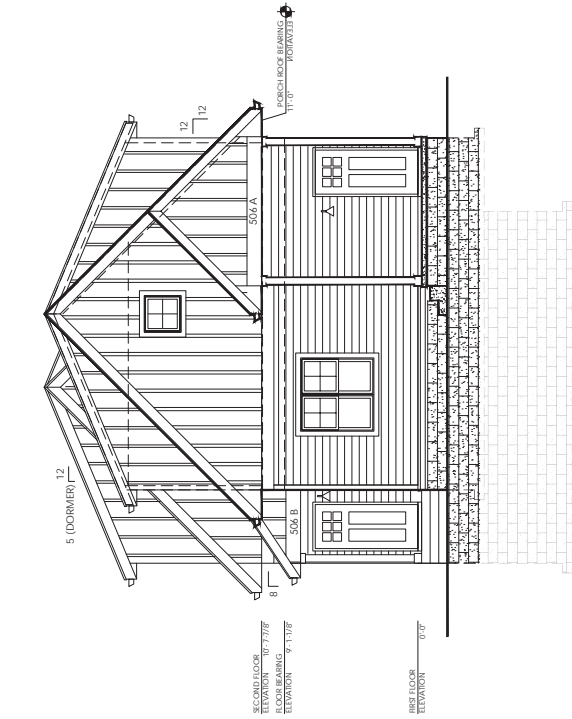
SECOND FLOOR  
ELEVATION - 10' 7 1/2"

FIRST FLOOR  
ELEVATION - 0' 0"

SECOND FLOOR  
ELEVATION - 10' 7 1/2"

FLOOR BEARING  
ELEVATION - 9' 7 1/8"

FIRST FLOOR  
ELEVATION - 0' 0" (840)



NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



WEST ELEVATION  
SCALE: 1/4" = 1'-0"



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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## 506 East Wylie Proposed Duplex Construction

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**Amy Stupka** <amyrunswithhorses@gmail.com>

Thu, May 9, 2024 at 3:52 PM

To: scanlanj@bloomington.in.gov, planning@bloomington.in.gov

Greetings Jackie and all,

My husband and I live north of the proposed construction site, and have some concerns related to the proposed 6 bedroom, 6 bathroom duplex construction. Our primary concern is for the safety of the neighborhood related to traffic and parking congestion on Wylie. Even now, with that lot currently vacant, cars frequently fill the narrow road creating a one-way street. Our neighbor accross Wylie frequently has difficulty backing out of his driveway, and it is difficult for pedestrians to see what is coming without stepping into the road. We are very concerned that the addition of 6 more cars to this small area of road will create an unsafe situation. Even though 4 parking spaces will be part of the plan, it seems clear that even the addition of a minimum of 2 more cars coming is a concern.

Another major concern is the existence of a magnificent sycamore tree that beautifies the intersection and neighborhood surroundings. Such trees exemplify the beauty of this special neighborhood as well as provide a nesting location for hawks and other wildlife adding to the character. We expressed our concerns to the contractor directly, and feel that he was very receptive to the concerns, but want to make sure that planners are also aware of them.

Is it possible to restrict street parking on Wylie to residents? These restrictions could help alleviate the current problem as well as help prevent worsening the situation with the addition of as many as 6 more drivers.

Thank you very much for your attention to these concerns.

Sincerely,

Amy Stupka  
814 South Henderson Street  
828-215-6098





Eric Greulich <greulice@bloomington.in.gov>

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## Fwd: 506 E. Wylie Duplex Proposal

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Jacqueline Scanlan <scanlanj@bloomington.in.gov>  
To: Eric Greulich <greulice@bloomington.in.gov>

Fri, May 3, 2024 at 3:16 PM

I'm sure you'll get this from the front, but fyi!

Jackie

----- Forwarded message -----

From: **ian woollen** <iwool@hotmail.com>

Date: Fri, May 3, 2024 at 2:47 PM

Subject: RE: 506 E. Wylie Duplex Proposal

To: [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov) <[planning@bloomington.in.gov](mailto:planning@bloomington.in.gov)>, [scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov) <[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)>, [isabel.piedmont@bloomington.in.gov](mailto:isabel.piedmont@bloomington.in.gov) <[isabel.piedmont@bloomington.in.gov](mailto:isabel.piedmont@bloomington.in.gov)>, [caylan.m.evans@gmail.com](mailto:caylan.m.evans@gmail.com) <[caylan.m.evans@gmail.com](mailto:caylan.m.evans@gmail.com)>

Hi - I was at the BPNA meeting last night and heard the presentation from architect/developer Caylan Evans for a new duplex at 506 E. Wylie.

I just want to register my concern that the arrangement of 6 beds with 6 baths seems obviously aimed at the student market, rather than a family tenant. Cutting the number of bathrooms from 3 down to 2 in each unit would allow for a larger master bedroom and be more likely to attract a family tenant.

Thanks for your time.

Regards,

Ian Woollen

1106 S. Washington

May 17, 2024

Dear Members of the Bloomington Zoning Appeals:

I am writing to ask you to reject the proposed infill project at 506 E. Wylie. The project is too big to maintain a consistency of style with the existing mid-century style houses on Wylie. It's a challenge to fit 6 bedrooms and 6 bathrooms in any house. Also, the proposed project does not meet design mandates of the UDO (see below).

The proposed, large, multi-gabled roof lines, vertical roof pitch and orientation of the building does not resemble the established style of the established houses on Wylie. The houses on Wylie, from Henderson to Lincoln, were built in the early 1950s and are exceptionally consistent and harmonious in the roof pitch, porch depth, front building setbacks, massing, shape, size, and design with the broad side of the house facing Wylie. In this letter I have included images of all the houses on the south side of Wylie.

At our last Bryan Park Neighborhood Association meeting, the developer was asked how he was going to address this design issue. He did say it was a problem but did not offer a solution. At the Elm Heights neighborhood meeting, the developer said he was going to revise the plans. Several neighbors requested a readable digital file because the document he brought was so small that many of the numbers were unreadable. At this date, we have not received any.

The Bryan Park houses are generally more affordable than most of the neighborhoods in Bloomington. We have seen an uptick of developers purchasing property in the neighborhood for the land itself. The developer said that the price range for the duplex was going to be approximately \$1,000 per bedroom.

One of the goals for infill projects in the Comprehensive Plan is to ensure all land development activity makes a positive and lasting community contribution. This project will not meet this goal.

Sincerely,  
Jan Sorby

### **From the UDO:**

**Pg. 89: Chapter 20.03, Use Regulations Design:** In the R1, R2, R3, and R4 zoning districts the following shall apply: Each unit in a newly constructed duplex dwelling shall have a separate exterior entrance facing a public or private street. The following design elements of the duplex dwelling shall be similar in general shape, size, and design with the majority of existing single-family or duplex structures on the same block face on which it is located: Roof pitch; Front porch width and depth; Front building setback; and Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area). No duplex dwelling structure shall contain more than six bedrooms total. Each individual dwelling unit shall have separate utility meters.

**Pg. 18: R3: Residential Small Lot Purpose:** The R3 district is intended to protect and enhance established residential neighborhoods by increasing the viability of owner-occupied and affordable dwelling units through small-lot subdivisions, accessory dwelling units, and property improvements compatible with surrounding development patterns. The conversion of existing housing stock to more intense land uses is discouraged.

### **From the Comprehensive Plan**

**Pg. 16: Housing & Neighborhoods Objective:** Overall this chapter supports the following Vision Statement principles: 11. Ensure all land development activity makes a positive and lasting community contribution.

**Pg. 60: Housing Trends and Issues:** Most core neighborhoods are stable but are trending towards a lower percentage of new single-family homes. With greater density in the city comes the challenge to preserve neighborhood character and the opportunity to strengthen neighborhoods by developing small commercial nodes as community gathering places. Existing core neighborhoods should not be the focus of the city's increasing density.

**Pg. 62:** Many neighborhoods in Bloomington were developed during a span from the late 1800s through the 1950s. These older homes are generally well built and have distinctive architectural features. They also often have smaller footprints compared to more modern homes. As seen in communities across the nation, this can lead to the phenomenon of people purchasing these homes purely for their desirable urban locations and tearing down the existing structure to make way for a brand-new home, which often features an excessively large footprint and a contemporary architectural style. Such homes may not fit into the period context of their surroundings and can negatively impact the fabric of the entire neighborhood. Unchecked, this practice can lead to the large-scale loss of a community's historic integrity and also the loss of affordable housing stock.

**All the Houses located on the South side of East Wylie,  
from Henderson to Lincoln**



430 E Wylie



424 E Wylie



414 E Wylie



412 E Wylie



408 E Wylie



400 E Wylie



318 E Wylie

The block faces of east Wylie from Henderson to Lincoln streets consist of split-level and small ranch style houses, built in the early 1950s.

The houses are exceptionally consistent in shape, size, and design with the broad side of the house facing the street. The roof pitches, porch depths and widths, front building setbacks, and massing are uniform and harmonious.

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**LOCATION: 1020 W. 6<sup>th</sup> Street**

**CASE#: CU/V-20-24**  
**DATE: July 25, 2024**

**PETITIONER:** R&NP Investments, LLC  
 PO Box 8  
 Smithville, IN 47458

**CONSULTANT:** Doug Bruce  
 1101 S. Walnut Street  
 Bloomington, IN 47401

**REQUEST:** The petitioner is requesting Conditional Use approval to allow a “Dwelling, duplex” use in the Residential Small Lot (R3) zoning district. Also requested are variances from front and side building setback requirements to allow a 2<sup>nd</sup> story addition.

**REPORT:** This 6,892 square foot (0.158 acre) property is located at 1020 W. 6<sup>th</sup> Street and is zoned Residential Small Lot (R3). Surrounding properties are all zoned Residential Small Lot (R3) and have been developed with single family residences. The property has been developed with a single-story residence as a “Dwelling, duplex”. There are no known sensitive environmental features on the site. There are 12’ wide platted alleys that run along the north and east property lines. The site is located in the Near West Side Historic District and a Certificate of Appropriateness was approved for the proposed addition under COA-24-14.

The petitioner is proposing to construct a second-story addition on the building to increase the number of bedrooms within the building and add additional living space. The new residence will be two-stories with three bedrooms in each unit. The existing siding, windows, and doors along the exterior of the existing building will be removed for the proposed work. The south wall of the building will be removed to allow the construction of a recessed porch. The building would face 6<sup>th</sup> Street with each unit having an entrance facing 6<sup>th</sup> Street. A sidewalk connection has been shown connecting the front of the residence to the existing sidewalk along 6<sup>th</sup> Street. There is an existing parking area on the east side of the site adjacent to the alley that must be modified to be no more than 20’ wide and 20’ deep to provide a parking area for two parking spaces.

This petition was presented to the Near West Side Neighborhood Association as well as to the Design Review Committee for the Neighborhood as part of the review for the Certificate of Appropriateness. The building has been designed to meet all of the requirements of the Historic District and a Certificate of Appropriateness has been approved.

The existing building is 9.1’ from the east property and the side yard setback for a two-story structure is 10’. A variance from the side yard building setback requirement is therefore required for the proposed second-story since it will be placed even with the existing wall of the building and not meet the required 10’ setback. The front yard setback requirement is 15’ from the front property line or the median front setback of abutting residential structures, whichever is less. The two adjacent structures are closer than the 15’ setback and therefore define the setback requirement. The existing building is setback slightly further from the street than the two adjacent

structures, however the petitioner is proposing to add a new covered porch that would extend 7' from the structure. Since both adjacent structures are closer than 15', the median setback would apply and any addition would have to match the existing adjacent structures. The proposed front porch of the structure will be 3' closer to the street than the adjacent structures and therefore requires a variance. The porch will be approximately 5' from the front property line.

The petitioner is also requesting conditional use approval to allow the establishment of a "Duplex, dwelling" use on the property. Also requested is a variance from the required 10' side yard building setback to allow a 9.1' setback and a variance from the front yard setback to allow a 3' encroachment.

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## CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT

**20.06.040(d)(6)(B) General Compliance Criteria:** All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. *Compliance with this UDO*
- ii. *Compliance with Other Applicable Regulations*
- iii. *Compliance with Utility, Service, and Improvement Standards*
- iv. *Compliance with Prior Approvals*

**PROPOSED FINDING:** There are use-specific standards that apply to the use "dwelling, duplex" within the R3 zoning district and this petition meets those standards. The property owner does not have any notices of violation on file. Each unit has its own separate exterior entrance and the design of the building incorporates many elements similar to surrounding residences on this block face including- pitched roof, covered porch, and building setback. Although the petitioner is requesting a variance from the front building setback, the requested variance to allow a 3' encroachment into the front setback is to allow the addition of a covered front porch to match several surrounding residences and is appropriate. The structure will contain no more than six bedrooms. Each unit will have its own separate utility meters. The petitioner did attend the Near West Side Neighborhood Association meeting and presented this petition as required. There are no other known applicable regulations for this petition. There are water and sewer connections available in 6<sup>th</sup> Street and the existing building is already connected to those services. There are no known prior approvals for this site.

## 20.06.040(d)(6)(C) ADDITIONAL CRITERIA APPLICABLE TO CONDITIONAL USES

- i. ***Consistency with Comprehensive Plan and Other Applicable Plans***  
*The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other applicable adopted plans and policies.*

**PROPOSED FINDING:** This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as the "Mixed Urban Residential" land use category. The Comprehensive Plan states that the Mixed Urban Residential land use category is largely in older neighborhoods and that redevelopment should be compatible with surroundings. Policy 5.3.1 encourages opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and

underutilized housing types such as accessory dwelling units and duplexes. This location is also well served by existing services and utilities. The proposal also accomplishes many of the design goals of the Comprehensive Plan in relation to compatibility with adjacent structures and has a clear relationship with the adjacent public street through the sidewalk connection from the residence to the sidewalk on the street. The proposal is in line with the Comprehensive Plan.

**ii. *Provides Adequate Public Services and Facilities***

*Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.*

**PROPOSED FINDING:** The site has existing utility connection and no issues have been identified with the proposed connections.

**iii. *Minimizes or Mitigates Adverse Impacts***

1. *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
2. *The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
3. *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*
4. *The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.*

**PROPOSED FINDING:** There are no regulated natural or scenic features that will be impacted. The building is not located within a historic district. No significant adverse impacts are expected from the creation of the proposed duplex. No changes to trash and waste collection service are expected. No concerns from adjoining property owners were expressed at the Neighborhood Meeting.

**iv. *Rational Phasing Plan***

*If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.*

**PROPOSED FINDING:** No phasing is proposed with this plan.

### **20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:**

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

#### **Side yard building setback:**

**PROPOSED FINDING:** The granting of the variance to allow the reduced side yard setback will not be injurious to the public health, safety, morals, or general welfare of the community. The portion of the proposed addition that does not meet the required setback is adjacent to a platted alley, which reduces the impact of the building's presence within the required setback and provides the desired open space between structures on adjacent properties.

#### **Front yard building setback:**

**PROPOSED FINDING:** The granting of the variance to allow the reduced front yard setback will not be injurious to the public health, safety, morals, or general welfare of the community. The reduction to allow a 3' encroachment will still provide a 5' setback from the right-of-way line and there will be 17' from the structure to the sidewalk. The granting of the variance to allow the addition to be 3' closer to the street than the adjacent structures will not be visually noticeable. The portion of the structure that will encroach into the setback is a one-story, open-sided porch and therefore will have little visual impact.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

#### **Side yard building setback:**

**PROPOSED FINDING:** No adverse impacts to the use and value of surrounding properties as a result of the requested variance to allow the proposed addition are found. The presence of the alley along the side of the property line that would not meet the 2<sup>nd</sup> story setback mitigates the impact from the slight reduction.

#### **Front yard building setback:**

**PROPOSED FINDING:** No adverse impacts to the use and value of surrounding properties as a result of the requested variance to allow the proposed addition are found. As mentioned, the front building will still have 17' to the sidewalk and will not be visually impactful. In addition, the portion of the building that encroaches into the setback is a one-story, open-sided porch and therefore has little massing impact.



- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**Side yard building setback:**

**PROPOSED FINDING:** The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as it would require the building to be completely removed in order to meet setback requirements in order to allow a second story addition as there is not a practical manner to only remove a portion of the building to meet the required setbacks. The property is peculiar in that there are platted alleys along both the east and north sides of the site that provide the light and open space that would be achieved with the required setbacks. The granting of the variance to allow the addition would allow for redevelopment on this property with an addition that is found to be compatible with adjacent structures.

**Front yard building setback:**

**PROPOSED FINDING:** The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as it would require the building to be completely removed in order to meet setback requirements in order to allow the addition as there is not a practical manner to only remove a portion of the building to meet the required setbacks and incorporate the architectural features desired by the Neighborhood Association and Historic Preservation Commission in regards to the incorporation of a front porch. The property is peculiar in that there is an existing building on the site that presents difficulty in constructing an addition to and meet the required setbacks. The granting of the variance to allow the addition will allow for the existing building to be modified to be compliant with existing historical guidelines for the neighborhood and improve the building design to be compatible with the neighborhood.

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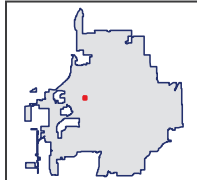
**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU/V-20-24 with the following conditions:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. The 3 walls shown to be preserved must be maintained during construction.
3. Existing parking area must be brought into compliance with the UDO and be no more than 20' wide and 20' deep.



**Map Legend**

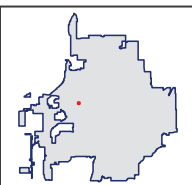
- Addresses
- Parcels
- Buildings
- Bloomington Municipal Boundary





Map Legend

- Addresses
- Parcels
- Buildings
- Bloomington Municipal Boundary





## **Bloomington Board of Zoning Appeals**

### **Petitioner's Statement for 1020 West 6<sup>th</sup> Street**

#### **Overview-Existing site**

The site as it exists is a small, 1,128 square foot, single story ranch duplex that is listed as non-contributing within the Near Westside Historic District. It shows that it was constructed back in 1971. The existing site is opposite to everything we like to see in a historic neighborhood. As a matter of fact, the NWS design subcommittee said that they have had their eyes on this structure for some time. The property itself is a smaller lot of .16 acres, less than the typical .2 acre lot.

#### **Issues with the existing structure**

The existing duplex has no doors or windows facing 6<sup>th</sup> Street. The entry is gained through the east side deck that faces an unimproved alley. No connection to the existing street sidewalk or it's neighbors. The front façade is only 8 feet from the south or 6<sup>th</sup> street property line. This leaves very little room to address the street facing façade without a need for a variance to meet the neighborhood guidelines and renovate the existing structure. Because the existing foundation and first floor structure will remain, but the reuse of the foundation and first floor walls requires the client to seek the needed setbacks as the existing house sits at a bit of an angle to the property lines.

#### **Changes proposed Explained**

The proposed design will add a second story to the structure, still keeping it as a duplex, but will completely change the character of the structure. The vinyl siding will be replaced with cement board siding, new windows and a steeper roof will be provided. The proposed changes will meet all of the items as required in the NWS guidelines. The neighborhood design committee as well as the Bloomington Historic Preservation Commission have endorsed the proposed changes-the largest being the need for a street façade with a porch

and entry with a sidewalk connecting to the street.

Because the unique nature of this existing structure that was built decades ago with no porch or street façade, and the closeness of the existing south wall to the property line and Northeast sideyard that exists too close to that property line, it leaves little room for changes to this blank front wall. It is for this reason we are seeking a variance from the requirements for the front yard and sideyard setbacks. Although we are an existing duplex in an R3 zone, and the number of units will not change, we are also required to ask for a conditional use to allow for a duplex in the R3 zoning district.

We thank you for considering our request.



---

Doug Bruce NCARB-LEED AP  
TABOR/BRUCE ARCHITECTURE & DESIGN, Inc.  
1101 S Walnut Street  
Bloomington, IN 47401  
(812) 332-6258



A RENOVATION TO AN EXISTING DUPLEX FOR:

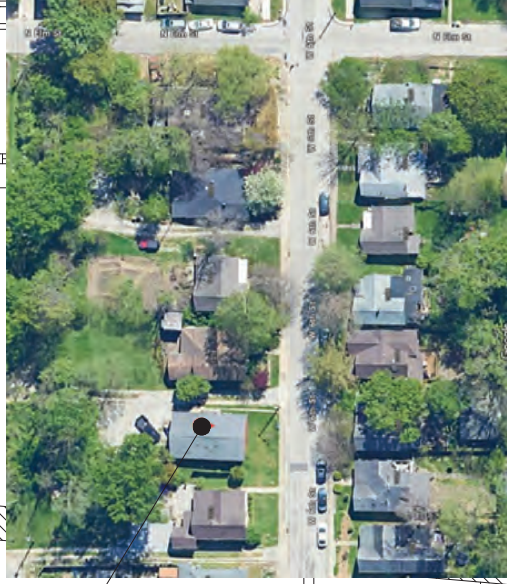
# R & NP LLC

1020 W 6TH ST.  
BLOOMINGTON, INDIANA 47404

### DRAWING INDEX

- GENERAL
  - GC001 GENERAL PLAN INFORMATION
  - GC002 GENERAL PLAN INFORMATION
  - GC003 GENERAL PLAN INFORMATION
- CIVIL
  - AS100 EXISTING ARCHITECTURAL SITE PLAN
  - AS101 PROPOSED ARCHITECTURAL SITE PLAN
- Structural
  - SF122 PROPOSED ROOF FRAMING PLAN
- ARCHITECTURAL
  - AD101 MAIN LEVEL DEMO PLANS
  - AD201 EXISTING ELEVATIONS
  - AD202 PROPOSED FLOOR PLANS
  - AE101 EXISTING FLOOR PLANS
  - AE121 PROPOSED ROOF PLAN
  - AE122 PROPOSED ROOF PLAN
  - AE123 PROPOSED ELEVATIONS
  - AE201 TYPICAL ARCHITECTURAL DETAILS
  - AE502 TYPICAL ARCHITECTURAL DETAILS
  - AE511 TYPICAL SIDING DETAILS

PROJECT LOCATION



APRIL 2024

CONSTRUCTION DOCUMENTS

### CODE SUMMARY :

2020 NUNA RESIDENTIAL CODE

BUILDING REQUIREMENTS  
 Permit Number: 25-06-20-000-0000-0000  
 Total Number of Permits: 1  
 Permit Number of Renovation: 25-06-20-000-0000-0000  
 Permit Number of Addition: 25-06-20-000-0000-0000  
 Permit Number of Demolition: 25-06-20-000-0000-0000

Part Floor Square Footage: 1,117  
 Total Project Area Square Footage: 4,227

Foundation: Type: CONCRETE  
 Water Table: Type: 2000  
 Electric Service: \_\_\_\_\_ Size: \_\_\_\_\_

Floor Joist System: 2x10 @ 20" O.C. Spacing @ R.C. S.O.C.

THIS PROJECT CONSISTS OF A RENOVATION TO AN EXISTING RESIDENCE.

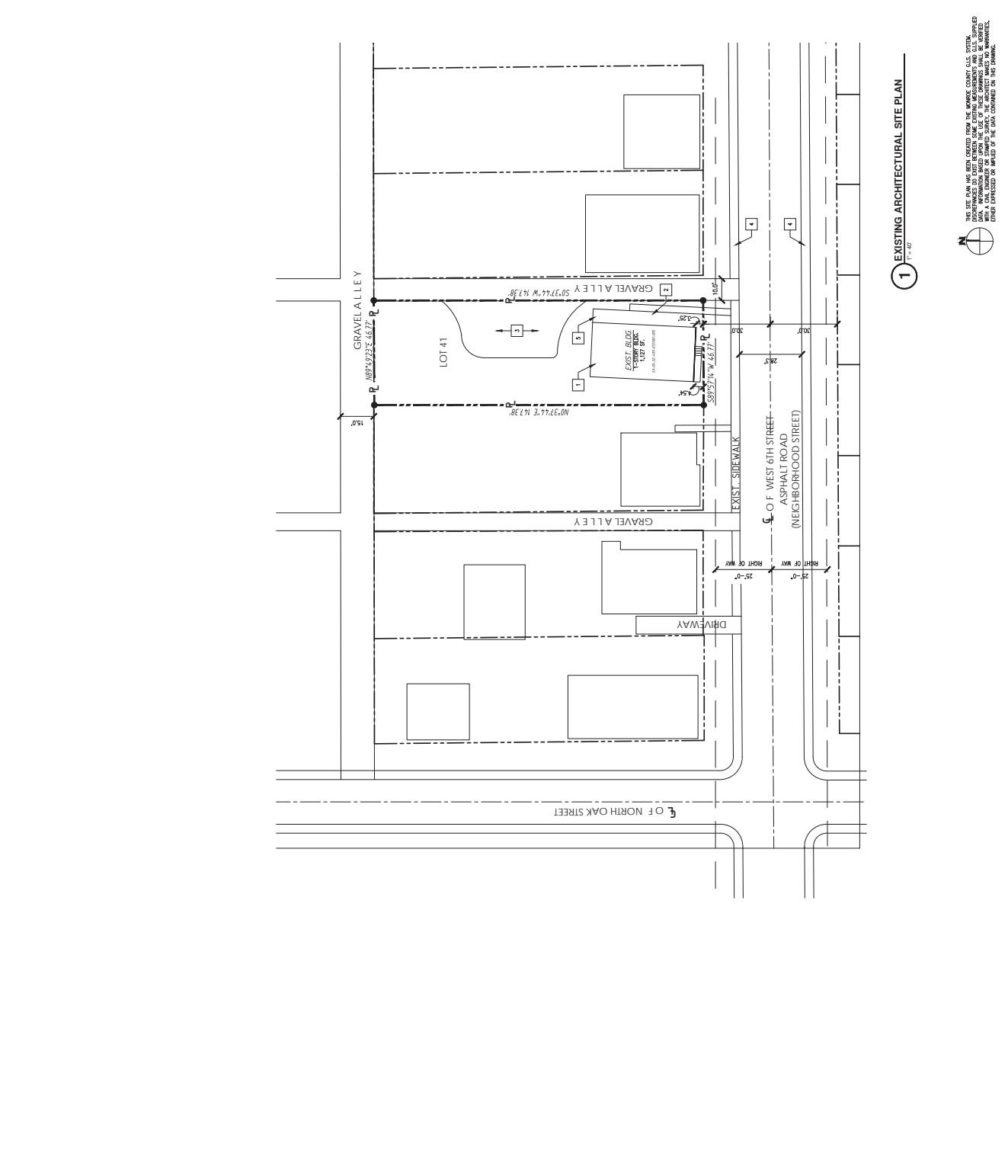
**TABOR ARCHITECTURE & DESIGN INC.**  
 ARCHITECTS

1101 S. WALNUT STREET - BLOOMINGTON, IN 47403  
 TELEPHONE: (812) 322-6258 FAX: (812) 322-6258  
 WWW.TABORARCHITECT.COM

**R & NP LLC**  
 A NEW INVESTMENT FOR

Indiana 811

THIS PLAN AND SPECIFICATIONS ARE SUBJECT TO CURRENT PROVISIONS IN INTERNATIONAL MECHANICAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES, AND TO ALL CITY ORDINANCES, LOCAL ORDINANCES, AND ALL APPLICABLE REGULATIONS AND ALL SUPPLEMENTARY SPECIFICATIONS TO THE INTERNATIONAL MECHANICAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA.



**TABOR BRUCE ARCHITECTURE & DESIGN INC.**  
 1701 S. WALNUT STREET - BLOOMINGTON, IN 47401  
 TELEPHONE: (812) 222-6254 WEB: WWW.TABORBRUCE.COM

**R & NP LLC**  
 1020 W 6TH ST  
 BLOOMINGTON, INDIANA 47401

A HOME RENOVATION FOR:

REVISIONS

NO.	DATE	DESCRIPTION

SITE PLAN DEMOLITION KEYNOTES:

1	EXISTING 1-STORY HOME TO BE DEMOLISHED
2	EXISTING CONCRETE PORCH TO BE REMOVED
3	EXISTING DRIVEWAY PAVING TO REMAIN
4	EXISTING SIDEWALK TO REMAIN
5	EXISTING CONCRETE SLAB TO REMAIN

UTILITY NOTES:

- ALL EXISTING UTILITIES SHALL BE MAINTAINED TO THE DEEPEST FEASIBLE LOCATION THAT WILL ALLOW MINIMUM CLEARANCE WITHOUT A SPECIAL PERMIT. ALL UTILITIES SHALL BE MAINTAINED TO THE DEEPEST FEASIBLE LOCATION THAT WILL ALLOW MINIMUM CLEARANCE WITHOUT A SPECIAL PERMIT. ALL UTILITIES SHALL BE MAINTAINED TO THE DEEPEST FEASIBLE LOCATION THAT WILL ALLOW MINIMUM CLEARANCE WITHOUT A SPECIAL PERMIT.
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- WHEREVER A NEW PIPE TO AN EXISTING MAIN IS REQUIRED, THE MAIN SHALL BE REPAIRED TO THE DEEPEST FEASIBLE LOCATION THAT WILL ALLOW MINIMUM CLEARANCE WITHOUT A SPECIAL PERMIT. ALL UTILITIES SHALL BE MAINTAINED TO THE DEEPEST FEASIBLE LOCATION THAT WILL ALLOW MINIMUM CLEARANCE WITHOUT A SPECIAL PERMIT.
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SITE LAYOUT NOTES:

- ALL DIMENSIONS SHOWN ARE IN FEET.
- ALL DIMENSIONS ARE TO THE OUTSIDE FACE OF FINISH (FINISH).
- DEMOLITION TO BE CONNECTED TO AN UNDERGROUND STORM WATER SYSTEM OR DRAIN TO DRAINAGE IF ALLOWED.

GENERAL SITE NOTES:

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA.
- CONTRACTOR SHALL VERIFY LOC. & DEPT. ELEVATIONS OF EXIST. SERVICES PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL INCLUDE IN THEIR BID PROPOSAL COSTS FOR CUTTING & PATCHING AS NECESSARY TO COMPLETELY INSTALL THE WORK INDICATED.
- CONTRACTOR SHALL COMBINE EXIST. UTILITY LOCATIONS W/ THE OWNER'S LOCAL UTILITY RECORDS PRIOR TO CONSTRUCTION OF ANY WORK.
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**EXISTING ARCHITECTURAL SITE PLAN**

SHEET NO. 01

DATE: NOVEMBER 17, 2023

PROJECT NO. 0022

OWNER: S. HARTWIGS

DESIGNER: T. BRUCE

**AS100**

THIS SITE PLAN HAS BEEN PREPARED FROM THE LATEST AVAILABLE RECORDS, FIELD SURVEY, AND ALL APPLICABLE REGULATIONS AND ALL SUPPLEMENTARY SPECIFICATIONS TO THE INTERNATIONAL MECHANICAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BLOOMINGTON, INDIANA.



THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF T&B ARCHITECTURE & DESIGN INC. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T&B ARCHITECTURE & DESIGN INC. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF ANY INFORMATION PROVIDED HEREON. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF ANY INFORMATION PROVIDED HEREON. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF ANY INFORMATION PROVIDED HEREON. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF ANY INFORMATION PROVIDED HEREON.



1 PROPOSED ARCHITECTURAL SITE PLAN  
17-007

THIS PLAN HAS BEEN REVIEWED BY THE ENGINEER AND ALL NECESSARY RECORDS AND ALL SHIPPED RECORDS TO THE CITY OF BLOOMINGTON. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF ANY INFORMATION PROVIDED HEREON.

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**SITE PLAN DEMOLITION KEYNOTES:**

- 1 PROPOSED RESIDENCE W/ SECOND STORY ADDITION
- 2 PROPOSED DRIVEY PORCH
- 3 EXISTING GRAVEL PARKING TO REMAIN
- 4 EXISTING SIDEWALK TO REMAIN
- 5 EXISTING CONCRETE CURB TO REMAIN
- 6 PROPOSED CONC. WALKWAY
- 7 PROPOSED WOOD STAIRS WITH APPROVAL PUBLIC WORKS

**UTILITY NOTES:**

1. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED. THE DEPTH OF UTILITIES SHALL BE AS SHOWN ON THE PLAN. ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED. THE DEPTH OF UTILITIES SHALL BE AS SHOWN ON THE PLAN. ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED. THE DEPTH OF UTILITIES SHALL BE AS SHOWN ON THE PLAN.
2. ALL EXISTING SANITARY MAINS SHALL BE CUT AND RELETED IN PLACE BY THE CITY OF BLOOMINGTON. THE CITY OF BLOOMINGTON WILL PROVIDE ALL NECESSARY EXCAVATION, SHIELDING, AND RELETION. THE CITY OF BLOOMINGTON WILL PROVIDE ALL NECESSARY EXCAVATION, SHIELDING, AND RELETION.
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4. WHEN CONNECTING A NEW PIPE TO AN EXISTING MAIN, THE MAIN SHALL BE CUT AND RELETED IN PLACE BY THE CITY OF BLOOMINGTON. THE CITY OF BLOOMINGTON WILL PROVIDE ALL NECESSARY EXCAVATION, SHIELDING, AND RELETION. THE CITY OF BLOOMINGTON WILL PROVIDE ALL NECESSARY EXCAVATION, SHIELDING, AND RELETION.
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**REVISIONS**

NO.	DATE	DESCRIPTION

A HOME RENOVATION FOR:  
**R & NP LLC**  
1020 W 6TH ST.  
BLOOMINGTON, INDIANA 47401

PROJECT NO. 0022  
DATE NOVEMBER 17, 2023  
OWNER R & NP LLC  
CHECKED BY D. BRADY  
SHEET NAME  
SHEET NO.

**PROPOSED ARCHITECTURAL SITE PLAN**

**AST001**

T&B ARCHITECTURE & DESIGN INC.  
1701 S. WASHINGTON STREET - BLOOMINGTON, IN 47401  
TELEPHONE: (317) 323-4276 FAX: (317) 323-4276 WWW.T&BARCHITECTURE.COM

**GENERAL SITE NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE RESPECTIVE CITY, COUNTY, & STATE AGENCIES.
2. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
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**SITELAYOUT NOTES:**

1. ALL DIMENSIONS SHOWN ARE IN FEET.
2. ALL DIMENSIONS SHOWN ARE TO THE OUTSIDE FACE OF FINISH (F.A.C.).
3. DIMENSIONS NOTED TO CONNECT TO AN UNDERGROUND SYSTEM WATER SYSTEM OR DRAIN TO DWAPLET IF APPLICABLE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE RESPECTIVE CITY, COUNTY, & STATE AGENCIES.
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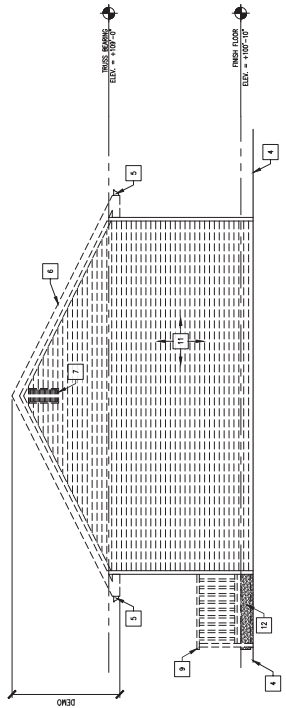


REVISIONS

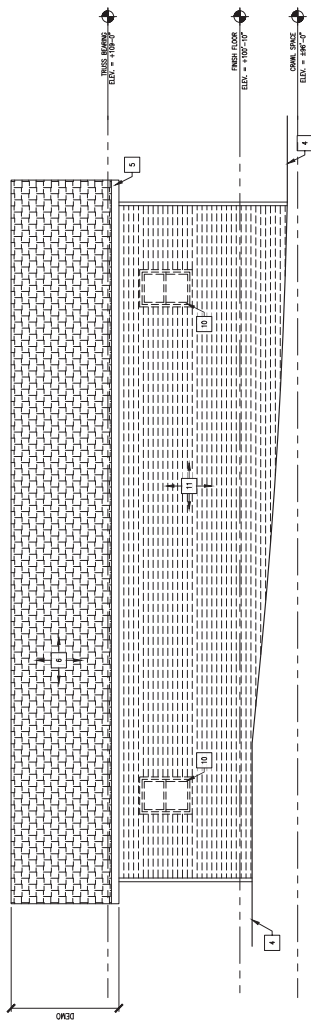

PROJECT NO.	0022
DATE	NOVEMBER 17, 2023
DRAWN BY	S. MATHIAS
CHECKED BY	D. BRUCE
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	

ELEVATION KEYNOTES:

- 1 EXISTING BRICK TO REMAIN.
- 2 EXISTING DOOR TO REMAIN.
- 3 CONCRETE LOOSE TO REMAIN.
- 4 EXISTING GRACE.
- 5 EXISTING GUTTER TO BE REMOVED.
- 6 EXISTING ROOF TO BE REMOVED.
- 7 EXISTING ROOF VENTS TO BE REMOVED.
- 8 EXISTING BRICK TO BE REMOVED.
- 9 EXISTING RAILING TO BE REMOVED.
- 10 EXISTING WINDOW TO BE REMOVED.
- 11 EXISTING SIDING TO BE REMOVED.
- 12 EXISTING CONCRETE TO BE REMOVED.



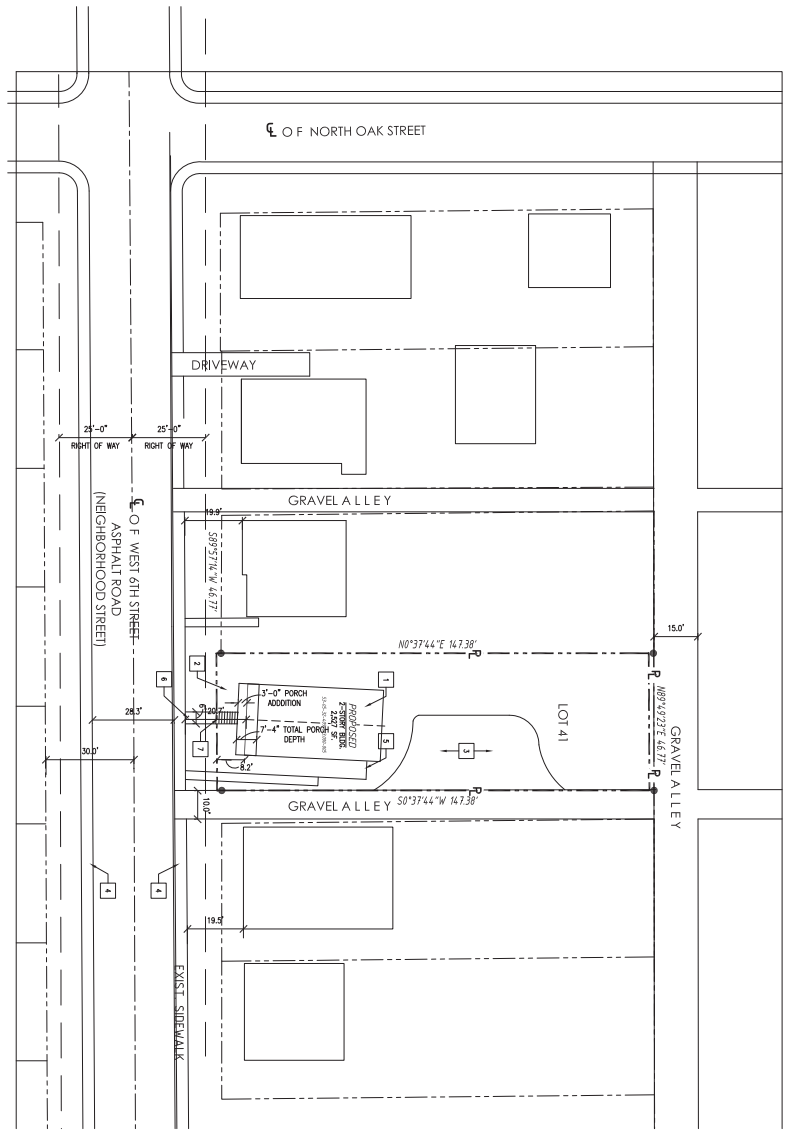
2 EXISTING NORTH EXTERIOR ELEVATION  
1/8" = 1'-0"



1 EXISTING WEST EXTERIOR ELEVATION  
1/8" = 1'-0"

THESE PLANS ARE PREPARED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS "ARCHITECTURAL WORKS" UNDER THE COPYRIGHT ACT OF 1976. ALL RIGHTS ARE RESERVED BY T&D ARCHITECTURE & DESIGN INC. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T&D ARCHITECTURE & DESIGN INC. THESE PLANS ARE PREPARED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS "ARCHITECTURAL WORKS" UNDER THE COPYRIGHT ACT OF 1976. ALL RIGHTS ARE RESERVED BY T&D ARCHITECTURE & DESIGN INC. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T&D ARCHITECTURE & DESIGN INC.





**1** PROPOSED ARCHITECTURAL SITE PLAN

THE DATE AND TIME OF ANY EXISTING RECORDS FROM THE PUBLIC RECORDS OF THE COUNTY OF BLOOMINGTON, INDIANA, HAS BEEN REVIEWED AND FOUND TO BE CORRECT AND COMPLETE. THE ARCHITECT MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

- SITE PLAN DEVOLUTIONS/REVIEWS:**
- 1. PROPOSED RESIDENCE W/ SECOND STORY ADDITION
  - 2. PROPOSED DRIVE PORCH
  - 3. EXISTING DRIVEWAY TO REMAIN
  - 4. EXISTING SIDEWALK TO REMAIN
  - 5. EXISTING CONCRETE SLAB TO REMAIN
  - 6. PROPOSED CONC. MAINWAY
  - 7. PROPOSED WOOD SHED WITH APPLICABLE FINISH FLOORING

- UTILITY NOTES:**
1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CLIENT SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
  2. ALL UTILITIES SHALL BE DEEPER THAN THE PROPOSED FOUNDATION.
  3. ALL UTILITIES SHALL BE DEEPER THAN THE PROPOSED DRIVEWAY.
  4. ALL UTILITIES SHALL BE DEEPER THAN THE PROPOSED SIDEWALK.
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- GENERAL SITE NOTES:**
1. THE PROPOSED SITE SHALL BE CONSIDERED AS A SINGLE UNIT FOR THE PURPOSES OF THE ZONING ORDINANCES OF THE CITY OF BLOOMINGTON, INDIANA.
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  10. THE PROPOSED SITE SHALL BE CONSIDERED AS A SINGLE UNIT FOR THE PURPOSES OF THE ZONING ORDINANCES OF THE CITY OF BLOOMINGTON, INDIANA.

- SITE LAYOUT NOTES:**
1. ALL DIMENSIONS SHOWN ARE IN FEET.
  2. ALL DIMENSIONS SHOWN ARE IN FEET.
  3. ALL DIMENSIONS SHOWN ARE IN FEET.
  4. ALL DIMENSIONS SHOWN ARE IN FEET.
  5. ALL DIMENSIONS SHOWN ARE IN FEET.
  6. ALL DIMENSIONS SHOWN ARE IN FEET.
  7. ALL DIMENSIONS SHOWN ARE IN FEET.
  8. ALL DIMENSIONS SHOWN ARE IN FEET.
  9. ALL DIMENSIONS SHOWN ARE IN FEET.
  10. ALL DIMENSIONS SHOWN ARE IN FEET.

**TABOR BRUCE**  
ARCHITECTURE & DESIGN INC.  
1101 S. WALNUT STREET • BLOOMINGTON, IN. 47401  
TELEPHONE: (812) 332-6298 WEB: WWW.TABORBRUCE.COM

A HOME RENOVATION FOR:  
**R & NP LLC**  
1020 W 6TH ST.  
BLOOMINGTON, INDIANA 47401

PROPOSED ARCHITECTURAL SITE PLAN  
AS101

REVISIONS

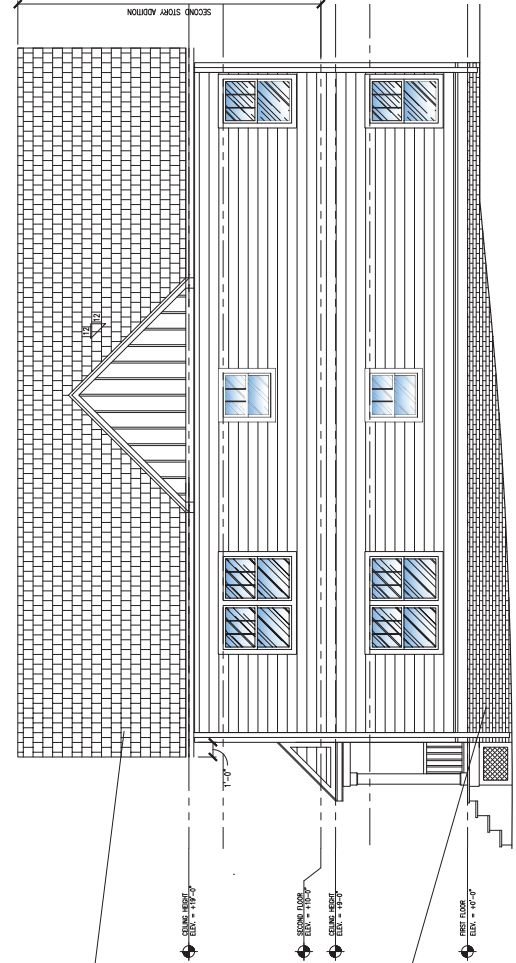
A NEW RENOVATION AND ADDITION FOR:  
**TIM DECKARD**  
 XX STREET  
 BLOOMINGTON, INDIANA

PROJECT NO.	1423
DATE	10/20/16
DRAWN BY	R. SCHAB
CHECKED BY	D. BRUCE
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	

**AE201**

**ELEVATION KEYNOTES:**

- EXISTING BRICK TO REMAIN.
- EXISTING DOOR TO REMAIN.
- EXISTING CONCRETE WALL CAP TO REMAIN.
- EXISTING PORCH.
- NEW DOOR TO BE INSTALLED.
- NEW 6" VINYL CORNING INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM SUPREME ESTATE GRAY 3-TAB ROOF SHINGLE.
- 22.5" SLOPE APPROXIMATE SHALL BE MAINTAINED OVER ENTIRE ROOF. FLASHING SHALL BE INSTALLED PER M.P.'S. INSTRUCTIONS.
- STANDARD COLOR PALETTE BY OWNER.
- NEW ALUMINUM CORNERPOST, INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW ALUMINUM DOWNSPOUT, INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW VENT. INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW ALUMINUM CORNERPOST, INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW ALUMINUM DOWNSPOUT, INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW VENT. INSTALL & FLASH PER M.P.'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.

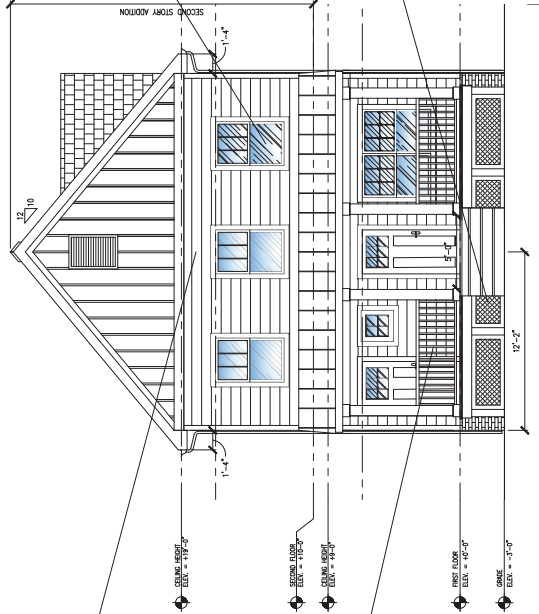


OWENS CORNING  
SUPREME ESTATE  
GRAY 3-TAB  
ROOF SHINGLE



EXISTING BRICK

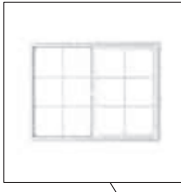
**1** PROPOSED EAST EXTERIOR ELEVATION  
1/8" = 1'-0"



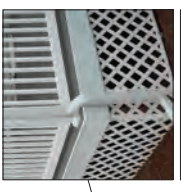
JAMES HARDIE  
FIBER CEMENT  
SMOOTH SIDING



WHITE VINYL  
PORCH AS SP 36"  
COMP. RAIL KIT



PELLA WINDOW  
150 SERIES  
VINYL WHITE



WHITE PAINTED  
UNDER PORCH  
TRELLIS

**1** PROPOSED SOUTH EXTERIOR ELEVATION  
1/8" = 1'-0"

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REVISIONS

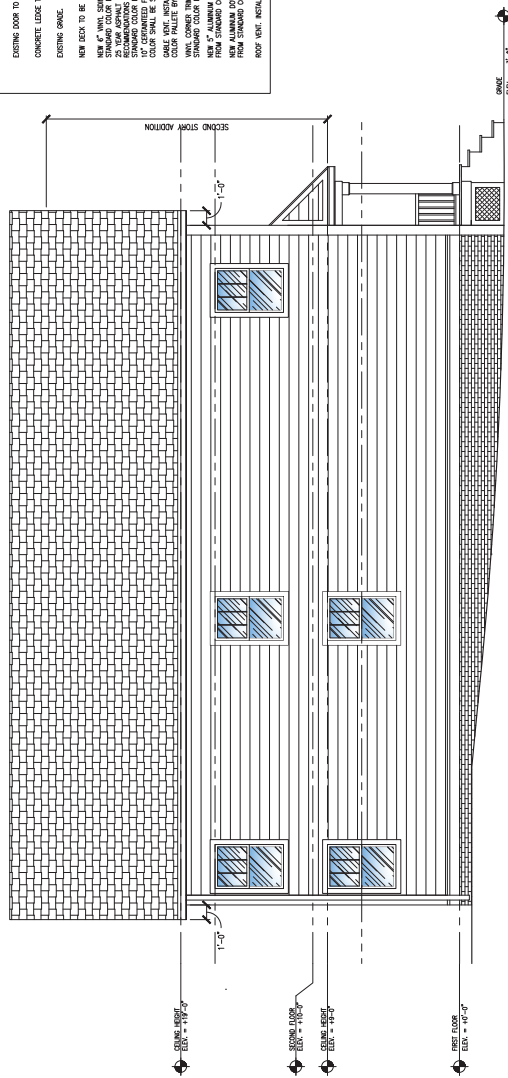

A NEW RENOVATION AND ADDITION FOR:  
**TIM DECKARD**  
 XX STREET  
 BLOOMINGTON, INDIANA

PROJECT NO.	1423
DATE	MARCH 16, 2023
DRAWN BY	R. SCHMIDT
CHECKED BY	D. BRADICE
SHEET NAME	EXTERIOR ELEVATIONS
SHEET NO.	

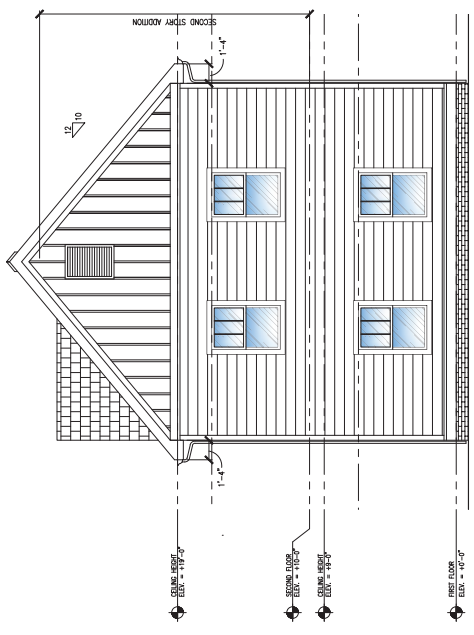
**AE202**

ELEVATION KEYNOTES:

- EXISTING BRICK TO REMAIN.
- EXISTING DOOR TO REMAIN.
- CONCRETE LEADS TO REMAIN.
- EXISTING GABLE.
- NEW DOCK TO BE INSTALLED.
- NEW 6" VINYL SIDING, INSTALL & FLASH PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW 20 GA. ASPHALT SHINGLE ROOF SYSTEM OVER ONE LAYER OF 30# ASPHALT FELT & 1/2" OSB PER MFG. INSTRUCTIONS. INSTALL & FLASH PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW 2" X 4" STUDS TO BE INSTALLED PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW 1/2" X 4" SIDING TO BE INSTALLED PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW 1/2" X 4" SIDING TO BE INSTALLED PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- NEW ALUMINUM CORNERPOST, INSTALL & FLASH PER MFG'S. INSTRUCTIONS. COLOR SHALL BE SELECTED FROM STANDARD COLOR PALETTE BY OWNER.
- ROOF VENT, INSTALL & FLASH PER MFG'S.



**2** PROPOSED WEST EXTERIOR ELEVATION  
1/4" = 1'-0"



**1** PROPOSED NORTH EXTERIOR ELEVATION  
1/4" = 1'-0"

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**BLOOMINGTON BOARD OF ZONING APPEALS  
STAFF REPORT**

**CASE #: V-22-24/VAR-2024-05-0035**

**DATE: July 25, 2024**

**Location:** 2401 N Walnut St (parcel #53-05-28-200-040.000-005)

---

**APPLICANT:** Sam Heale  
405 N Rogers St

**OWNER:** American Storage LLC  
PO Box 40 Bloomington, IN 47402

**CONSULTANT:** Matt Ellenwood, AIA (Matte Black Architecture)  
2021 E Wexley Rd, Bloomington, IN 47401

---

**REQUEST:** Development standards variance from side building setbacks along the north property line; a development standards variance from pedestrian facility standards along N Old State Rd 37; and a determinate sidewalk variance for 140 feet of N Walnut St, to allow a new self-service storage building in the Mixed-Use Corridor (MC) zoning district.

---

**REPORT:**

This property is located at 2401 N Walnut St and consists of two parcels totaling 4.46 acres. The property is zoned Mixed-Use Corridor (MC). Surrounding zoning districts are Mixed-Use Corridor (MC) to the north, Residential Medium Lot (R2) to the east, and Parks and Open Space (PO) to the south and west. Surrounding land uses include commercial to the north, detached single-family residential use to the east, commercial to the south, and park to the west. The future land use designation for this property is Urban Corridor.

The petitioner is proposing to construct a new 6,050 square foot storage and office building and parking lot along the front property line on N Walnut St. The new structure and parking lot would replace the existing 3,000 square foot front office building and a surface parking lot along N Walnut. Title 20 of the Bloomington Municipal code requires that a site be brought into full compliance with Title 20 with any petition for the demolition of existing and construction of new buildings.

In the process of bringing this site into full compliance, the petitioner would like to request three variances:

**Variance 1: variance from side setbacks for the existing buildings along the north property line.** Full compliance requires that a site meet all setback standards; however, existing buildings on the site encroach into the side property line at the northern edge of the lot. The petitioner requests a variance from side setbacks for these existing buildings so that the existing buildings may remain in place.

**Variance 2: variance from pedestrian facility standards along N Old State Rd 37.** Full compliance requires the installation of pedestrian facilities, including all trails and connector paths, as indicated in the Transportation Plan, on all street frontages. This property has street frontage along



N Old State Rd 37, so the installation of a sidewalk along this road is required by code. The petitioner is requesting a variance from the requirement to install a sidewalk along the entire length of N Old State Rd 37.

**Variance 3: A determinate sidewalk variance for 140 feet of N Walnut St.** Full compliance requires the installation of pedestrian facilities, including all trails and connector paths, as indicated in the Transportation Plan, on all street frontages. This property has street frontage along N Walnut, so pedestrian facilities along this road are required, according to code. The Transportation Plan calls for a multi-use path along N Walnut. Planning & Transportation (P&T) staff have determined that the path should be placed along the west side of N Walnut. As a result, full compliance requires that the petitioner install a multi-use path along their entire frontage along N Walnut St. The petitioner is requesting a variance from installing the multi-use path within the southern 140' feet of street frontage along N Walnut, from where the guardrail begins to the southern-most property line.

---

## **CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

### **20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:**

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

**Variance 1: variance from side setbacks for the existing buildings along the north property line.**

**PROPOSED FINDING:** The granting of this variance will not be injurious to the public health, safety, morals, or general welfare of the community. The existing buildings along this property line have been in place for at least 10 years and have not caused any known issues with public health, safety, morals or general welfare of the community or the adjacent lot.

**Variance 2: variance from pedestrian facility standards along N Old State Rd 37.**

**PROPOSED FINDING:** The granting of this variance will not be injurious to the public health, safety, morals, or general welfare of the community. While sidewalk infrastructure is desired in Cascades Park in the future and would contribute to the welfare of the community, the Parks & Recreation and Planning & Transportation Departments have not yet decided on the best approach for bike and pedestrian routes for Cascades Park, and do not foresee this location as viable.

**Variance 3: A determinate sidewalk variance for 140 feet of N Walnut St.**

**PROPOSED FINDING:** The granting of this variance will not be injurious to the public health, safety, morals, or general welfare of the community. While it would be beneficial to community welfare to have a multi-use path along the entire length of this property's frontage, the difficult extension of the path to the property's southern property line is not necessary at this time because there is not yet a path on the property to the south to which to connect the path.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

**Variance 1: variance from side setbacks for the existing buildings along the north property line.**

**PROPOSED FINDING:** The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner by the approval of this variance. The existing buildings along this property line have been in place for at least 10 years and have not caused any known issues with public health, safety, morals or general welfare of the community or the adjacent property.

**Variance 2: variance from pedestrian facility standards along N Old State Rd 37.**

**PROPOSED FINDING:** The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner by the approval of this variance. Since part of N Old State Rd 37 is steep slopes, not placing a sidewalk along that road will maintain the environmental integrity of the adjacent Cascades Park property.

**Variance 3: A determinate sidewalk variance for 140 feet of N Walnut St.**

**PROPOSED FINDING:** The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner by the approval of this variance. Until there is a path to connect to south of this property, not extending pedestrian facilities to the edge of this property will not affect the adjacent property.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**Variance 1: variance from side setbacks for the existing buildings along the north property line.**

**PROPOSED FINDING:** The Department does find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property and that these practical difficulties are peculiar to the property in question. The UDO's setback standards would require the buildings along the north property line to be completely removed in order to meet setback requirements and allow a new building at the front of the property. The setbacks in question are adjacent to a parking area open space on the property to the north, so they are not high visibility and there is no crowding with buildings on the property to the north. There is not a practical manner to only remove a portion of the building to meet the required setbacks. The granting of this variance would allow the proposed new building construction along the more visible, public frontage of the lot, which will both increase the density in the use of the land and move parking behind the

building front, which are both improvements desired by the UDO.

**Variance 2: variance from pedestrian facility standards along N Old State Rd 37.**

**PROPOSED FINDING:** The Department does find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property and that these practical difficulties are peculiar to the property in question. This property is unique because over one-third of its property lines are wooded and adjacent to a large parks and open space area. The property line along N Old State Rd 37 contains dense vegetation and steep slopes, and the vegetated portion of this property buffers the use of this property from the parks and open space use to the west. The implementation of a sidewalk along the N Old State Rd 37 property line will reduce the buffer between the property's use and the parks and open space use. There is still further planning required by the Parks & Recreation and Planning & Transportation Departments before such a significant amount of work and cost is spent for a sidewalk in this location. The granting of this variance would allow UDO-desired improvements to be made to the site now, along the property's public frontage, without being delayed by a costly sidewalk that is not desired in the Cascades Park at this time.

**Variance 3: A determinate sidewalk variance for 140 feet of N Walnut St.**

***Determinate Sidewalk Variance Approval Criteria:***

*20.06.080(b)(3)(E)(i)(3): While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:*

- a) That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or*
- b) That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or*
- c) The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or*
- d) The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or*
- e) Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.*

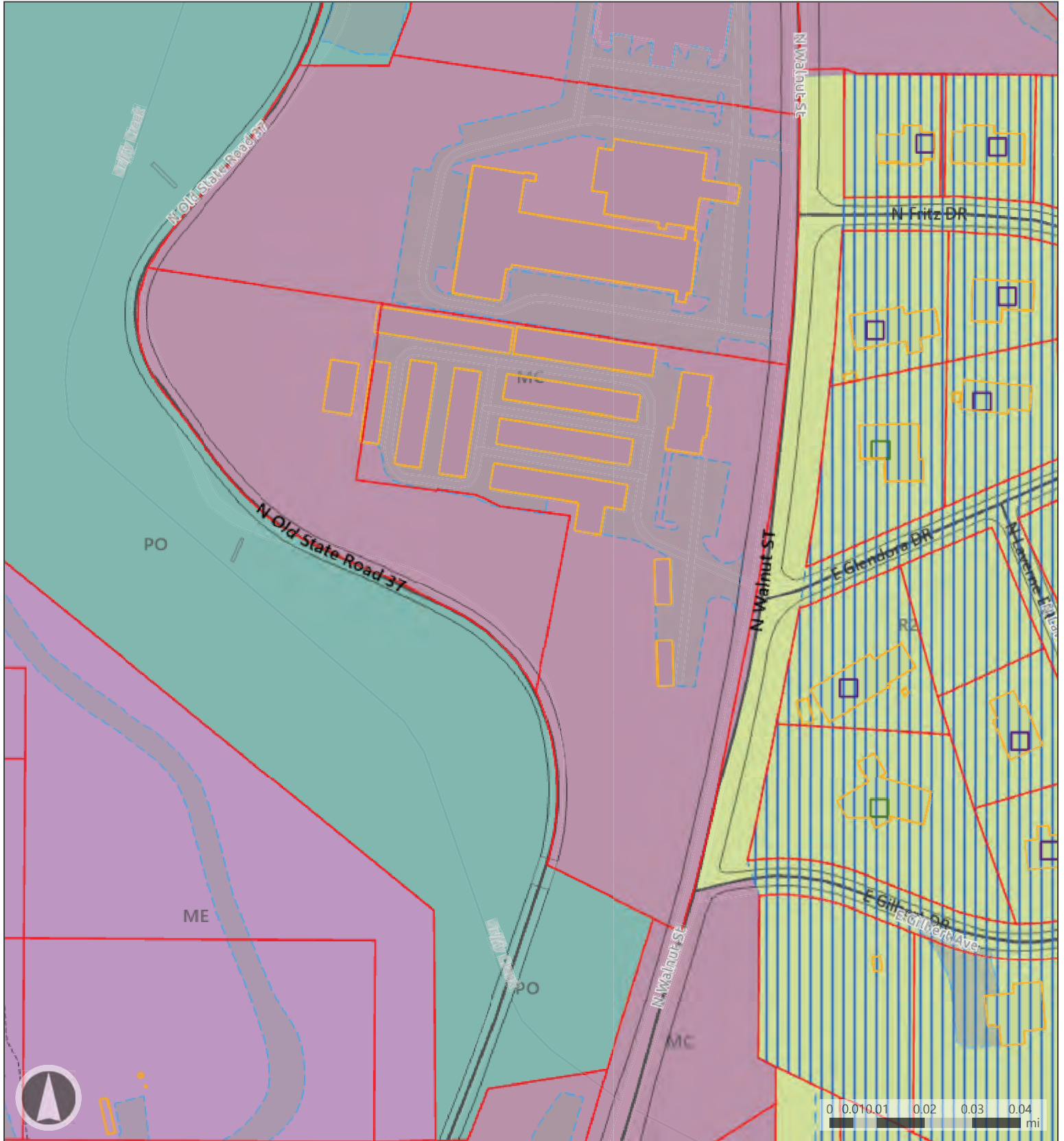
**PROPOSED FINDING:** The Department does find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property and that these practical difficulties are peculiar to the property in question. The southern 140 feet of N Walnut that would receive a determinate sidewalk variance has topography that becomes steep, dropping off away from the road and a guardrail has been

placed between this area and the road. The topography and relation to the guardrail and bridge near the property create practical difficulties for installing a portion of a multi-use path. This property is unique as it is the first to construct the multi-use path desired by the Transportation Plan along N Walnut. The property to the south does not yet have pedestrian facilities, so constructing the multi-use path all the way to the south property line is not critical at this time, and would be better served to be done in one comprehensive project with the property to the south. As a determinate sidewalk variance, the property owner would be required to build the rest of the path when the city desires, likely when the path is ready to be installed to the south, as well. The granting of this variance would allow UDO-desired improvements to be made to the site now, without being delayed by a costly improvement that will not result in a connection to the adjacent property at this time.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and *approve variance 1, variance 2 and variance 3* for case **V-22-24/ VAR-2024-05-0035**, with the following conditions:

1. Upon approval of a determinate sidewalk variance, the Planning and Transportation Department staff shall prepare a zoning commitment indicating that the determinate sidewalk variance was approved, and that future installation of sidewalk may be required. The petitioner shall record the zoning commitment in the Monroe Office of the Monroe County Recorder before a certificate of zoning compliance is issued.
2. The building setback variance is approved for the submitted site design only. Further development of the lot will require compliance with the UDO or additional variance approval.

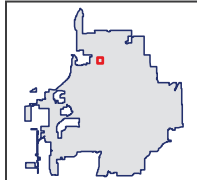


**Map Legend**

- Parcels
- Buildings

- Rating**
- Notable
  - Contributing

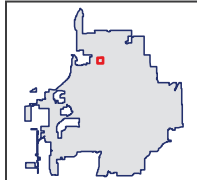
- Local Historic Districts
- Pavement
- Gravel





Map Legend

- Parcels
- Buildings
- Bloomington Municipal Boundary



# Petitioner's Statement



## 2401 N Walnut St Storage

Attention: City of Bloomington Planning Department  
 Petitioner: Sam Heale, First Capital Group

### Property Description

The property at 2401 N Walnut contains several existing 1 & 2-story storage buildings as well as a 1-story commercial & storage building and a 1-story office building (along Walnut St). The **petitioner is planning to build a new 3-story storage and office structure** where the existing 1-story office building is currently located. **Two existing 1-story storage buildings along the north side of the property are actually within the side setback** (see site plan). These buildings will remain and aren't part of the new proposed development but require a **variance to remain in place**.

The current Transportation Plan calls for a multi-use path along the west side of North Walnut St which should be included with any new development. At the southern portion of this property there is an **existing guardrail and steep slope that prohibits the inclusion of this multi-use path** (see google street and aerial views along with GIS topography map). Because of this condition a **determinate variance** is sought for the area along the guardrail and steep slope (approx. 140' of the southernmost street frontage) based on 20.06.080.b.3.E.i.3.a. which notes "the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk."

Additionally, the property also contains frontage along N Old State Road 37 along the west and therefore would require a new sidewalk per the current UDO, however, this is adjacent to the Cascades Park and the **City of Bloomington Parks & Recreation Department does not support a sidewalk at this location at this time**. They have communicated with planning staff on this issue. An additional **variance is requested to not include a new sidewalk here**.

Thank you for your consideration of this petition.

A handwritten signature in black ink that reads "Matt Ellenwood".

Matt Ellenwood, AIA (on behalf of the petitioner)



ZONE - MC  
 USE - SELF STORAGE / OFFICE  
 LOT AREA = 104,248.88 SF  
 NEW STORAGE OFFICE BUILDING = 4550 SF  
 TOTAL SITE AREA = 104,248.88 SF  
 EX. IMPERVIOUS AREA = 68,070.20 SF  
 PRICED IMPERVIOUS AREA = 44.4%  
 LANDSCAPE AREA = 55.6%  
 4.4# AC (2 PARCELS)  
 1.5# AC

THIS CALCULATION DOES NOT INCLUDE THE LAWN AREA AND PATH  
 PARKING: 2.86 SPACES PER 1000 GFA PER SALES LEASING OFFICE  
 SALES LEASING OFFICE = 2960 SF IN NEW BUILDING AND 2216 SF IN  
 EXISTING BUILDING = 14.7 SPACES PERMITTED. 15 SPACES PROVIDED.  
 BIKE PARKING: 6 BIKE PARKING SPACES PROVIDED.

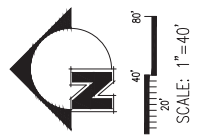
NOT FOR CONSTRUCTION

XX/XX/20XX

ALL AMERICAN STORAGE  
 2401 N. WALNUT STREET  
 BLOOMINGTON, IN

NO.	REVISIONS	BY	DATE


6617  
 SUBJECT  
**C201**  
 DATE: 07/10/2024  
 OVERALL SITE PLAN







SMITH GROUP  
DESIGN  
1812 282 8284 • 808.934.1111  
1812 W. Walnut Street, Bloomington, IN 47403  
1812 W. Walnut Street, Bloomington, IN 47403

NOT FOR CONSTRUCTION  
XX/XX/XXXX

# ALL AMERICAN STORAGE 2401 N. WALNUT STREET BLOOMINGTON, IN

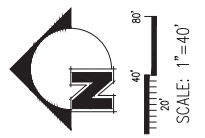
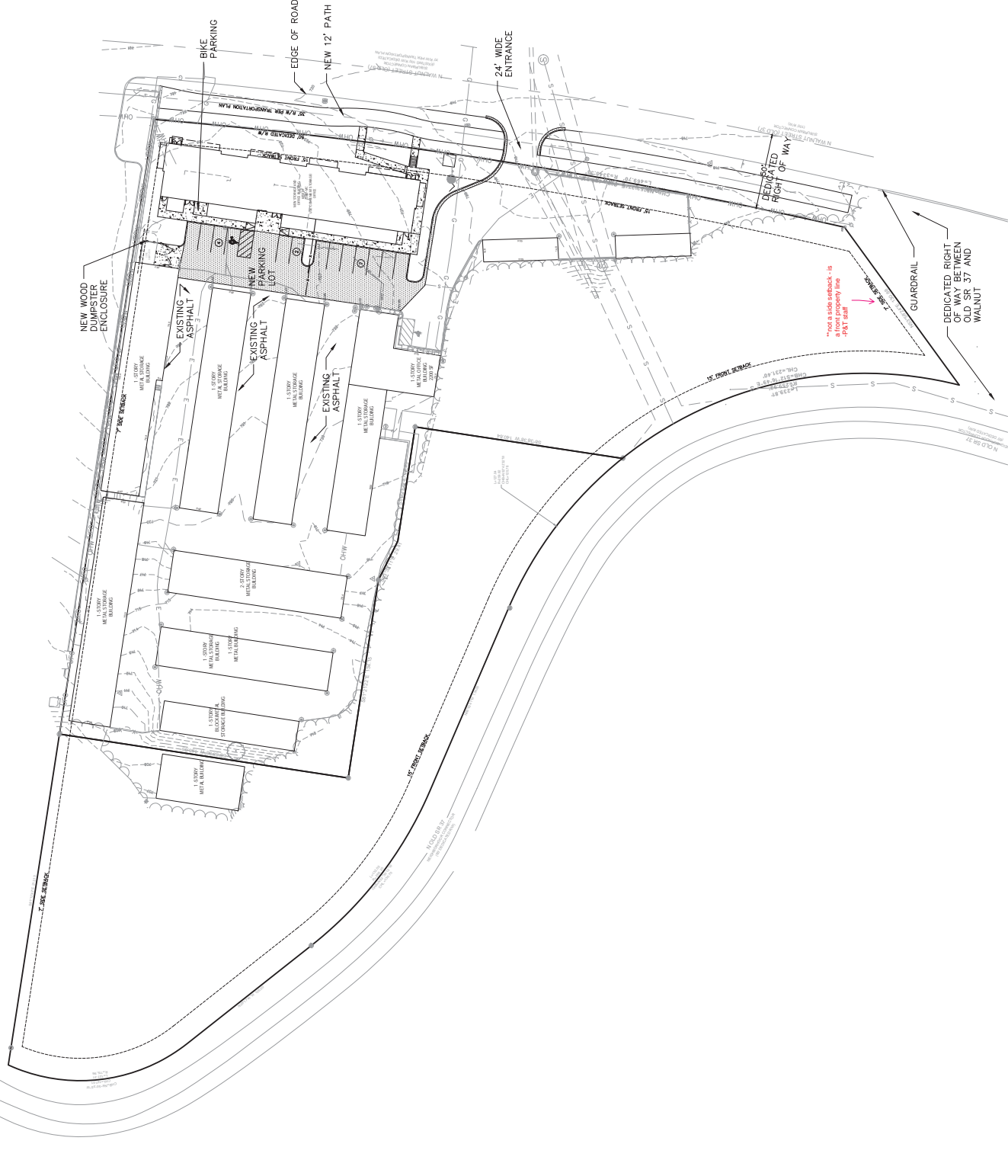
NO.	BY	DATE

NO.	BY	DATE

6617 SUBJECT  
**C201**  
DATE: 07/10/2024  
OVERALL SITE PLAN

ZONE - MC  
USE - SELF STORAGE / OFFICE  
TOTAL SITE AREA = 4.88 AC (2 PARCELS)  
NEW STORAGE OFFICE BUILDING = 60,000 SF  
NEW STORAGE OFFICE BUILDING = 19,248 SF  
TOTAL STORAGE AREA = 79,248 SF  
EXIST. IMPERVIOUS AREA = 66,079.20 SF  
PROP. IMPERVIOUS AREA = 80,399.5 SF  
LANDSCAPE AREA = 41.4%  
LANDSCAPE AREA = 55.6%

THIS CALCULATION DOES NOT INCLUDE THE LAWN AREA AND PATH  
PARKING 2.85 SPACES PER 1000 GFA PER SALES LEASING OFFICE  
SALES LEASING OFFICE = 2560 SF (NEW BUILDING AND 2145 SF IN  
EXISTING BUILDING = 14,75 SPACES PROVIDED. 15 SPACES PROVIDED.  
BIKE PARKING: 6 BIKE PARKING SPACES PROVIDED.





NOT FOR CONSTRUCTION  
XX/XX/20XX

ALL AMERICAN STORAGE  
2401 N. WALNUT STREET  
BLOOMINGTON, IN

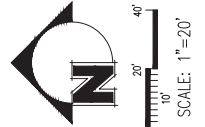
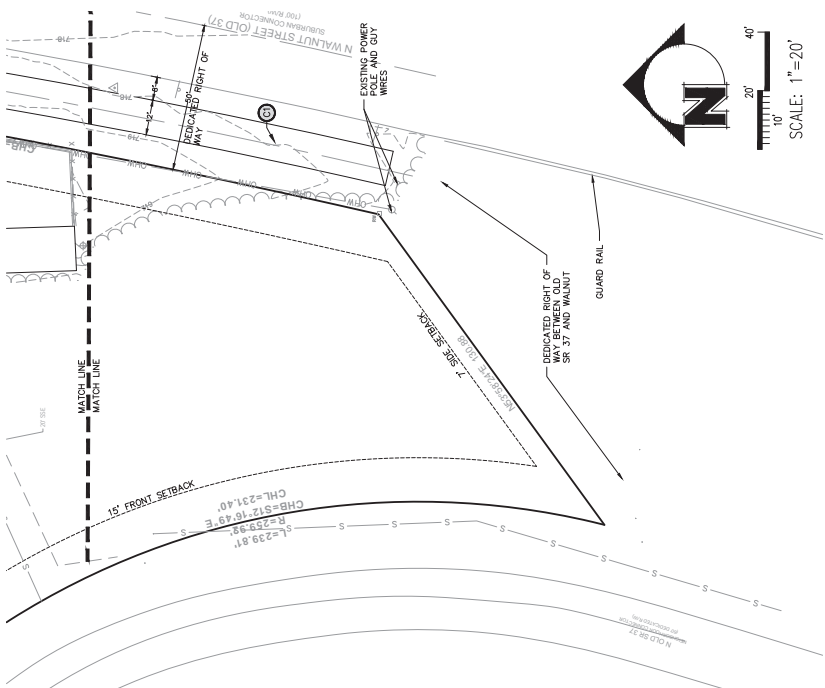
REVISIONS table with columns for NO., BY, DATE, and DESCRIPTION.

6617  
SUBJECT  
DK  
DK

C202  
DATE  
07/10/2024  
SITE PLAN

SITE MATERIALS

- (C) CONCRETE SIDEWALK (SEE DETAIL ON DETAILS SHEET)
(4) 4" COMPACTED AGGREGATE BASE
(6) 6" STANDING CONCRETE CURB (SEE DETAIL ON DETAILS SHEET)
(8) CONCRETE PAVEMENT WITH HANDRAIL
(9) CONCRETE PAVEMENT WITH HANDRAIL
(10) PARALLEL CURB RAMP (SEE DETAIL ON DETAILS SHEET)
(11) ASPHALT PAVEMENT
(12) 2.5" HMA BASE COURSE ON
(13) 8" INDOT #63 COMPACTED AGGREGATE BASE
(14) SYMBOL PAVEMENT (SEE INTERNATIONAL SYMBOL OF ACCESSIBILITY (SEE DETAIL ON DETAILS SHEET))
(15) LINE PAINT, SOLID, 4" BLUE CROSSHATCH (SEE DETAIL ON DETAILS SHEET)
(16) LINE PAINT, SOLID, 4" BLUE
(17) LINE PAINT, SOLID, 4" WHITE
(18) BARRIER FREE VAN ACCESSIBLE SIGN ON DETAIL SHEET
(19) WOOD SIGNATURE ENCLOSURE WITH WOOD GATES. SEE DETAIL ON DETAIL SHEET
(20) 8" HANK COATED BLACK GALVANIZED STEEL 5' GAUGE WITH ORANGE PRIVACY SCREEN, COLOR PER OWNER.
(21) GATE
(22) BOLLARD



SCALE: 1"=20'



Mon, May 13, 2024 at 9:42 AM

**Tim Street** <tim.street@bloomington.in.gov>

To: David Hittle <david.hittle@bloomington.in.gov>

Cc: Katie Gandhi <katie.gandhi@bloomington.in.gov>, Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Thanks all - I think this is PUT's decision to make but I support the variance -- it would be a *substantial* amount of work to cut that hill, and I think we have more work to do together to figure out our best bike/ped route for that area.

<https://mail.google.com/mail/u/0/?ik=620d24acfa&view=pt&search=all&permthid=thread-a:r9123384451204051906&siml=msg-a:r582092800792251...> 4/6

6/28/24, 3:06 PM

City of Bloomington, Indiana Mail - question about 2401 N Walnut (2 parcels)



• EXPLORE • PLAY • CONNECT •

**Tim Street, MPA, CPRE** *he/him/his*

Director, Parks & Recreation

City of Bloomington, IN

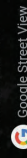
[tim.street@bloomington.in.gov](mailto:tim.street@bloomington.in.gov)

812.349.3711

2401 N Walnut St



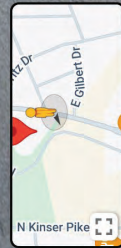
**2450 N Walnut St**  
Bloomington, Indiana



Google Street View

Jul 2023 See more dates

53



Google



Image capture: Jul 2023 © 2024 Google, United States Terms Privacy Report a problem

Search by Address, Parcel Id or Owner Name

Advanced Search



-86.533665 39.189150 1:500

**Measure**

Verdana 15

140.22 Feet

Delete

Show measure labels

Total Length: 140.22 ft

130 00

193 50'

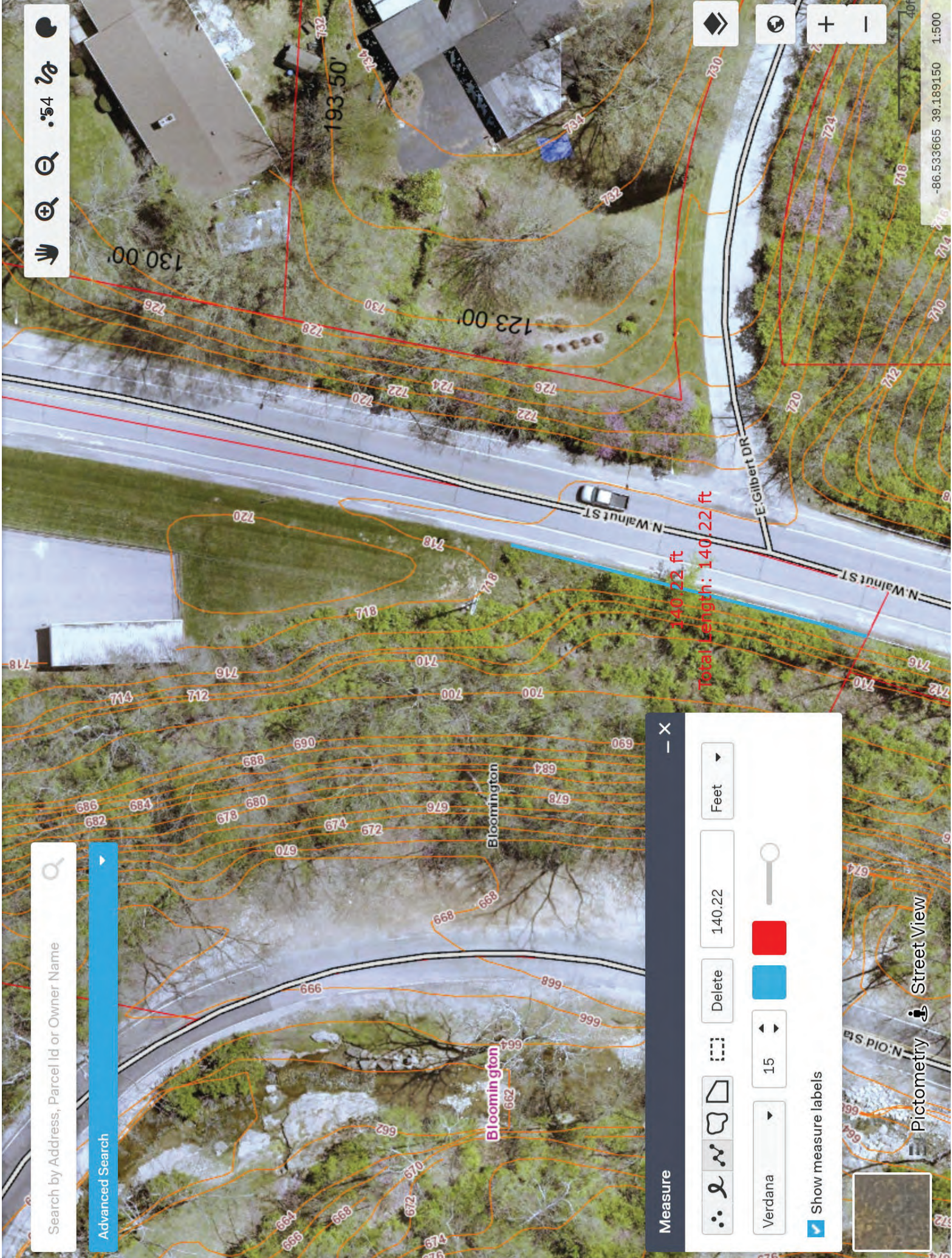
123 00

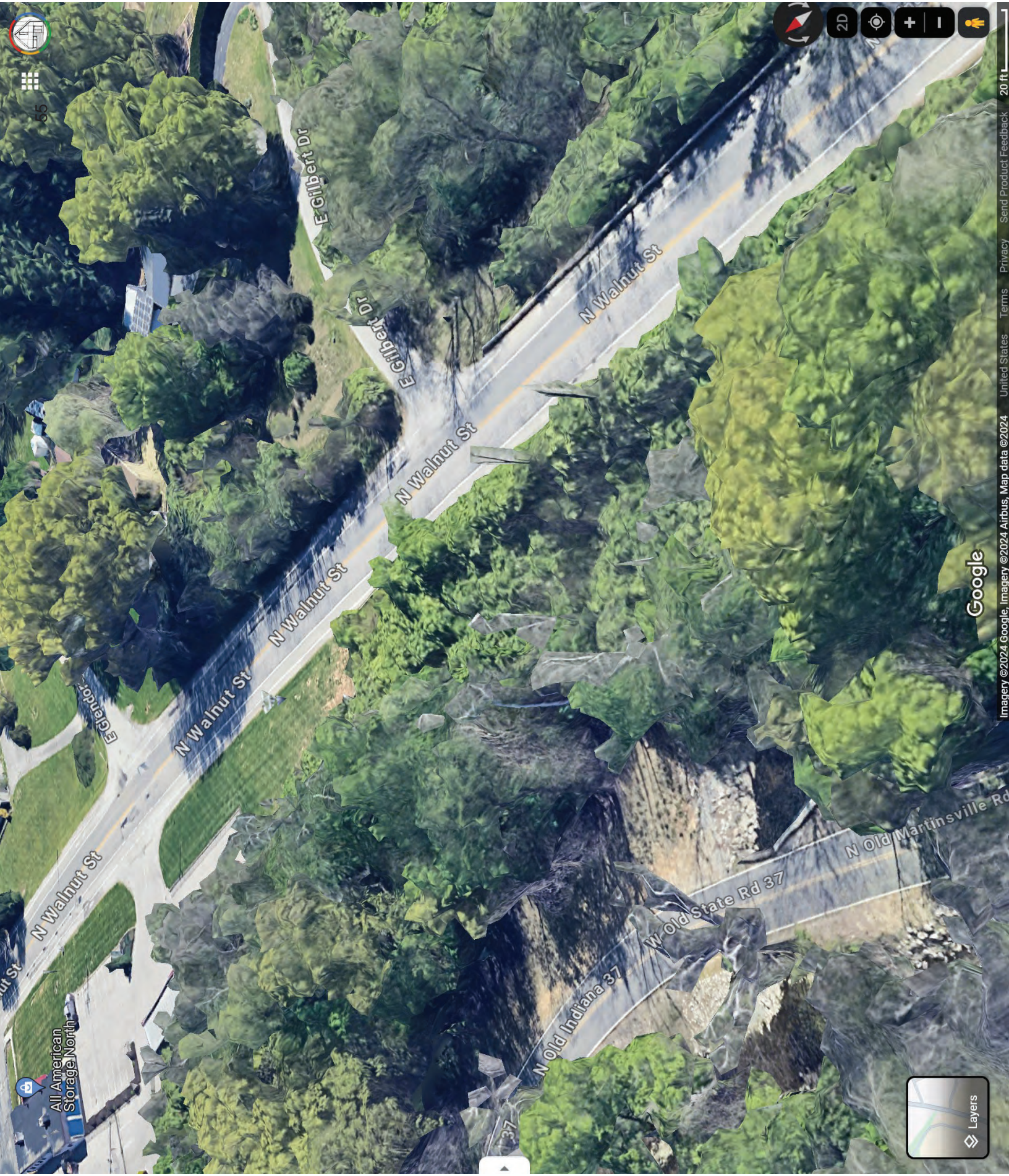
Bloomington

Bloomington

N Walnut ST

Pictometry Street View





55



20 ft

All American Storage North

N Walnut St

N Walnut St

N Walnut St

N Walnut St

N Walnut St

E Gilbert Dr

E Gilbert Dr

37

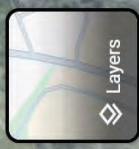
N Old Indiana 37

W Old State Rd 37

N Old Martinsville Rd

Google

Imagery ©2024 Google, Imagery ©2024 Airbus, Map data ©2024 United States Terms Privacy Send Product Feedback



Layers



Katie Gandhi

[click here to book a meeting](#)

Zoning Planner & GIS Analyst  
Planning & Transportation  
Department  
office: 812-349-3527

[bloomington.in.gov](http://bloomington.in.gov)

[Quoted text hidden]

---

**Don Kocarek** <[dkocarek@smithdginc.com](mailto:dkocarek@smithdginc.com)>

Thu, Jul 18, 2024 at 4:04  
PM

To: Katie Gandhi <[katie.gandhi@bloomington.in.gov](mailto:katie.gandhi@bloomington.in.gov)>, Sam Heale  
<[sheale@firstcapitalusa.com](mailto:sheale@firstcapitalusa.com)>, "david.hittle@bloomington.in.gov"  
<[david.hittle@bloomington.in.gov](mailto:david.hittle@bloomington.in.gov)>

Cc: "matt ellenwood ([mattellenwood@gmail.com](mailto:mattellenwood@gmail.com))" <[mattellenwood@gmail.com](mailto:mattellenwood@gmail.com)>

Hi Katie,

Attached is the right of way purchase from the recorder's office. It was recorded in 1947. This document says the right of way purchase way varied from 50' to 135' from center line. Both the survey done by LS Doug Curry in 1996 and Smith Design Group survey recently did show the right of way and reference the 1947 document. The acreage on the GIS shows the same as both the Curry Survey and Smith Design group survey which don't include the right of way area. The current recorded deed also references the 1947 right of way document at #5 page two.

I don't think the recorder's office can add anything except that the deed is recorded in their office and the right of way document is recorded in their office. There has never been a subdivision to the property that would have transferred the property to the city. It became the city's

W

hen INDOT no longer needed it and turned it over the City.

The acreage on the GIS shows the same as both the Curry Survey and Smith Design group survey which don't include the right of way acreage area.



Attached is a photo of the right of way monument on the south end of the property. This location corresponds with all of the deeds and surveys.

I copied David on this as I would like him to weigh in on this. That might be helpful.

Thankyou for your help with this.

[Quoted text hidden]

---

**4 attachments**



**Right of way monument.JPG**  
6595K



**Property Survey Mark Up.pdf**  
1248K



**American Storage, Llc-454-92 Deed.pdf**  
323K



**INDIANA-1947002493 RW purchace.pdf**  
401K



D13-30870-00

D13-30880-00

Match  
G15  
+SDG

Match  
G15  
+SDG

Monument in  
Picture  
Recorded  
& Attached

**LEGEND**

- 5/8" REBAR W/GAP SET
- CONC. R-O-W MARKER FND.
- IRON PIPE FOUND
- PROPERTY LINE
- ASPHALT PAVEMENT



According to FIRM Community-  
Panel Number: 180169 0025 C,  
Map Revised: June 17, 1991,  
this project is not in a  
Flood Hazard Area.  
Source: FEMA

**ZONING**

- Actual Commercial
- Official Back
- Ready to Back
- Street Back
- Street Back

0 feet  
10 feet  
60 feet from centerline

**JERRY LAND SURVEYING**  
Douglas R. Curry  
Registered Land Surveyor  
Bloomington, IN 47404  
(812) 338-0037

Job #030196  
Shreve\Hobbs Corporation  
Deed Record 382, Page 205  
Record 390, Page 82

West quarter of Section 28, Township 9  
Hamilton Township, Monroe County,  
Indiana

I, **Douglas R. Curry**, Surveyor,  
do hereby certify that the  
above described land and  
interests therein were  
correctly surveyed and  
platted in accordance with  
the laws of the State of  
Indiana, and that all  
necessary steps have been  
taken to give effect to  
the same.



1 day of May, 1996.  
Douglas R. Curry

2493--

Revised 4-25  
Form I.C.-120-BP  
Purchase Grant

Charles Matlock  
STATE HIGHWAY COMMISSION OF INDIANA  
STATE HOUSE ANNEX  
INDIANAPOLIS, INDIANA

Proj. No. 428  
Section C  
Str. No.

Filed by Warrant No. 2208  
Dated 4/23 1946  
RIGHT OF WAY GRANT

This indenture witnesseth that the undersigned, as grantors and sole owners of land in Monroe County, Indiana, more definitely described below, through, over and upon which will pass a public highway which it is proposed by the State of Indiana to improve, hereby grant, bargain, warrant and convey to the State of Indiana, for Right of Way, lands as described below and located by surveys and shown on plans on file in the office of the State Highway Commission of Indiana. The description from said plans of said right of way hereby granted is as follows:

Plans on State Road No. 37 Project No. 428 Sec. C Str. No.  
Plans Dated

From Station to Station		Distance in feet is from center line as shown on the above designed plans to the new Right of Way line hereby granted.	
		Left Side of Center Line	Right Side of Center Line
After completion of project, Grantor is hereby granted passage not to exceed ten (10) feet in width, from R/W line of present S. R. #37 to land separated by construction of proposed new S. R. #37, said lane to be used for cattle passage from north end of S structure #56 to said land.			
From Station to Station		Left Side of Center Line	Right Side of Center Line
Line "C"			
42 + 17 ✓	to 45 + 00 ✓	50 ✓	feet
45 + 00 ✓	to 47 + 15.9 ✓	50 to 135	feet
47 + 15.9 ✓	to 48 + 40 ✓	135	feet
48 + 40 ✓	to 49 + 40 ✓	135 to 50	feet
49 + 40 ✓	to 64 + 25 ✓	50	feet
42 + 17 ✓	to 45 + 00 ✓		55
45 + 00 ✓	to 46 + 00 ✓		55 to 115
46 + 00 ✓	to 47 + 15.9 ✓		115

1946  
Amt. Approved MAR 8  
By W. W. [Signature]

From Station to Station		Distance in feet is from center line as shown on the above designed plans to the new Right of Way line hereby granted.	
		Left Side of Center Line	Right Side of Center Line
47 + 15.9 ✓	to 48 + 25 ✓		60 to 50
48 + 25 ✓	to 50 + 50 ✓		50
50 + 50 ✓	to 56 + 00 ✓		50 to 65
56 + 00 ✓	to 57 + 00 ✓		65 to 50
57 + 00 ✓	to 58 + 00 ✓		50
58 + 00 ✓	to 64 + 25 ✓		
Line "S-5-A"			
8 + 63 ✓	to 9 + 00 ✓		27 to 25
9 + 00 ✓	to 9 + 50 ✓		25 to Pal.

This portion of the following area lying between the permanent right of way line and the following described line is temporary right of way and is to be used during construction for sloping and sodding and shall revert to permanent right of way line upon completion of construction.

The above and foregoing grant is made in consideration of payment of the sum of Seven hundred twenty nine 58/100 Dollars (\$1729.58), which sum shall be paid to the order of Chas. Matlock  
R. R. 1 B L 10 MINGTON IND.

(Give address of Payee)

It is further understood and agreed that this conveyance transfers only the right to make, construct and maintain such highway on said lands and to use any material lying within the above described limits suitable for use in constructing and maintaining said highway and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction or maintenance of such improved highways.

No timber shall be cut or removed from said granted right of way except that which from time to time is designated by the State Highway Commission, through its authorized representatives. Whenever the State Highway Commission shall designate any timber to be removed from said right of way, the grantors shall promptly remove the same from said right of way and failing to do so for five days after being notified the State Highway or its contractor may remove such timber from the right of way onto the adjoining lands of the grantors, or successor or if he or they object, may sell or destroy such timber.

The undersigned Grantor Grantor being duly sworn, says that he, she (is) or they (are) the sole owner(s) of the above described property, and said grantors further represent that there are no encumbrances, leases, liens or options of any kind or character on said lands as conveyed, except as shown below, and that they make this representation for the purpose of inducing the State Highway Commission of Indiana to pay them the amount herein stipulated.

Blomington National Bank  
Blomington National Bank Bloomington, Indiana  
(Grantor) Chas Matlock (Grantor)  
(Grantor) Maude E. Matlock (Grantor)  
(Grantor) (Grantor)

The above grant is hereby accepted, Dated Jan 17 1946  
STATE OF INDIANA  
By John H. Lauer John H. Lauer  
Chairman, State Highway Commission of Indiana  
J. R. Bailes

2493--

(Continued from page 449)

State of Indiana, County of Monroe ss: Chas. Matlock & Maude E. Matlock HEW  
 Personally appeared before me Chas. Matlock and Maude E. Matlock (H&W)  
 and acknowledged the execution of the above agreement and being duly sworn upon their oath, stated the  
 facts therein are true, this 17 day of January, 1946.  
 Witness my hand and official seal.  
 My Commission expires Nov. 19 - 1949  
 Nov. 19 1949 Jesse J. Brown  
 Jesse J. Brown Notary Public.

The undersigned owner of a mortgage and/or lien on the land out of which the right of way, described  
 in the attached grant, is conveyed, hereby releases from said mortgage and/or lien said granted right of  
 way, and do hereby consent to the payment of the consideration therefor as directed in said grant, this

23 day of January, 1946  
 (Seal) Hugh K. Adams President  
 By Hugh K. Adams President  
 (Seal) Hugh K. Adams President

State of Indiana ss:  
 County of Monroe  
 Personally appeared before me Hugh Adams The President of the Bloomington National Bank  
 above named and duly acknowledged the execution of the above  
 release the 23 day of January, 1946.  
 Witness my hand and official seal.  
 My Commission expires Nov. 19 - 1949  
 Nov. 19 1949 Jesse J. Brown  
 Jesse J. Brown Notary Public.

Filed for record:  
 May 20th, 1947 at 1:00 P.M.  
 J. ONA SEMPLE, Recorder



**BLOOMINGTON BOARD OF ZONING APPEALS  
STAFF REPORT**

**CASE #: V-24-24  
VAR 2024-07-0041  
DATE: July 25, 2024**

**Location: 221 W Dodds Street**

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**PETITIONER:** Storage Express Holdings LLC  
221 W Dodds St  
Bloomington, IN

**CONSULTANT:** Daniel Butler, Bynum Fanyo Associates  
528 N Walnut St  
Bloomington, IN

---

**REQUEST:** A request for a variance to allow a driveway wider than 24 feet on a non-classified road.

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**REPORT:** The property is located on the south side of Dunn Street and runs south to the north side of Allen Street. The property is zoned Mixed-Use Medium Scale (MM). The properties to the west are zoned Planned Unit Development (PUD) and contain commercial, multi-family and single-family uses. Property to the east is zoned Mixed-Use Corridor (MC) and property to the south is zoned Mixed-Use Employment (ME). Properties to the north across Dunn Street are zoned Mixed-Use Downtown Downtown Gateway (MD-DG). The site currently contains office buildings, as well as a number of storage structures.

The petitioner has done some work on the site and is required to update the property in order to meet the Limited Compliance requirements of Section 20.06.090(f)(2) in the Unified Development Ordinance (UDO). One requirements of that section reads as follows:

xii. Entrances and Drives

All entrances and drives shall be brought into compliance with Section 20.04.050(c) (Driveways and Access), with the exception of driveway location requirements.

Dodds Street is a non-classified (local) road at this location. As a result, the petitioner needs to meet 20.04.050(c)(3)(B)(ii)(2) which requires that nonresidential uses on local streets cannot have driveways that exceed 24 feet in width. The existing width of the driveway at the right-of-way line is roughly 45 feet.

The petitioner is requesting a variance to allow for the driveway to be amended to a width of 34 feet, which is allowed on arterial and collector classified roads with approval from the City Engineer.

---

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards:** Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

*(1) The approval will not be injurious to the public health, safety, morals, and general welfare*

*of the community; and*

**PROPOSED FINDING:** The granting of the variance to allow for a 34 foot driveway width will not be injurious to the public health, safety, morals, or general welfare of the community. The existing driveway has existed at 45 feet and no adverse impacts have been noted.

- (2) *The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and*

**PROPOSED FINDING:** The granting of the variance to allow for a 34 foot driveway width will not affect the use and value of the area adjacent to the property in a substantially adverse manner. 34 feet will reduce the existing width by more than 10 feet and improve the pedestrian experience at this location while allowing truck traffic to safely utilize this entrance.

- (3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

**PROPOSED FINDING:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because the northern entrance to the site is the main entrance for truck traffic and a reduced driveway width of 24 feet would make that utilization impossible. Additionally, the southern entrance is also on a small street with limited space, Allen, and could require surrounding businesses and residents to encounter an increase in interactions with truck traffic if that entrance had to be modified (removal of space-limiting fence) in order to allow truck traffic. The site is peculiar in that it has a parcel that runs on the west side that functions as an alley, but does not provide adequate truck traffic access and can only accept truck traffic from the northern part of the property. Approval of the variance will allow improvement to the entrance while still allowing truck traffic utilization.

---

**RECOMMENDATION:** Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-24-24 / VAR 2024-07-0041 with the following conditions:

1. This variance approval is for a maximum width of 34 feet for the northern driveway.
2. The southern entrance may not be expanded in existing width by removal of the fence or any other means.

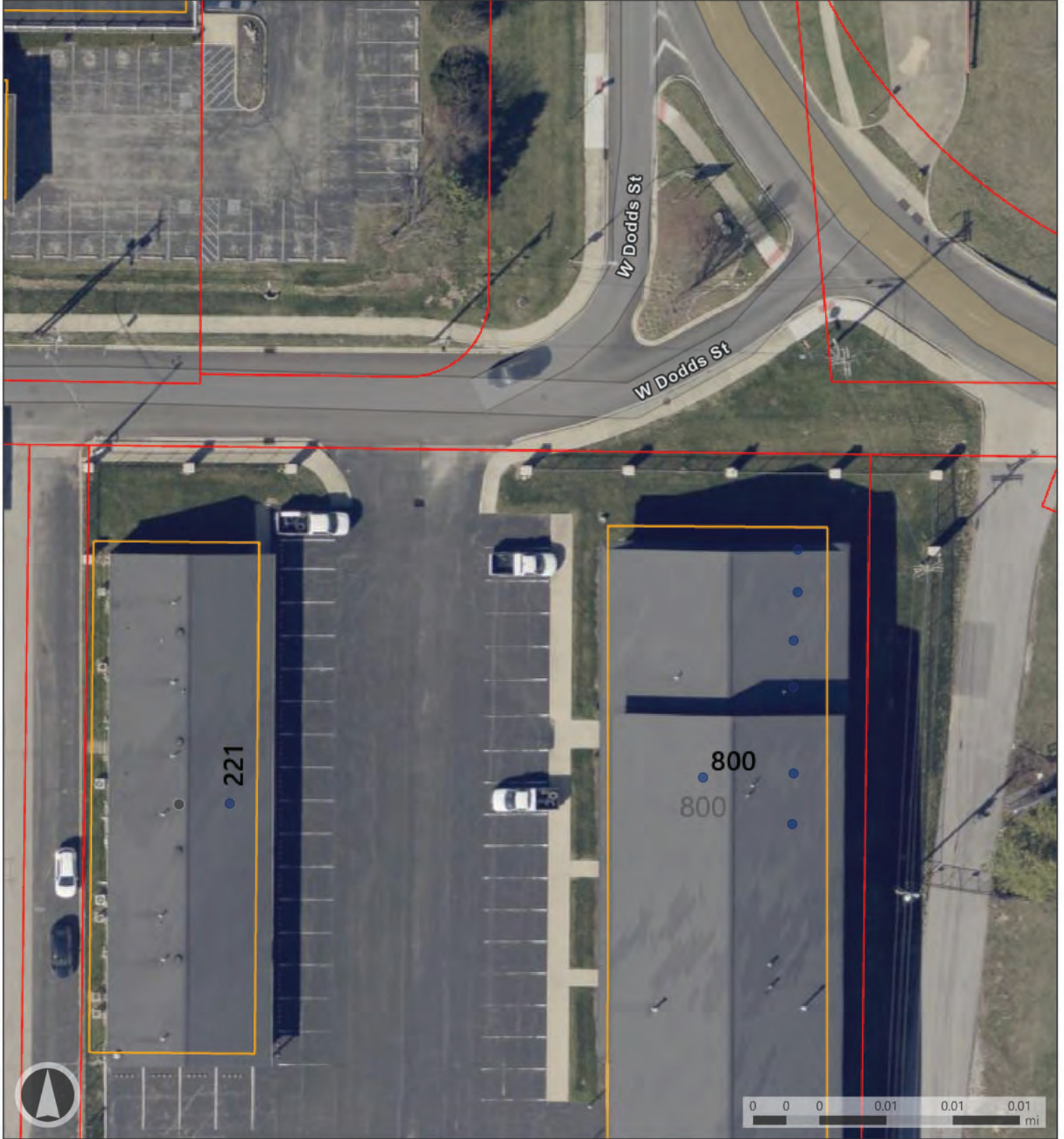


**Map Legend**

- Parcels
- Notable
- Contributing
- Local Historic Districts
- Outstanding
- Non-Contributing
- Bloomington Municipal Boundary

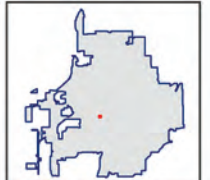






Map Legend

- Addresses
- Buildings
- Parcels
- Bloomington Municipal Boundary





BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

June 25<sup>th</sup>, 2024

Jacqueline Scanlan  
City of Bloomington Planning Department  
401 N. Morton Street  
Bloomington, Indiana 47404

RE: Storage Express Dodds Entrance  
Final Plan Approval Petitioner's Statement

Jacqueline Scanlan or To Whom It May Concern:

Our client, Tom Clark, respectfully requests final plan approval for the referenced project and to be placed on the next Plan Commission agenda for the plan to be approved by the Plan Commission members.

**Project Narrative:**

The proposed development at 221 West Dodds Street consists of reconstructing the northern entrance to the Storage Express property to a 34-foot width to accommodate the traffic of large trucks from a local street.

This proposed development is proposing a variance (1 item) from the current UDO:

1. UDO Section 20.04.050 – Access and Connectivity

Dodds Street is classified as a local street. It is outlined in the City of Bloomington UDO that a driveway entrance from a local street onto a nonresidential property may be a maximum of 24 feet wide. However, the nature of this site requires the acceptance of large vehicles from said northern entrance. We would like to request that a driveway width of 34 feet is allowed to accommodate for the site's intended practice and prevent traffic obstructions on Dodds street itself. Acceptance of large vehicles is restricted to this north entrance by existing conditions between the intersection of College Avenue and Dodds street. This movement restriction is detailed in the exhibit provided with this submission.

After you have had a chance to review our petition please feel free to contact us at anytime questions regarding our submission.

Sincerely,  
Bynum Fanyo & Associates, Inc.

Daniel Butler, P.E., Project Engineer

Copy: BFA File #402345

revisions:

ARCHITECTURE	BYNUM FANDB & ASSOCIATES, INC.	528 North Walnut Street (612) 332-8030
PLANNING		
CIVIL ENGINEERING		
BLOOMINGTON, INDIANA		
(612) 339-2990 (fax)		

verified by:

PROPOSED	221 W. DODDS ST.	BLOOMINGTON, IN 47403
STORAGE EXPRESS		

TITLE: SITE PLAN

designed by: D66  
 drawn by: D66  
 checked by: D66  
 sheet no.: 0302  
 project no.: 402345

### EXISTING LEGEND

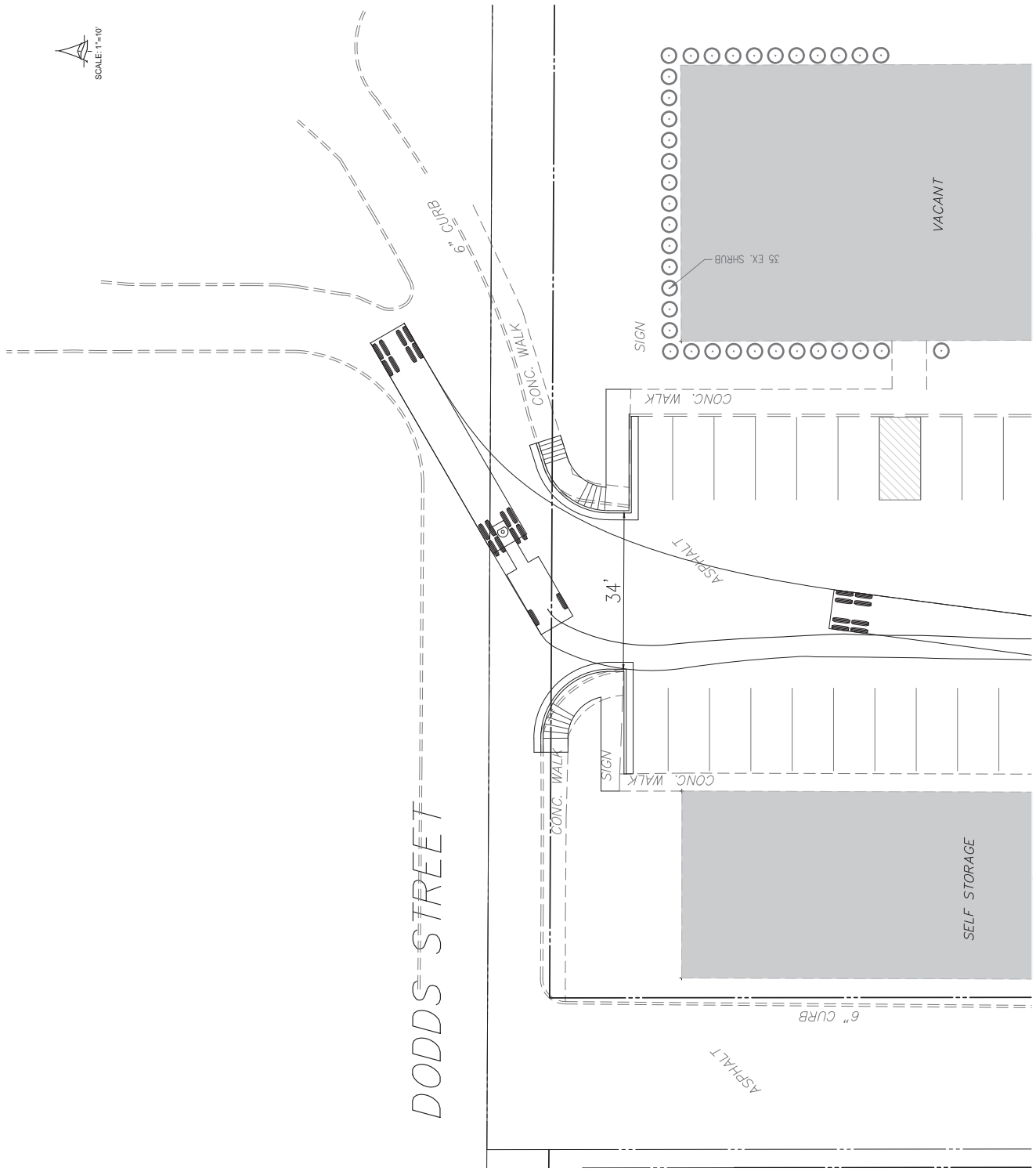
- X ——— EXISTING FENCE
- W ——— EXISTING WATER LINE
- ONE ——— EXISTING OVERHEAD ELECTRIC LINES
- USE ——— EXISTING UNDERGROUND ELECTRIC LINES
- OHV ——— EXISTING OVERHEAD TELEPHONE LINES
- UST ——— EXISTING UNDERGROUND TELEPHONE LINE
- GAS ——— EXISTING GAS LINE
- XXXX ——— EXISTING CONTOUR & ELEVATION
- FLOW LINE
- SS ——— EXISTING SANITARY SEWER AND MANHOLE
- ST ——— EXISTING STORM SEWER AND INLET

### SITE LEGEND

- ④ EXISTING UTILITY LOCATIONS & DEPTHS, SUBJECT EXISTING TO "AS-BUILT" RECORDS - REFER TO DETAIL
- ① PROPOSED WALKING CONCRETE SIDEWALK - REFER TO DETAIL
- ② PROPOSED CONCRETE SIDEWALK - REFER TO DETAIL
- ③ PROPOSED SIDEWALK ACCESSIBLE RAMP - REFER TO DETAIL
- ④ PROPOSED DEPRESSURE CURB - CONTRACTOR TO REFER TO DETAIL FOR DETAILS AND SPECIFICATIONS. CONTRACTOR TO VERIFY ALL UTILITY DEPTHS FROM SURFACE TO CURB PRIOR TO CONSTRUCTION. CONTRACTOR TO VERIFY ALL UTILITY DEPTHS FROM SURFACE TO CURB PRIOR TO CONSTRUCTION. CONTRACTOR TO VERIFY ALL UTILITY DEPTHS FROM SURFACE TO CURB PRIOR TO CONSTRUCTION.
- ⑤ CURB (CONCRETE CURB TRANSITION 6" UNDER ROAD 6" TO 6"

### NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL UTILITIES PRIOR TO ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO COMPLETING ELEVATIONS.



ASPH  
+/- FT

ASPHALT  
STORAGE EXPRESS  
INST. NO. 2003016968  
ZONE CG

EXISTING  
BUILDING

EXISTING  
BUILDING

CONCRETE  
LOADING DOCK  
12" CONC. WALL

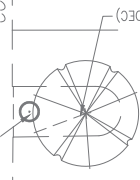
ASPHALT

DUMPSTER

CONCRETE

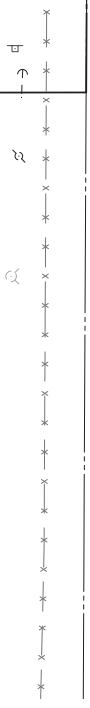
RETAINING WALL

CONCRETE



EXISTING PARKING AWNING

ASPHALT



CONCRETE WALK  
6" CURB

ALLEN STREET

E/P

EXISTING  
BUILDING

E/P

EXISTING LEGEND

- X EXISTING FENCE
- W EXISTING WATER LINE
- ONE EXISTING OVERHEAD ELECTRIC LINES
- USE EXISTING UNDERGROUND ELECTRIC LINES
- OHV EXISTING OVERHEAD TELEPHONE LINES
- UST EXISTING UNDERGROUND TELEPHONE LINE
- GAS EXISTING GAS LINE
- XXXX EXISTING CONTOUR & ELEVATION
- — — — — FLOW LINE
- SS EXISTING SANITARY SEWER AND MANHOLE
- ST EXISTING STORM SEWER AND INLET

SITE LEGEND

- PROPOSED ASPHALT DRIVEWAY - REFER TO DETAIL
- PROPOSED ASPHALT DRIVEWAY - REFER TO DETAIL
- PROPOSED WALKING CONCRETE SIDEWALK - REFER TO DETAIL
- PROPOSED SANITARY ACCESSIBLE RAMP - REFER TO DETAIL
- PROPOSED DEPRESSION CURB - CONTRACTOR TO REFER TO DETAIL FOR SPECIFICATIONS AND MATERIALS. CONTRACTOR TO VERIFY CURB HEIGHT TO MATCH EXISTING CURB AND TO CORRECT & WORK ADJUSTED TO MATCH EXISTING CURB TRANSITION & UNDER ROAD 6" TO 6"



SCALE: 1"=10'

NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL AFFECTED UTILITIES PRIOR TO ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CORRECTING ELEVATIONS.

revisions:

ARCHITECTURE	
CIVIL ENGINEERING	
PLANNING	
BRYNUM FAYND & ASSOCIATES, INC.	
528 North Walnut Street	
Bloomington, Indiana	
(612) 332-8030	
(612) 339-2990 (fax)	

verified by:

PROJECT	STORAGE EXPRESS
CLIENT	PROFESSOR
ADDRESS	221 W. DODDS ST.
CITY	BLOOMINGTON, IN 47403

TITLE: SITE PLAN

designed by: D  
drawn by: D  
checked by: D  
sheet no: C302  
project no.: 402345

**BLOOMINGTON BOARD OF ZONING APPEALS  
STAFF REPORT**

**CASE #: V-25-24  
VAR 2024-07-0042  
DATE: July 25, 2024**

**Location: 115 E Kirkwood Ave**

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**PETITIONER:** Clearpath Services  
121 E Kirkwood Ave, Suite 302  
Bloomington, IN

**CONSULTANT:** Christine Bartlett, Ferguson Law  
403 E Sixth Street  
Bloomington, IN

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**REQUEST:** A request for a variance from height standards in the Mixed-Use Downtown zoning district in the Courthouse Square Downtown Character Overlay (MD-CS).

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**REPORT:** The property is located on the north side of Kirkwood Avenue, and is bounded by an alley on the north and west sides, and a historic building (CVS) on the east side. The property is zoned Mixed-Use Downtown with Courthouse Square Character Overlay zoning district (MD-CS). All the surrounding properties are also zoned MD-CS. The site currently contains a surface parking lot.

The petitioner is proposing to redevelop the site with a 5-story mixed-use building with a basement for parking below. The building would contain restaurant space on the first floor and part of the second floor. There will be minimal parking included in the rear of the first floor for use by the restaurant, and commercial units for rent will be included on the rear of the second floor.

Three levels of condominiums are included on the 3<sup>rd</sup> through 5<sup>th</sup> floors containing 14 dwelling units. The MD-CS zoning district allows building height to 3 stories or a maximum of 40 feet. In a forthcoming site plan petition, the petitioner will utilize the affordable housing and sustainable development incentives. This will allow two additional floors, to a maximum of 5 floors. However, the maximum height allowed for 5 stories with both incentives is 54 feet.

The petitioner is requesting a variance to allow for a building that is 70.5 feet tall.

---

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards:** Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

**PROPOSED FINDING:** The granting of the variance to allow for additional height will not be injurious to the public health, safety, morals, or general welfare of the community. Approval of the variance will allow for redevelopment of a surface parking lot with the addition of required non-residential space, as well as residences above. The effect of the

building massing is ameliorated by the step backs used on the 4<sup>th</sup> and 5<sup>th</sup> floors.

- (2) *The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and*

**PROPOSED FINDING:** The granting of the variance to allow for additional height will not affect the use and value of the area adjacent to the property in a substantially adverse manner. Approval of the variance will allow for redevelopment of a surface parking lot with the addition of required non-residential space, as well as residences above. The effect of the building massing is ameliorated by the step backs used on the 4<sup>th</sup> and 5<sup>th</sup> floors, especially with the alignment and step backs used in the module next to the historic structure to the east of the property. Additionally, there is a historic district to the west of the petition site, but it is beyond a 12 foot alley and is the rear of the structures. Step backs are also used on the west side of the south façade to lessen the massing impact.

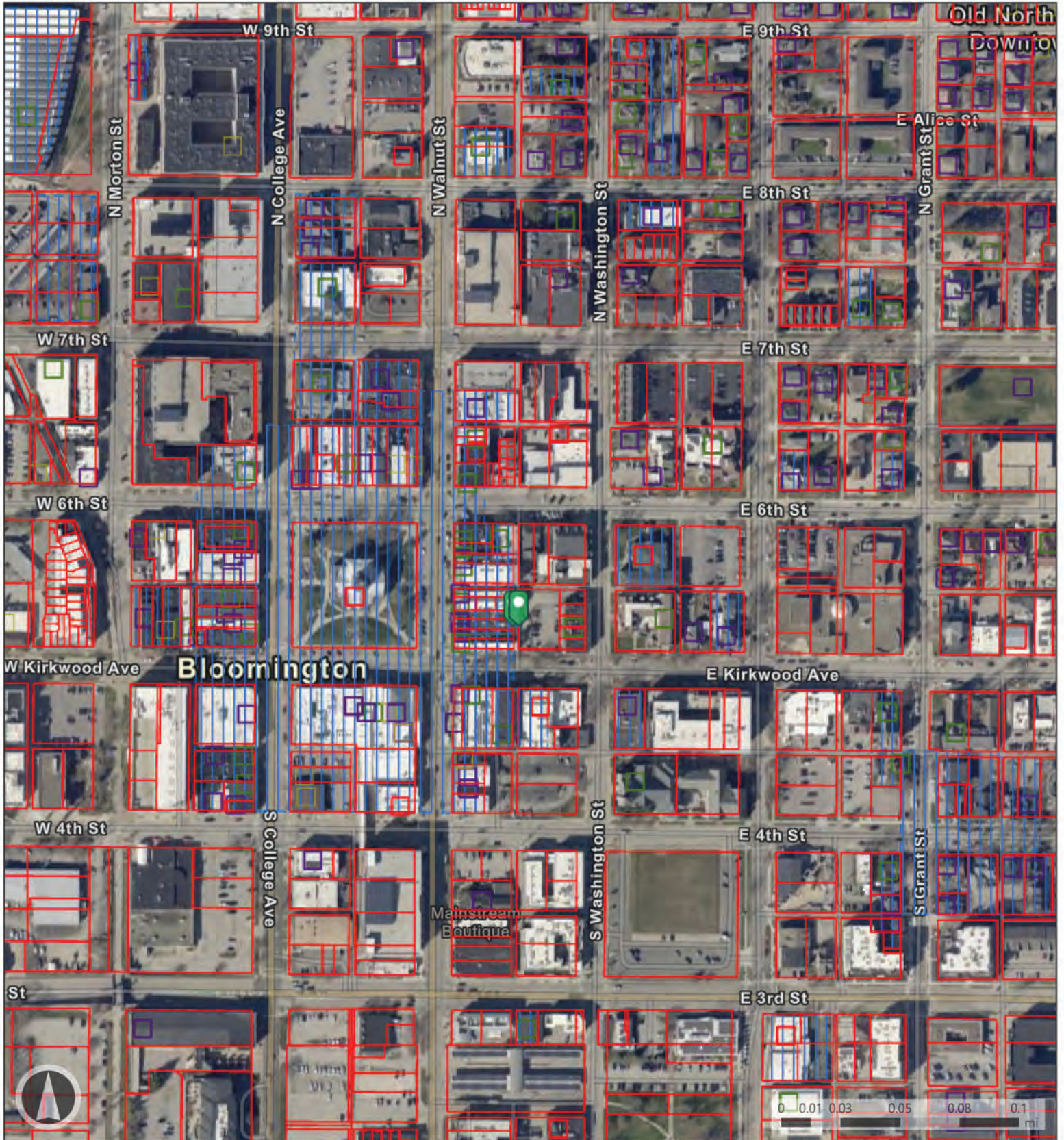
- (3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

**PROPOSED FINDING:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property in that this block of Kirkwood Avenue is prime real estate for community-serving uses such as a ground floor restaurant and the UDO calls for those uses here. The proposal is within the maximum number of stories allowed with both incentives, but the need for higher floor-to-ceiling heights in the building necessitates a taller overall height, as two of the stories are being utilized for programmed restaurant space. The existing parcel contains a serious slope change within its boundaries of over 8 feet in its roughly 132 foot depth. The petition calls for excavation and inclusion of parking underground, reducing the potential height of the planned structure. The challenges that the sloped site poses, along with the location in the heart of the pedestrian, commercial-use portion of downtown combine to create a peculiar condition that necessitates a height variance for a reasonably designed building.

---

**RECOMMENDATION:** Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-25-24 / VAR 2024-07-0042 with the following conditions:

1. This variance approval is for the height of the building, 70.5 feet, as submitted with this petition.
2. This variance approval is for the design of the building that incorporates, at a minimum, the areas of step back, shown on the building submitted with this petition.

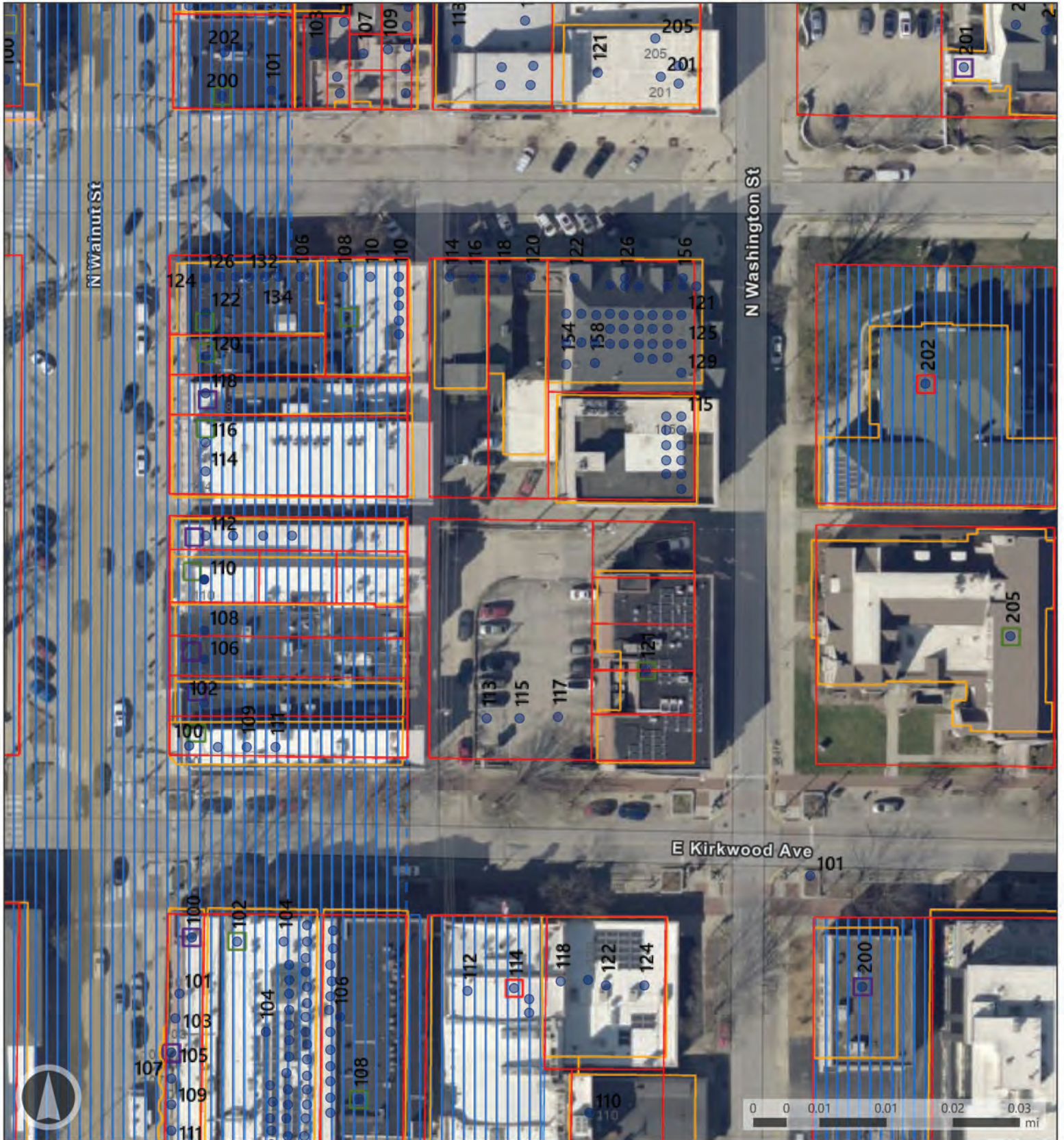


**Map Legend**

- Parcels
- Notable
- Contributing
- Local Historic Districts
- Bloomington Municipal Boundary
- Outstanding
- Non-Contributing







**Map Legend**

- Addresses
- Parcels
- Buildings
- Outstanding
- Notable
- Contributing
- Non-Contributing
- Local Historic Districts





121 E KIRKWOOD AVE | SUITE 302 | BLOOMINGTON, IN 47408

PHONE: 812.287.8596

RANDY@CLEARPATH-SERVICES.COM

### **PETITIONER'S STATEMENT**

June 28, 2024

City of Bloomington Board of Zoning Appeal  
401 N. Morton Street  
Bloomington, IN 47403

Re: Plan Approval at 115 E. Kirkwood Avenue

Dear Commission Members:

The purpose of our request is to construct a 67,000 square foot mixed-use project on a small urban infill lot located at 115 E Kirkwood Avenue. This project originally came before the Bloomington Plan Commission in 2018. After approval, we were prepared to move forward on construction but got delayed by lengthy negotiations with Duke Energy for the relocation of powerlines/poles in the adjacent east-west and north-south alleys. The situation was further complicated when the COVID pandemic struck. Due to the global uncertainties of how COVID might impact the economy and life in general, we decided to delay any construction until such time as we all better understood the lasting impacts of the pandemic. During this waiting period our approval expired. We submitted the project for reapproval in 2022 but now required two variances from the BZA due to changes in the UDO. The BZA granted Clearpath a First Floor Façade Large Display Window variance which remains part of this proposal. The 2<sup>nd</sup> variance requested was for Ground Floor Nonresidential Use Other Than Parking Garage Use. This variance was denied and subsequently appealed by Clearpath. Under the revised plan, this variance is no longer needed. During the appeal process, we were presented with an opportunity that would permit us to meet the ground floor commercial use requirement if parking and unit counts could economically be maintained through some design changes. After considerable consultation with our project architect, Ben Kunkel, and our designer, Lindsay Taylor Bell, the plan before you balances our development goals with the community's downtown goals. This plan proposes the following additions/changes: 1. Addition of a 13,000 restaurant/bar on the ground and 2<sup>nd</sup> floors. 2. Addition of lower-level parking containing approximately 26 private parking spaces. 3. Addition of a 5<sup>th</sup> floor to maintain residential density/count. We are seeking approval of the 4<sup>th</sup> and 5<sup>th</sup> floors based on incentives for sustainability and the payment-in-lieu incentive. Due to the market demands for increased floor-to-ceiling heights for commercial and owner-occupied residential units the addition of 5<sup>th</sup> floor requires an additional variance from height standards.

The lot has served as a parking lot for adjacent businesses such as Workingmen's, ONB and CVS for well over 60 years. The proposed project is a continuation of Clearpath's overall Bloomington redevelopment plans to add to the fabric of the Kirkwood corridor. An affiliate partnership purchased the former Workingmen's building and adjacent parking lot in 2015. Phase 1 of our efforts was an adaptive reuse of the building. Initial efforts brought a much-needed full-service pharmacy to the building and returned the 3<sup>rd</sup> floor to Class A office condos for four professional businesses including Meitus Gelbert Rose, Clearpath, JPF Properties, and CGR Services. Phase 2 is the redevelopment of the adjacent parking lot. Our plan is to construct a five story, 67,000 SF mixed-use building that includes approximately 11,167 SF secured lower-level parking area with 26 private parking stalls for commercial and residential condominium owners; 13,000 SF of Kirkwood restaurant/bar space of which 8,000 SF is on the Kirkwood ground floor; approximately 6,175 SF of office space on the rear half of the 2<sup>nd</sup> floor; and approximately 35,000 SF of owner-occupied residential condominiums consisting of 14 units.

We are excited to partner with the long-time owners of The Uptown Café, Michael and Galen Cassady, to bring a new restaurant and bar concept to the project and Bloomington. As envisioned, the ground floor would primarily be the restaurant and kitchen while the 2<sup>nd</sup> floor will be an intimate bar concept with a large outdoor space along Kirkwood. The bar and restaurant will be connected by an internal architecturally designed stair/atrium and an elevator. The ground floor also will have outdoor seating. Their space is a commercial condominium that also will be owner-occupied.

Bloomington's Comprehensive Plan recognizes the need for density and diversity of housing. Specifically, Chapter 4 encourages outlines policy goals and objectives that support the essence of our overall mixed-use development plans—a pharmacy, professional offices and owner-occupied housing combine to create a “sense of place.” Under Goal 4.5: Promote a Sustainable Downtown, recognizes and encourages the need for such owner-occupied housing as being vital to creating and sustaining a sense of place in downtown:

*“Develop strategies to stabilize and diversify the Downtown residential population by identifying and encouraging missing housing forms in the Downtown area (such as row houses, condominiums and live/work space).”*

Two goals worth noting are goals 4.4 and 4.6. Goal 4.4 Diversity Housing notes that the community should encourage a range of diverse housing types in the Downtown. Policy 4.4.3 encourages developers to build and market housing to non-student residents. Goal 4.6 Optimize Parking encourages “attractive, cost effective, convenient and environmentally public and private motor vehicle and bicycle parking facilities.” ONE15 aims to meet this Goal and related policies by providing sufficient parking for the project for resident’s cars, including electric vehicles, and bicycles to support vibrant economic activity. Additionally, residents with more than one vehicle will be encouraged to use two adjacent City garages.

It is worth noting that there remains a common thread in our long-term community planning that encourages such a development as we are proposing to build. The former Growth Policy Plan and Downtown Vision and Infill Strategy Plan has longed recognized the need for diverse housing options. The GPP Vision Statement echoes the same sentiments as heard in our Comprehensive Plan and UDO:

*V. A thriving city center that offers diverse residential housing, government services, specialized shopping, community-centered activities, and entertainment. More residential housing must be encouraged in the downtown area to insure continued demand for services in the city center. Attractive,*

*quality high-rise buildings, with parking, should be considered. Parking should be consolidated, and surface parking reduced and converted to high density residential uses. Public parks that are safe, well maintained, and offer recreation, sports, and leisure activities for our families should also be encouraged.*

Additionally, Policy 2 of the GPP's Policy Essence Statement noted:

*Policy 2: Increase Residential Densities in the Urbanized Area As a counterbalance to policies that limit the spatial expansion of growth, denser infill development in areas that already contain City services must be encouraged. Increasing the density of residential development within the community can provide several benefits. Concentrating densities in certain areas allows others to be preserved as greenspace, a vital urban amenity. Further, as densities increase, the efficiency and quality of urban services can be improved, and public transit becomes a much more feasible service.*

Furthermore, the GPP specifically addressed the need for increased residential density/diversity in Geography of the Policies:

*Land Use: A mix of office, commercial, civic, high-density residential and cultural land uses are recommended for the downtown. New residential, retail, and office growth must be redirected to the downtown if Bloomington is to slow the sprawl at the city's edge. Several land-use policies are necessary to achieve the active and engaging downtown that is so important to this community.*

- *The Downtown area should be targeted for increased residential density (100 units per acre) and for intensified usage of vacant and under-utilized buildings.*

The Downtown Vision and In-fill Strategy Plan echoes the need for a mix of residential options in the downtown:

*Residential Development Strategy Diverse housing options in downtown should be available in a range of product types and prices, including market rate and affordable categories. Construction of new residential units in mixed use complexes, as well as adaptive reuse of upper floors in older commercial buildings are envisioned. These product types should be promoted in the downtown area:*

- *High amenity, market rate units, historic*
- *High amenity, market rate units, new*

*Creating projects that combine these residential types is particularly encouraged.*

The Strategy Plan recognizes the potential need for variances from some standards to achieve certain community goals:

- *Projects which may need exemptions on some design requirements that fulfill other downtown goals (e.g. affordable housing, owner-occupied housing, base employment, etc.)*

Our multi-phased mixed-use development proposes to address a long-ignored residential segment--owner occupied housing that has been encouraged by community leaders in every strategic visioning plan. Clearpath is offering an urban residential product that offers from one to three-bedroom options with amenities desired by owner-occupied residents. The project will be marketed to young professionals, retirees and downtown/university-based employees. This residential demographic is a much-needed addition to our downtown core.

The proposed building's design and density is driven by the unique nature of an infill owner-occupied residential project on a smaller city lot. Our research indicates that the market desires downtown condominiums that provide a unique urban experience. As such, we are offering a design that offers 10-foot ceilings, large outdoor rooms, lobby entry off Kirkwood, unique common area amenities and secured parking. The Kirkwood level footprint is comprised of street retail, condominium lobby entrance and secured parking. The residential units are located on floors three through five. Additionally, there are other site related expenses unique to an urban infill project that drive the need for additional density: these include land costs, infrastructure (e.g. need to bury electrical lines in both alleys) and construction staging. In order to address this density need, the design steps-back at Kirkwood to bring the scale down. Additionally, the canopy along the street level will bring the street front down to a human scale consistent with Kirkwood.

The project and design is in scale with historical structures and recently approved/constructed projects. The Buskirk, KP building on the Square, Oddfellows, CVS and Uptown buildings are examples of multistory buildings adjacent to the lot. Newer projects such as the Sullivan's building and downtown hotel projects are representative of Bloomington's evolution towards recognizing the need for greater density for urban infill projects.

The overall design, through the use of brick, limestone, glass and metal breaks the façade up to visually integrate the building into the fabric of Kirkwood and surrounding buildings. The structure itself is to be built with a steel beam/concrete core. This, combined with the use of quality and timeless exterior materials on all four sides, will result in an attractive building that will add to the long-term character of downtown and Kirkwood. Unlike many of the new apartment structures, our project utilizes a design that owner's will be proud to call home for many years to come.

The project is being designed to meet or exceed LEED Certified equivalency. The condos, as such, will incorporate numerous environmentally friendly features including:

- Solar Panels on Roof
- Car Charging Station
- Recycling Program
- Energy Efficient HVAC Systems
- No/Low VOC Materials
- Locally/Regionally Sourced Materials
- LED Lighting
- Energy Efficient Appliances/Systems
- Water Efficient Fixtures

Please refer to the “Green Building Initiatives” exhibit for additional details.

In order to reduce the likelihood that these units may be converted to rentals, the condominium association documents will prohibit owners from offering units for short-term rental such as Airbnb. Additionally, the documents will prohibit the units from being occupied by more than two unrelated adults. These restrictions will aid in the maintenance of a strong owner-occupied environment.

Finally, the addition of nearly 20,000 SF of commercial space will provide new modern space for the downtown restaurant/office scene. The following is a summary of project per the previous submission including the addition of solar panels and garage entry off Kirkwood.

**Residential/Commercial Density and Owner Occupancy:** The proposal offers 14 residential condominiums and 1 commercial condominium. The residential units range from 3,402 SF to 1,620 SF. The commercial condominium is approximately 13,000 SF. Additionally, there is approximately 6,200 SF of office space. This space can be for rent or sold as office condominium space. If the market for office space is soft, we may consider adding up to an additional 4 residential condominium units in lieu of the office space.

**Height:** Our proposal is for a 5-story building. The design features an average building height 70.5" feet using the average elevation. It is worth noting that the height is being driven by market demand of owner-occupied housing. Our commercial space has open ceiling heights from 14-16 feet. The owner-occupied housing has 10-foot clear ceilings.

**Architecture/Materials:** The architect, Ben Kunkel, has blended contemporary design with more traditional elements. Numerous punched openings with distinctive sills/lintels have been added. The renderings show a distinctive base, middle and cap. The extensive use of glass and key entries for the condominiums and commercial space along Kirkwood, including on the garage entry door, will create a pedestrian friendly streetscape with opportunities for outdoor seating and planters. Additionally, we are committed to working with the City to address the massing along the rear and alley side of the elevations.

**Building Height Step Down:** The design contains a step-back at the front façade facing Kirkwood and adjacent to the alley at the 4<sup>th</sup> and 5<sup>th</sup> floors respectively. Our proposed building is separated by an alley. Our side is across the alley from the Book Corner's rear elevation. Visually, we achieve the required step-back from the Kirkwood/alley perspective.

**Void-to-Solid Percentage:** See architect's comments.

**Solar Panels:** We believe it makes economic sense to add solar panels to the roof of the project. It is projected that addition of the panels will at a minimum cover the costs of electricity for all the common area including the lobby and garage. Additionally, we are seeking the sustainable incentive under the UDO (see Zoning Compliance/Sustainable Incentive section below).

**Garage Entry:** Our previous submission had the garage entry off the north-south alley. Under our revised proposal, the garage entry will be on the north side of the building across from the Sullivan building. With the addition of lower-level parking we are able to achieve the ramping necessary from this alley access. We currently have two very active curb cuts that serve the surface lot. These will be eliminated. The activity from the garage will be significantly less than current uses as it only serves the residents of the condominiums. Additionally, we plan to provide the restaurant and condominium services through a door located on the north-south alley.

**Zoning/Sustainable Incentive:** The site is currently zoned MD-CS (Mixed-use Downtown with Courthouse Square Downtown Character Overlay). Our previous submission was approved under slightly different regulations. Clearpath is seeking to build a structure that contains 5 floors and that is taller than 62 feet. For the additional two floor, we are pursuing the sustainable incentives and the payment-in-lieu incentive. Per 20.04(d), we plan to comply with, at a minimum, four of the six noted qualifying criteria including covered parking, cool roof, solar energy, and building efficiency. In conclusion, we are offering an exciting project that will provide much needed owner-occupied residential condominiums

and allow the continued growth of one of Bloomington's iconic local restaurant groups.. We look forward to our formal meeting to discuss the project and answer any remaining questions.

**Variations Sought:** We seek one variance from the BZA.

1. **Variance from Building Height Exceeding Allowable Height.** The project as designed, is on average 70.5 feet to the top of the roof deck and 74.5 feet to highest parapet. Per our incentives for the 4<sup>th</sup> and 5<sup>th</sup> floors, the UDO permits a height up to 64 feet. The variance will permit us to economically build commercial and residential space with market driven floor-to-ceiling demands and maintain the required density for units and parking as previously proposed.

Respectfully submitted by: Randy Lloyd

# CONDOMINIUMS & RETAIL

115 East Kirkwood Avenue,  
Bloomington, IN, USA

## Architectural Drawings

Sheet Number	Sheet Name
A000	Architectural Drawings
A001	3D View
A002	3D Views
A003	3D Views
A101	Level-0
A102	Level-1
A103	Level-1 North Alley
A104	Level-2
A105	Level-3
A106	Level-4
A107	Level-5
A108	Level-6
A201	Front Elevation
A202	Back Elevation
A203	Right Elevation
A204	Left Elevation
A205	Front Realistic Elevation
A206	Back Realistic Elevation
A207	Right Realistic Elevation
A208	Left Realistic Elevation
A301	Section 1
A302	Section 2
A303	Section 3
A304	Section 4
A305	Section 5
A306	Section 6
A307	Section 7
A401	Level-1 Space Areas
A402	Level-2 Space Areas
A403	Level-3 Space Areas
A404	Level-4 Space Areas
A405	Level-5 Space Areas
A501	Door Schedules
A502	Windows Schedules
A503	Windows Schedules





PL4 02 122 8 100001010

GENERAL NOTES

REFERENCE KEYNOTES

Date	
NEW CONSTRUCTION <b>CONDOMINIUMS &amp; RETAIL</b> 121 East Avenue of Justice, Birmingham, AL, USA	
3D View	
Project No.	100001010
Issue Date	02/12/2024
Client No.	000000000
Revision	000000000
Sheet No.	A001
Scale	



GENERAL NOTES

REFERENCE KEYNOTES

Date

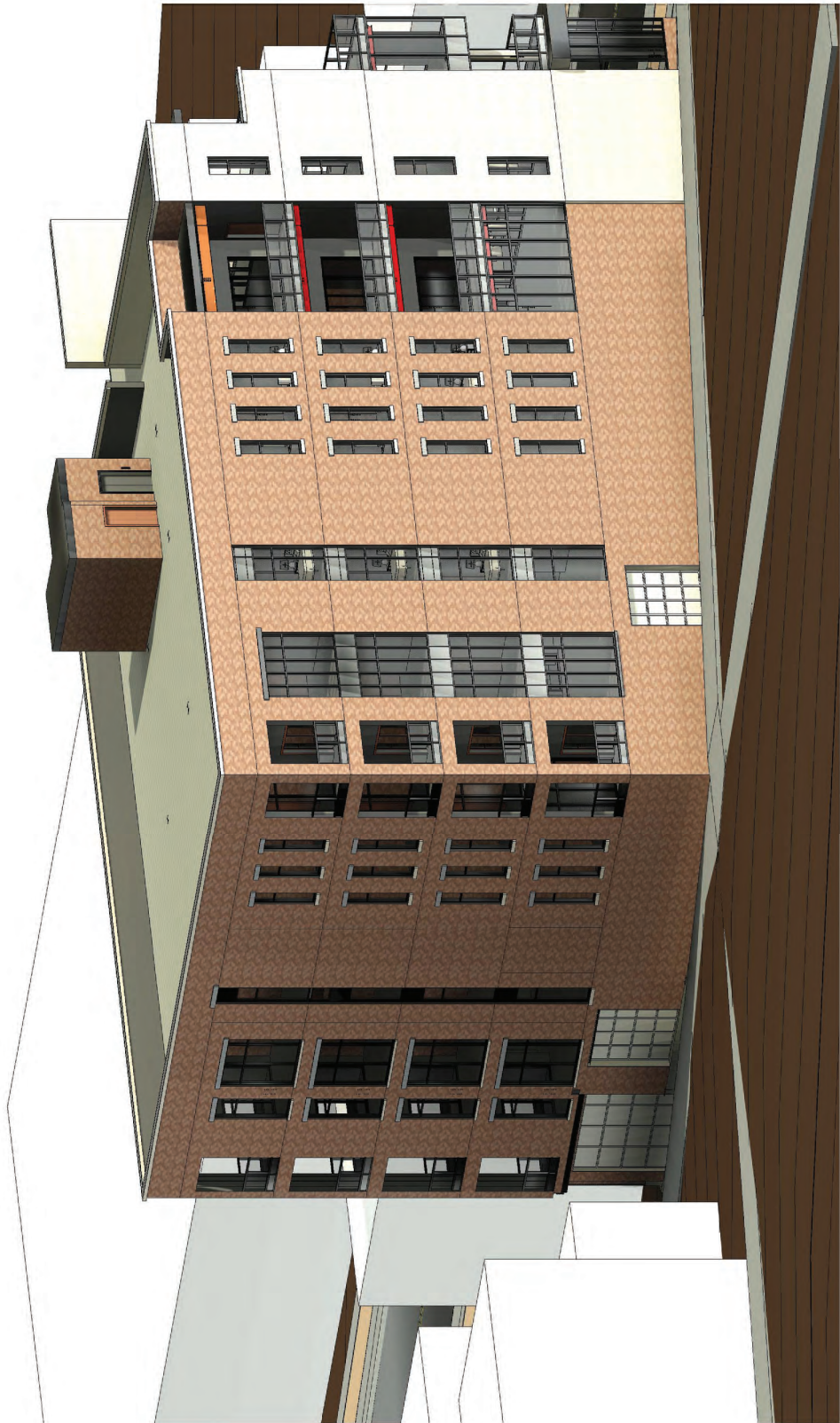
NEW CONSTRUCTION  
 FOR  
**CONDOMINIUMS &  
 RETAIL**  
 151 East Avenue of Justice, Birmingham, AL, USA

3D Views

Prepared by:                       
 Design by:                       
 Checked by:                       
 Drawn by:                     

A002

Date



GENERAL NOTES

REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS &  
RETAIL**  
RETAIL  
15 East Avenue of Justice, Birmingham, AL, USA

3D Views

Project No.	15000000
Issue Code	000
Revision No.	000
Revision Description	

A003



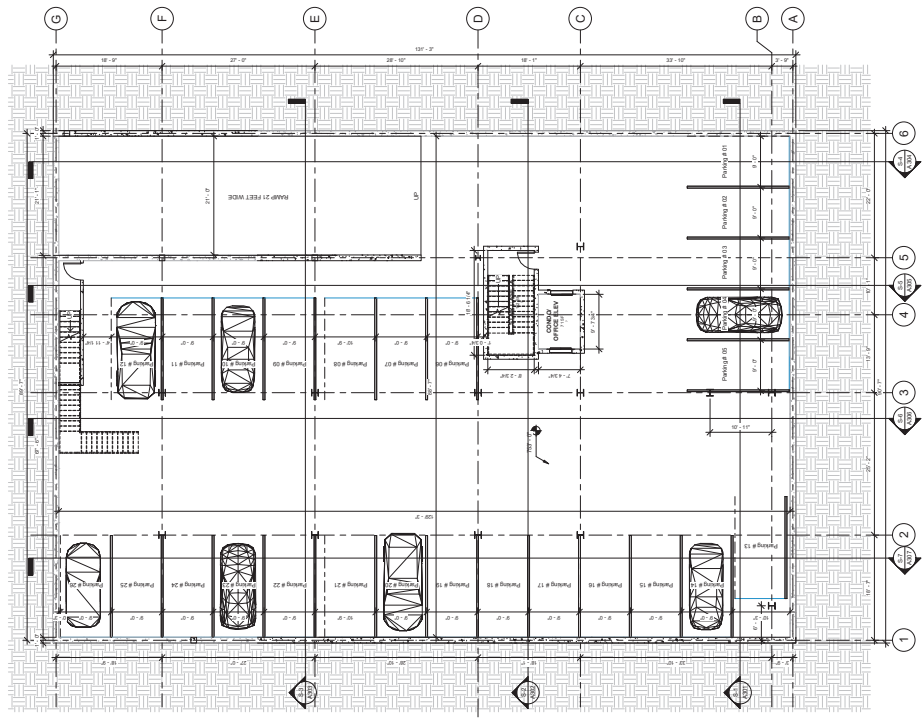
GENERAL NOTES

REFERENCE KEY/NOTES

Date

ARCHITECTURE  
 INTERIORS  
**CONDOMINIUMS & RETAIL**  
 PROJECT  
 115 East Kansas Street, Birmingham, AL, USA

<b>Level-4</b>	
Designed By	Design Firm
Issue Date	Checked By
Rev. Number	Checked By
<b>A101</b>	
Scale: 1/8" = 1'-0"	



GENERAL NOTES

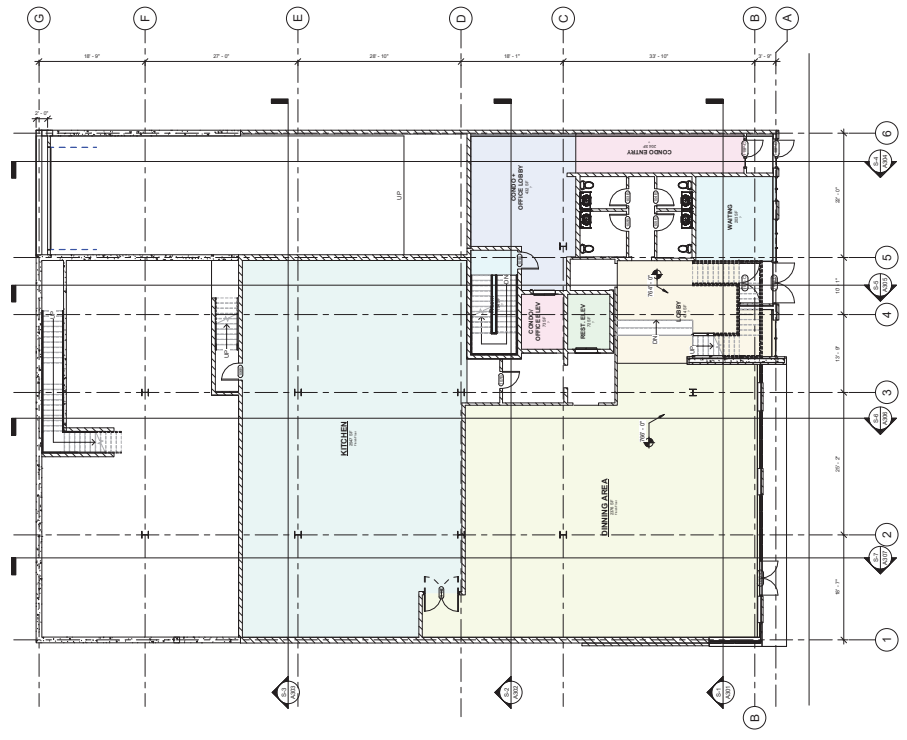
REFERENCE KEY/NOTES

Date

REVISED FOR  
**CONDOMINIUMS & RETAIL**  
 115 East Howard Street, Birmingham, AL, USA.

Level-1	
Designed By	Designator
Issued Date	Checked By
Rev Number	Checked
A102	
Date	

- Room Legend
- CONDO + OFFICE LOBBY
  - CONDO ENTRY
  - CONDO/OFFICE ELEV
  - DINNING AREA
  - KITCHEN
  - LOBBY
  - REST. ELEV
  - Room
  - WAITING



Level-1  
 1/8" = 1'-0"

**GENERAL NOTES**

**REFERENCE KEYNOTES**

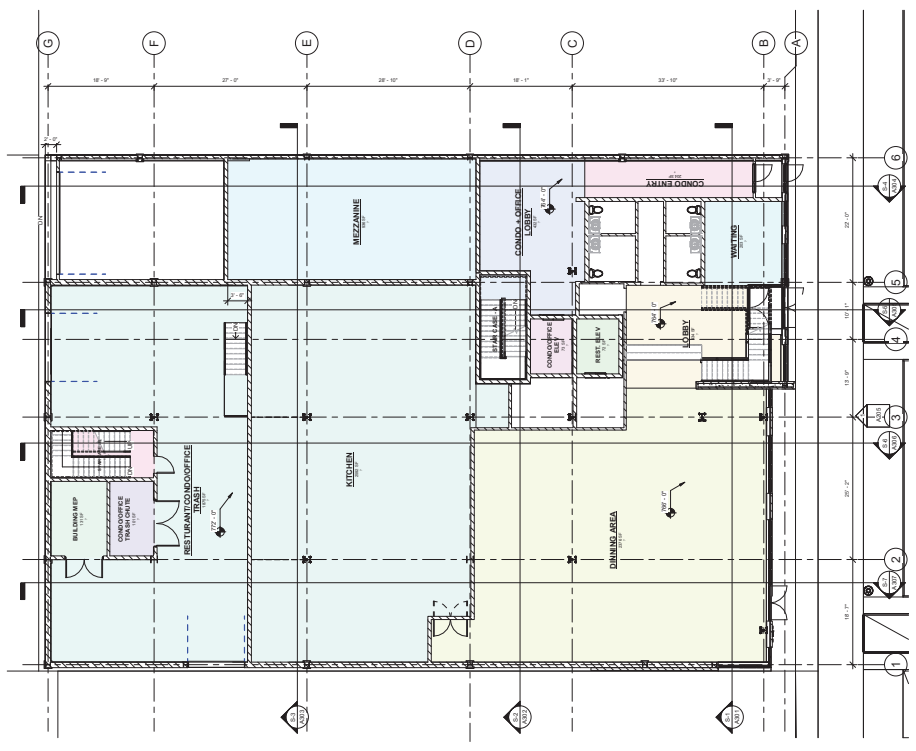
Date

REVISED FOR  
**CONDOMINIUMS & RETAIL**  
 115 East Kansas Street, Birmingham, AL, USA

**Level-1 North Alley**

Designed By	Designator
Issue Date	Checked By
Rev Number	Checked By
<b>A103</b>	
Drawn	10/17/12

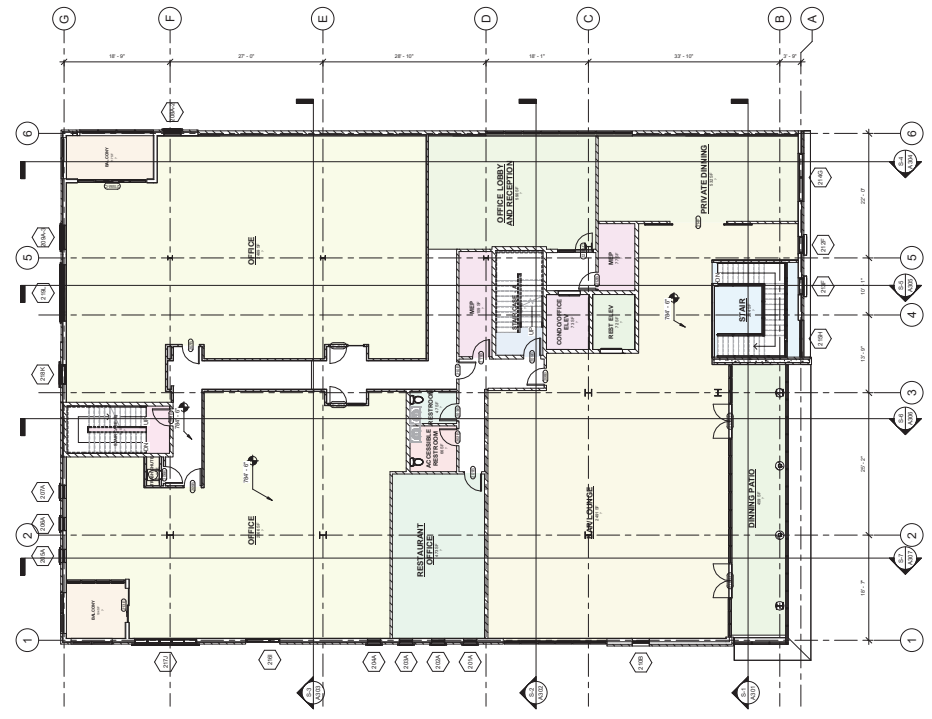
- Room Legend**
- BUILDING MEP
  - CONDO + OFFICE LOBBY
  - CONDO ENTRY
  - CONDO/OFFICE ELEV
  - CONDO/OFFICE ELEV
  - CONDO/OFFICE TRASH CHUTE
  - DINNING AREA
  - KITCHEN
  - LOBBY
  - MEZZANINE
  - REST. ELEV
  - RESTURANT/CONDO/OFFICE TRASH
  - Room
  - STAIR CASE - A
  - STAIR CASE - B
  - WAITING



**GENERAL NOTES**

**REFERENCE KEYNOTES**

- Room Legend**
- ACCESSIBLE RESTROOM
  - BALCONY
  - BAR/LOUNGE
  - CONDO/OFFICE ELEV
  - DINNING PATIO
  - MEP
  - OFFICE
  - OFFICE LOBBY AND RECEPTION
  - PRIVATE DINNING
  - REST ELEV
  - RESTAURANT OFFICE
  - RESTROOM
  - STAIR
  - STAIR CASE - A
  - STAIR CASE - B
  - TRASH CHUTE



Date

REV. CONSTRUCTION  
 FOR  
**CONDOMINIUMS & RETAIL**  
 115 East Howard Street, Baltimore, MD, USA

<b>Level-2</b>	
Designed By	Design/Draw
Issue Date	Check/ID
Rev. Number	Change
<b>A104</b>	
Scale: 1/8" = 1'-0"	

GENERAL NOTES

REFERENCE KEYNOTES

Date

REV CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
15 East Meadows, Aurora, IL 60009, U.S.A.

Level-3	
Designed By	Design/Draw
Checked By	Checked By
Drawn By	Drawn By
<b>A105</b>	
Scale: 1/8" = 1'-0"	

- Room Legend
- BALCONY
  - BATH
  - BEDROOM
  - CLOSET
  - CONDO ELEV
  - GUEST BATH
  - GUEST BEDROOM
  - LAUNDRY
  - OFFICE
  - POWDER ROOM
  - PRIMARY BATH
  - PRIMARY BEDROOM
  - PRIMARY CLOSET
  - Room
  - STAIR CASE - A
  - STAIR CASE - B
  - TRASH CHUTE
  - UNIT # 301
  - UNIT # 302
  - UNIT # 304
  - UNIT # 305
  - UNIT # 306

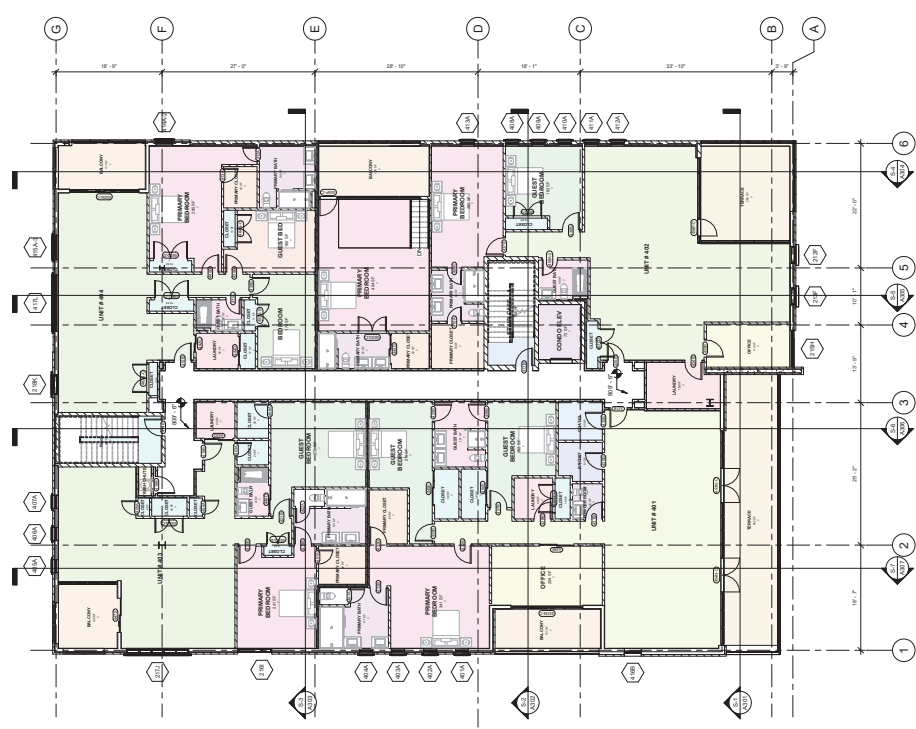




GENERAL NOTES

REFERENCE KEYNOTES

- Room Legend
- BALCONY
  - BEDROOM
  - CLOSET
  - COAT CL
  - CONDO ELEV
  - GUEST BED
  - GUEST BEDROOM
  - LAUNDRY
  - OFFICE
  - PANTRY
  - POWDER ROOM
  - PRIMARY BATH
  - PRIMARY BEDROOM
  - PRIMARY CLOSET
  - Room
  - STAIR CASE - A
  - TERRACE
  - TRASH CHUTE
  - UNIT # 401
  - UNIT # 402
  - UNIT # 403
  - UNIT # 404



Date

DATE CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
115 East Howard Street, Baltimore, MD, USA

<b>Level-4</b>	
Designed By	Design/Draw
Issue Check	Checked By
Rev Number	Change
<b>A106</b>	
Scale: 1/8" = 1'-0"	

GENERAL NOTES

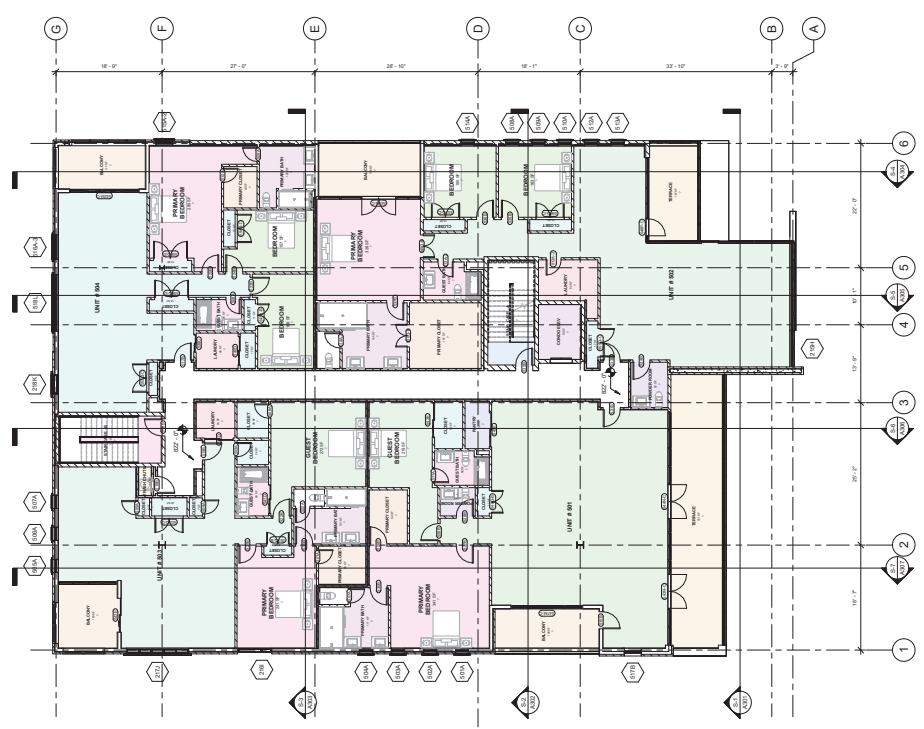
REFERENCE KEYNOTES

Date

DATE CONSTRUCTION  
 FOR  
**CONDOMINIUMS &  
 RETAIL**  
 115 East Howard Street, Baltimore, MD, USA

Level-5	
Designed By	Design/Draw
Issue/Check	Checked/ID
Rev Number	Change
A107	
Scale: 1/8" = 1'-0"	

- Room Legend
- BALCONY
  - BEDROOM
  - CLOSET
  - CONDO ELEV
  - GUEST BATH
  - GUEST BEDROOM
  - LAUNDRY
  - PANTRY
  - POWDER ROOM
  - PRIMARY BATH
  - PRIMARY BEDROOM
  - PRIMARY CLOSET
  - STAIR CASE - A
  - STAIR CASE - B
  - TERRACE
  - TRASH CHUTE
  - UNIT # 501
  - UNIT # 502
  - UNIT # 503
  - UNIT # 504



PL 90-PC-8-00000009

GENERAL NOTES

REFERENCE KEY/NOTES

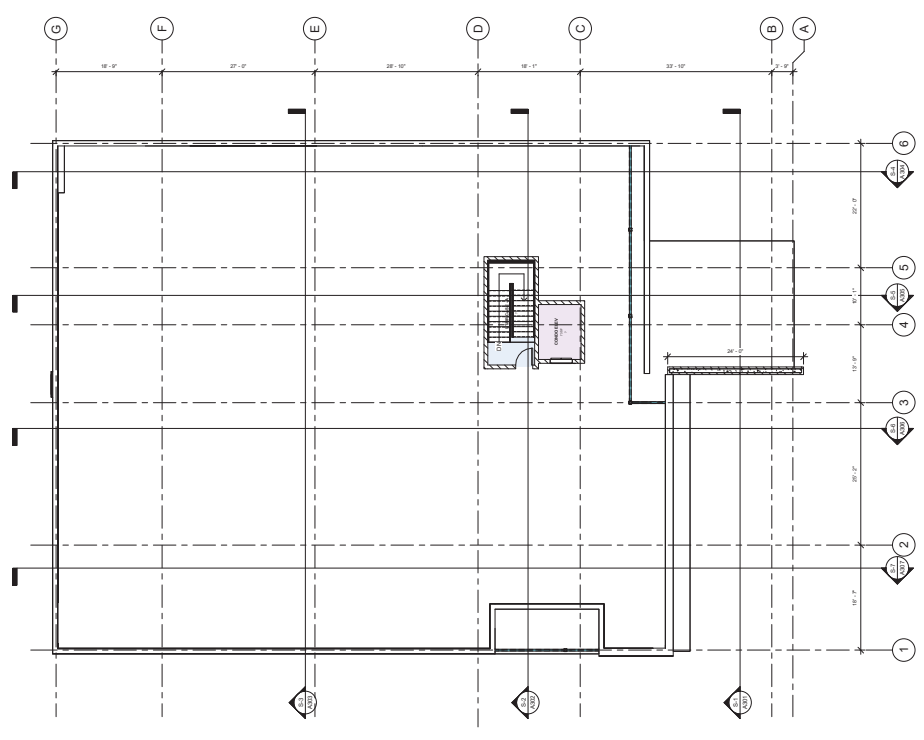
Date

DATE CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
RETAIL  
115 East Howard Street, Baltimore, MD, USA

Level-16	
Designed By	Designator
Issued Date	Checked By
Rev Number	Checked
A108	
Date	

Room Legend

- COND O ELEV
- STAIR CASE - A



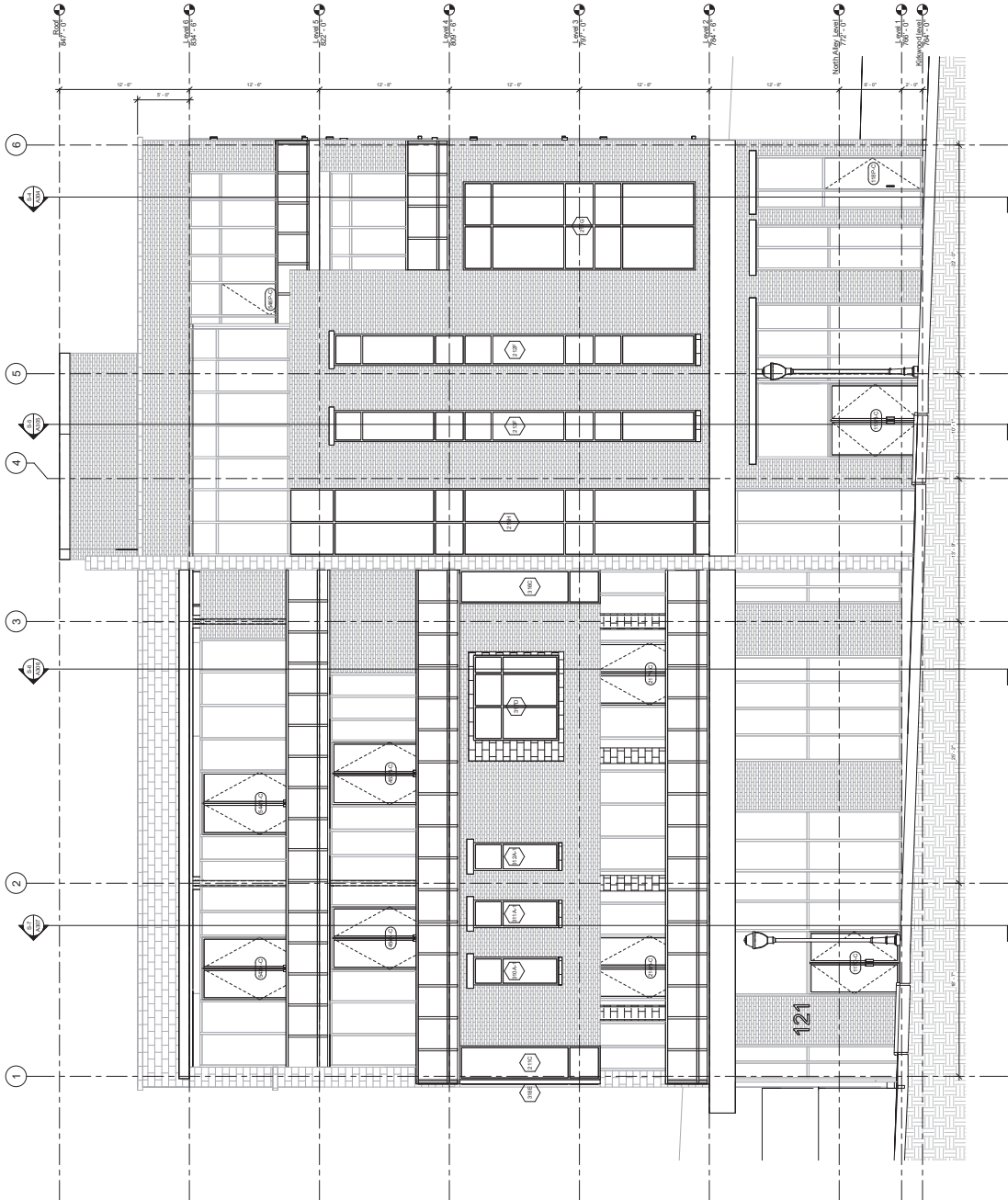
GENERAL NOTES

REFERENCE KEY/NOTES

Date

REV CONSTRUCTION  
FOR  
**CONDOMINIUMS &  
RETAIL**  
115 East Avenue, Fort Lauderdale, FL, USA

Front Elevation	
Designed By	Design/Arch
Issue Date	Checked By
Rev Number	Checked By
<b>A201</b>	
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GENERAL NOTES

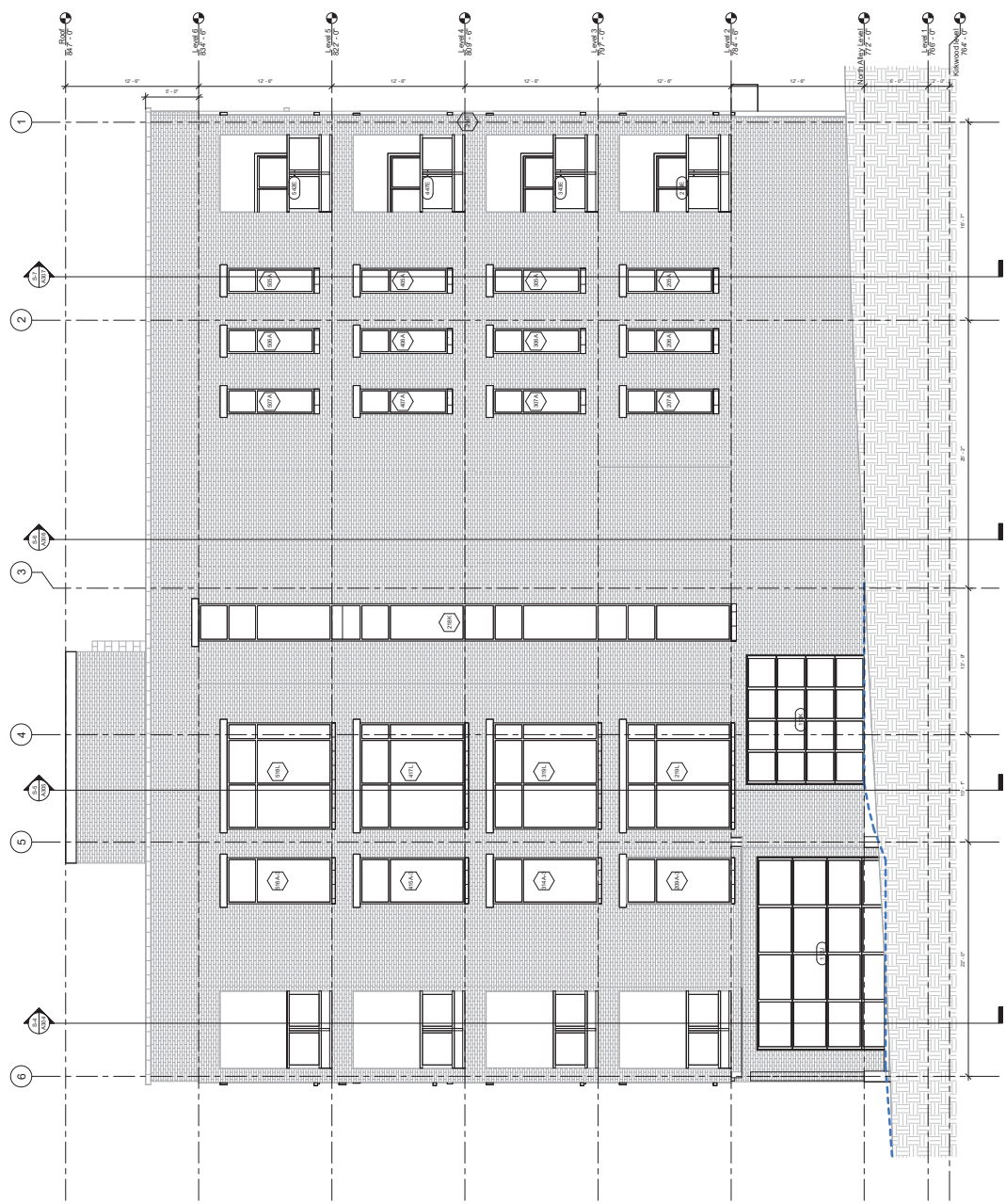
REFERENCE KEY/NOTES

Date

NEW CONSTRUCTION FOR  
CONDOMINIUMS &  
RETAIL  
15 East Howard Avenue, Birmingham, AL, USA

Back Elevation

Prepared By	Designator
Checked By	Checked By
APR Number	Change
<b>A202</b>	
Date	1/17/20



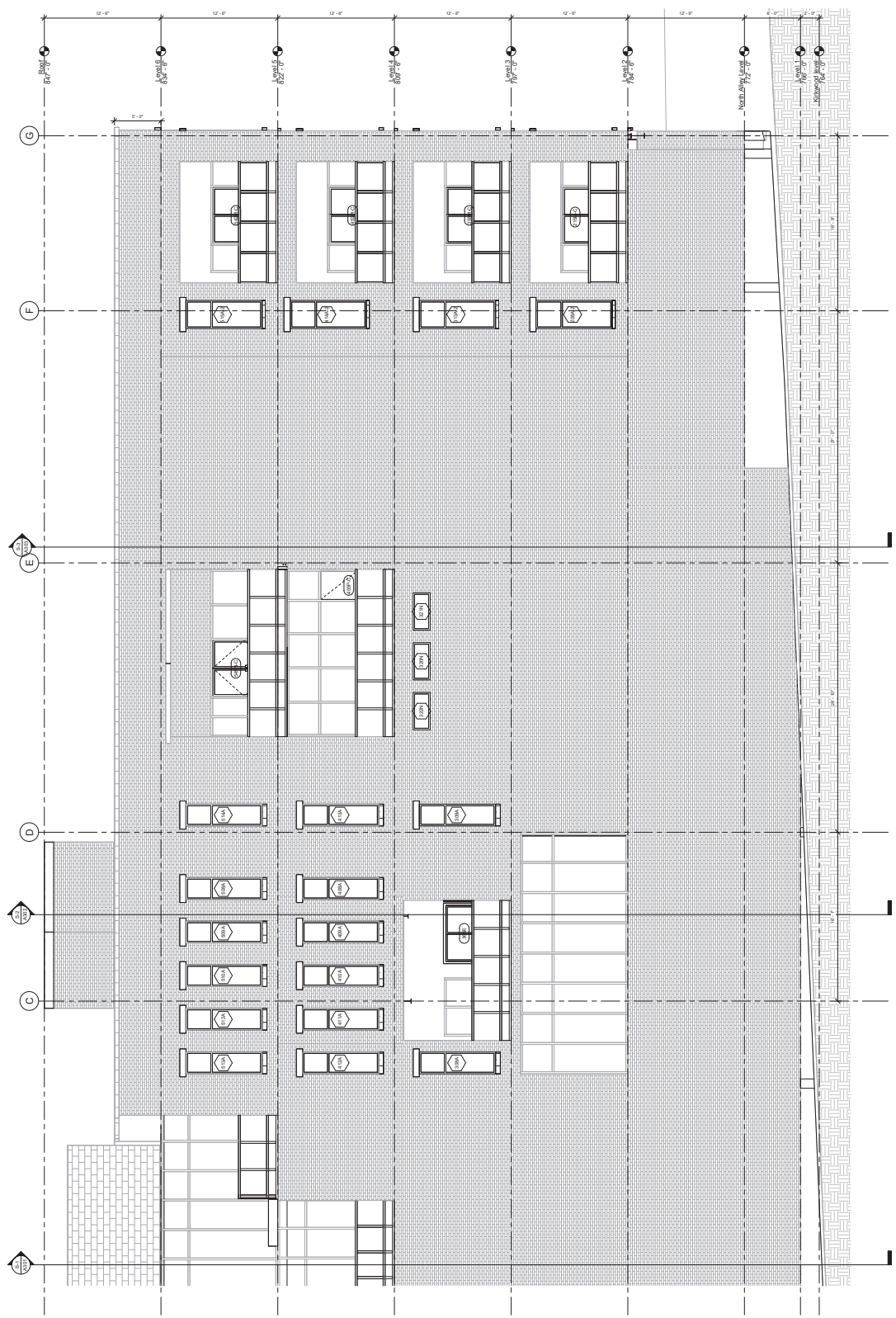
GENERAL NOTES

REFERENCE KEYNOTES

Date

DATE SUBMITTED: 10/20/2017  
PROJECT: CONDOMINIUMS & RETAIL  
115 East Howard Street, Baltimore, MD, USA

Right Elevation  
Designed By: [Redacted]  
Checked By: [Redacted]  
Drawn By: [Redacted]  
A203  
Scale: 1/4" = 1'-0"



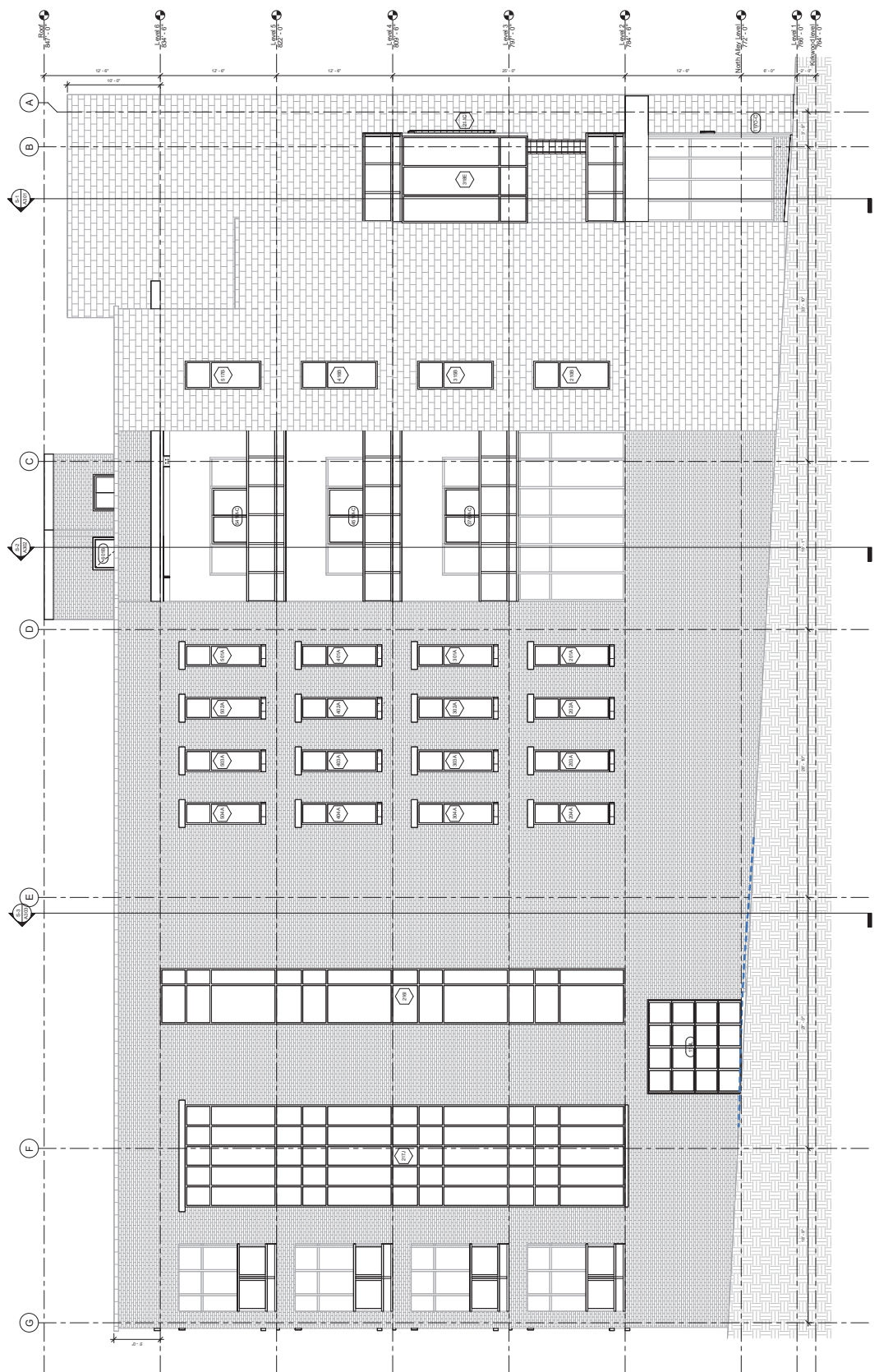
GENERAL NOTES

REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS &  
RETAIL**  
115 East Howard Street, Baltimore, MD, USA

<b>Left Elevation</b>	
Prepared By	Designator
Checked By	Checked By
Job Number	Change
<b>A204</b>	
Date	



North  
1/8" = 1'-0"

GENERAL NOTES

REFERENCE KEY/NOTES

Date

REV CONSTRUCTION  
FOR  
**CONDOMINIUMS &  
RETAIL**  
115 East Howard Street in Baltimore, MD, USA

Front Realistic Elevation

Designed by	Design Firm
Interior Color	Interior ID
Exterior Color	Exterior ID
Rev Number	Change
<b>A205</b>	
Date	1/17/20





GENERAL NOTES

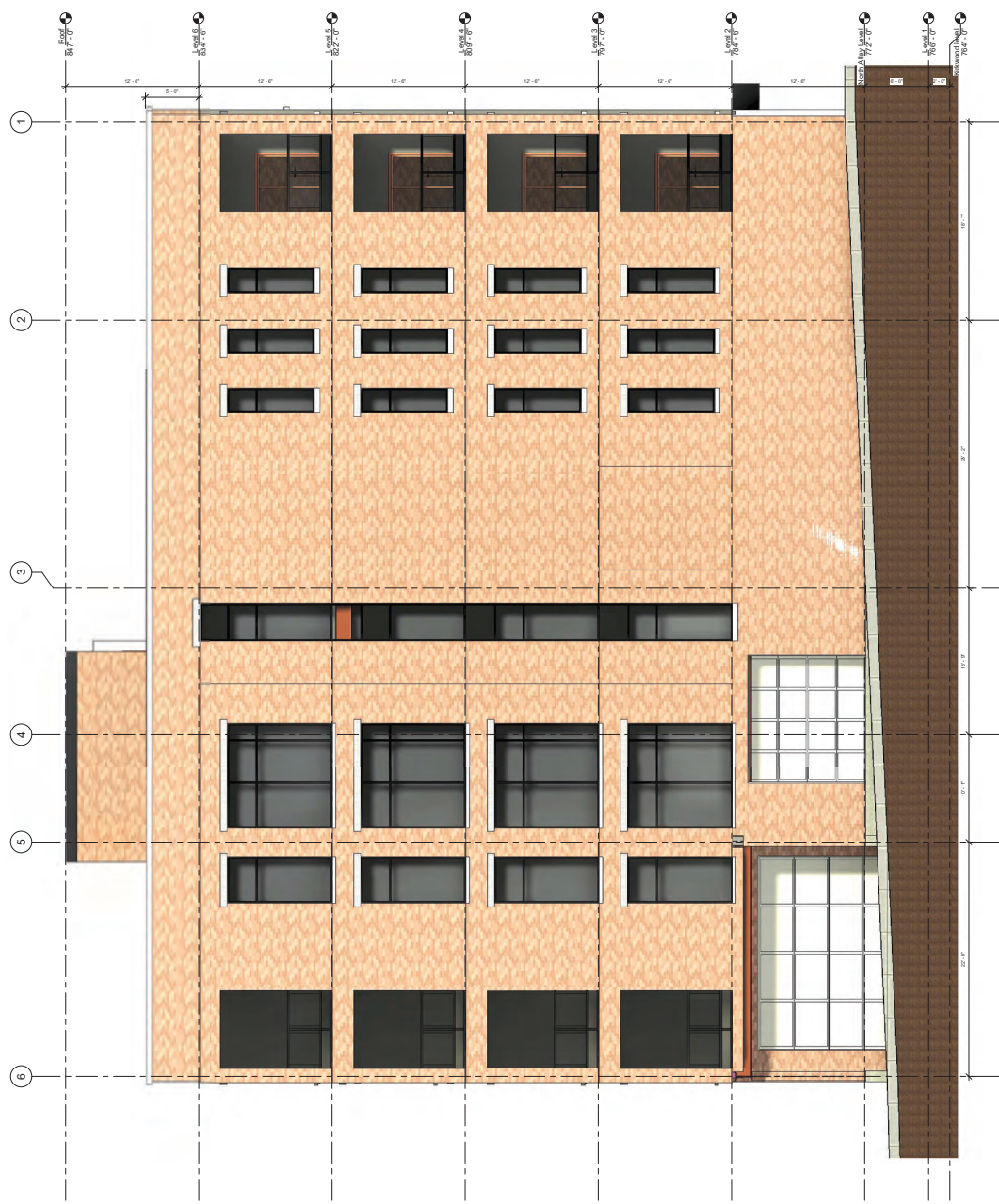
REFERENCE KEY/NOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RESIDENTIAL**  
15 East Howard Avenue, Birmingham, AL, USA

Back Realistic Elevation

Prepared By	Designator
Issue Date	Checked By
Rev Number	Created By
<b>A206</b>	
Date	1/17/20



PL 10 30 00 0000000

GENERAL NOTES

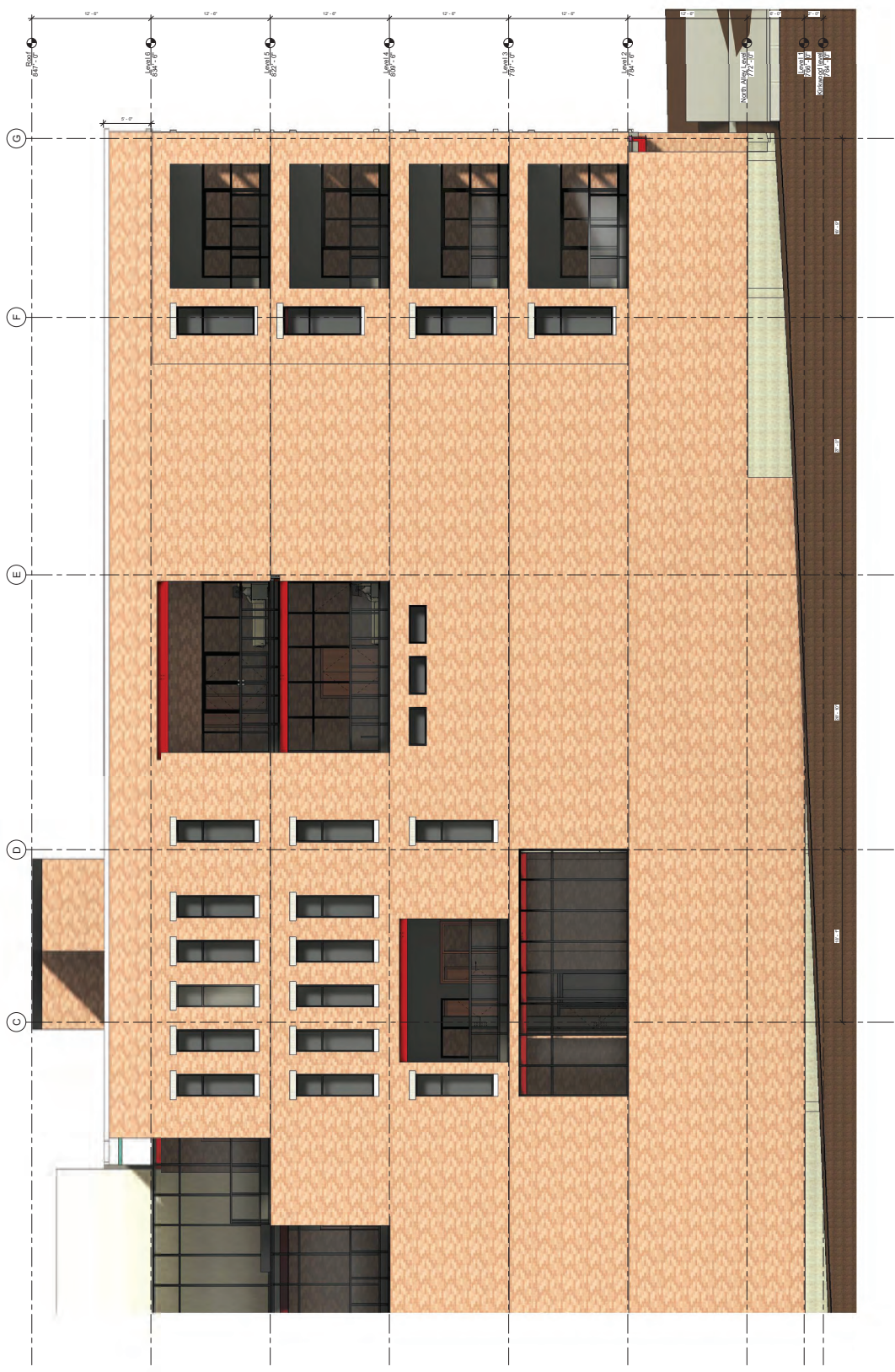
REFERENCE KEY/NOTES

Date

DATE SUBMITTED: 01/11/2024  
PROJECT: CONDOMINIUMS & RESIDENTIAL  
115 East Avenue 2, Jacksonville, FL, USA

Right Realistic Elevation

Designed By	Drawn By
Checked By	Checked By
Project No.	Sheet No.
<b>A207</b>	
Scale: 1/8" = 1'-0"	



Right Realistic Elevation  
1/8" = 1'-0"

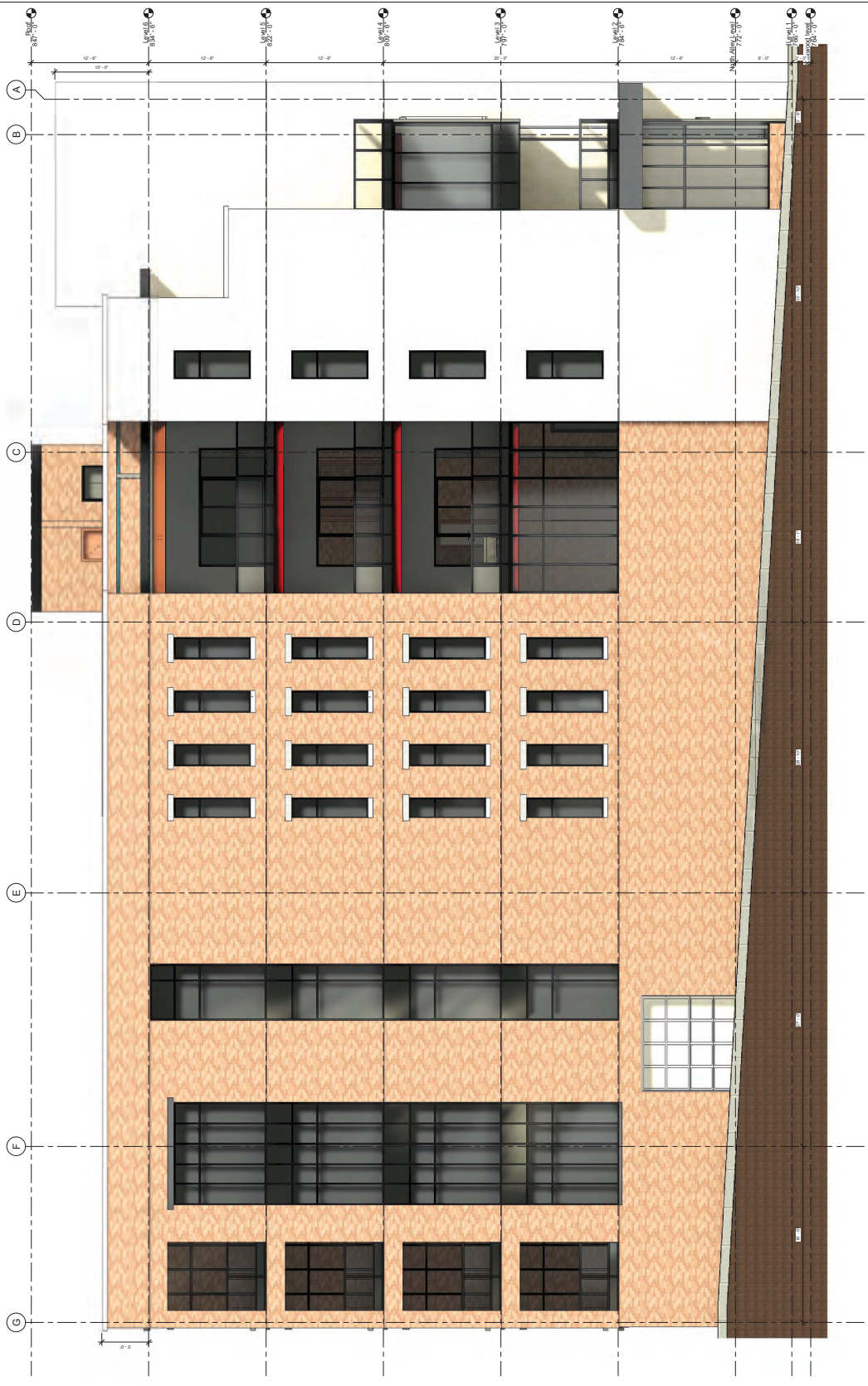
GENERAL NOTES

REFERENCE KEY/NOTES

Date

NEW CONSTRUCTION  
CONDOMINIUMS &  
RETAIL  
115 East Avenue, Jacksonville, FL, USA

Left Realistic Elevation  
Designed By: [blank]  
Checked By: [blank]  
Drawn By: [blank]  
A208  
Date: [blank]



Left Realistic Elevation  
1/8" = 1'-0"

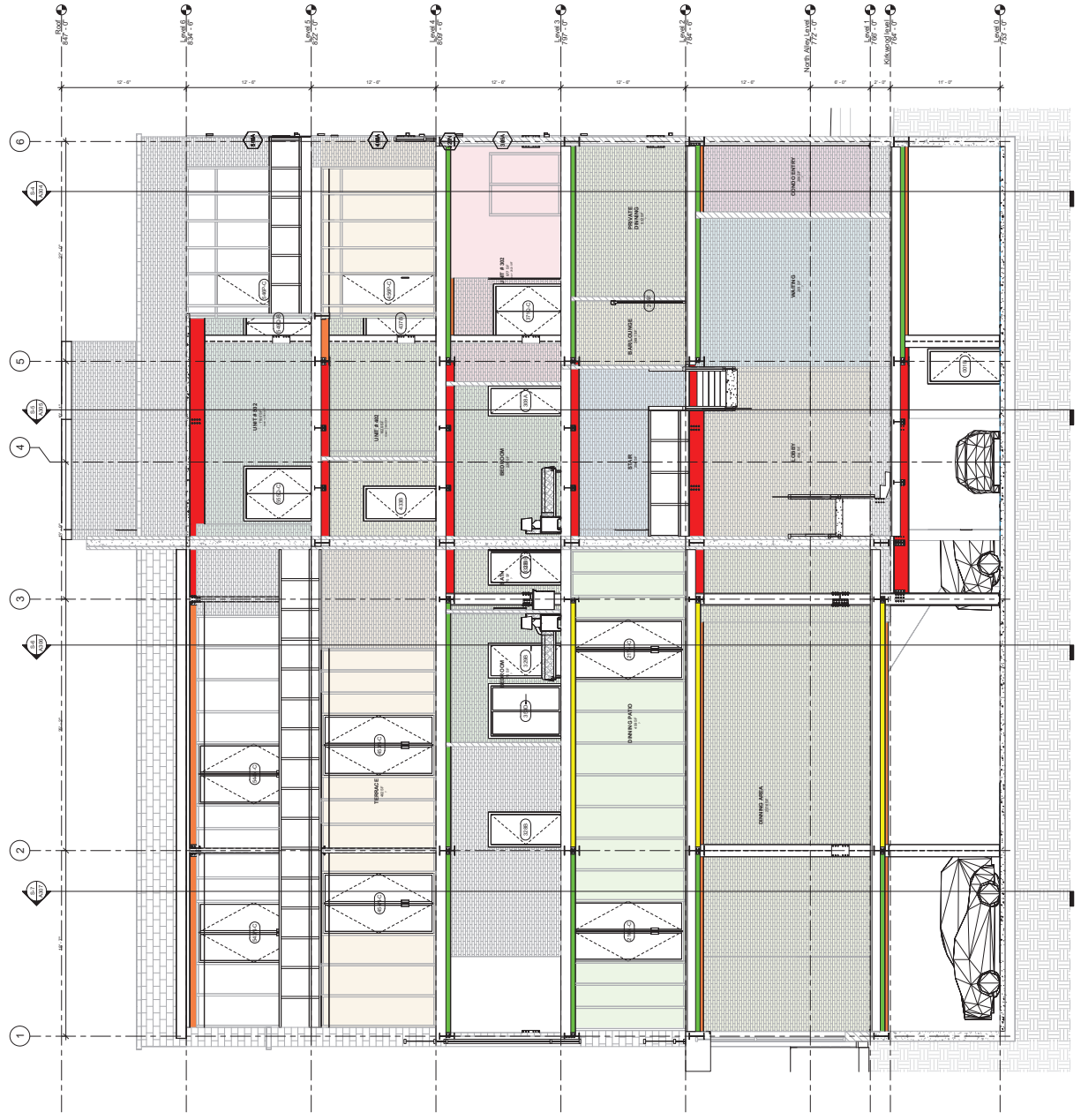
PLD 02-308-R-00000009

GENERAL NOTES

REFERENCE KEYNOTES

Date	
NEW CONSTRUCTION FOR <b>CONDOMINIUMS &amp; RETAIL</b> 115 East Howard Avenue, Birmingham, AL, USA	
<b>Section 1</b>	
Prepared By	Design/Draw
Checked By	Checked By
Rev Number	Change
<b>A301</b>	
Scale	1/4" = 1'-0"

- Room Legend**
- BARLOUNGE
  - BATH
  - BEDROOM
  - CONDO ENTRY
  - DINNING AREA
  - DINNING PATIO
  - LOBBY
  - OFFICE
  - PRIVATE DINNING
  - STAIR
  - TERRACE
  - UNIT # 302
  - UNIT # 402
  - UNIT # 502
  - WAITING



GENERAL NOTES

REFERENCE KEYNOTES

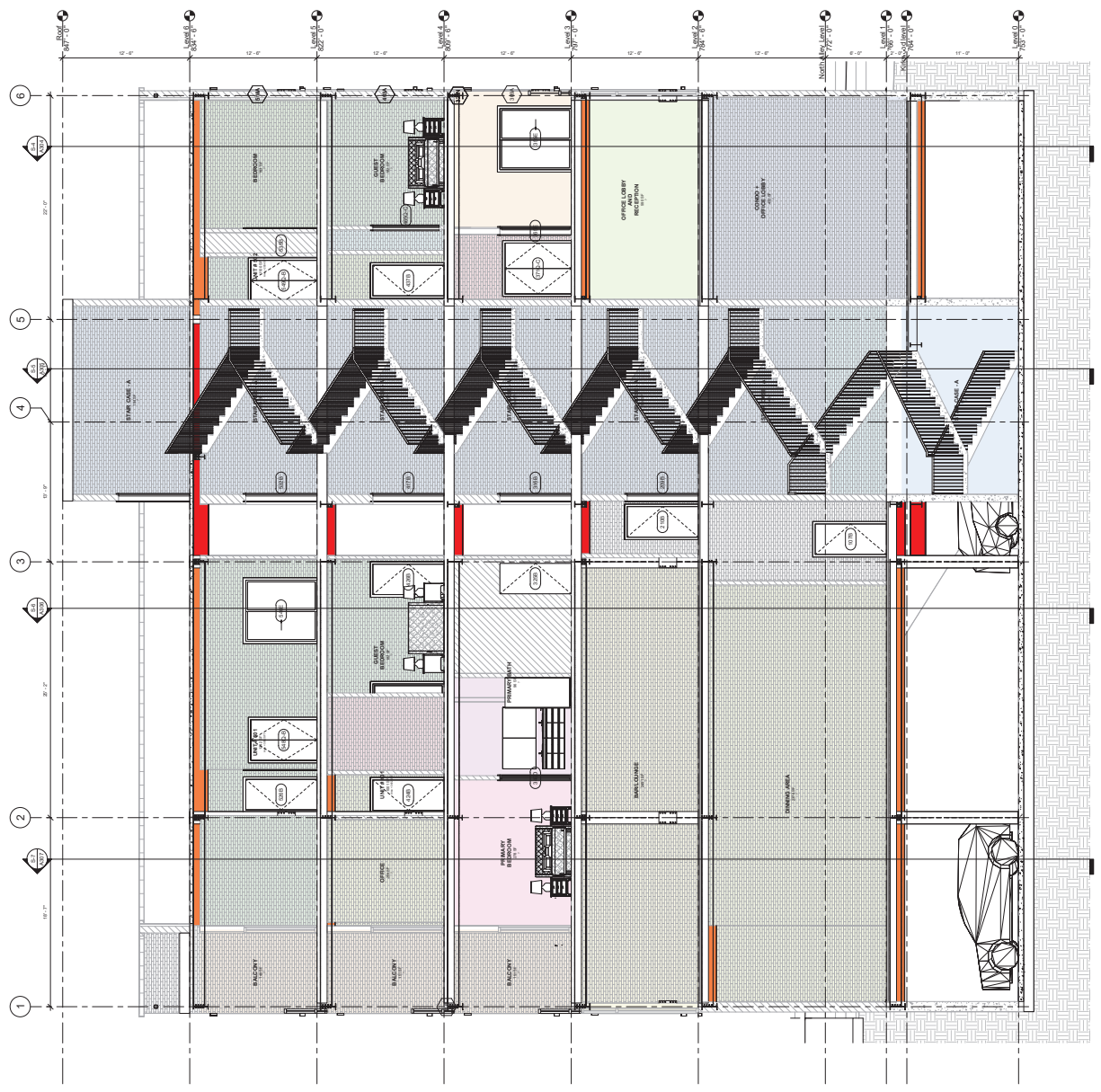
Date

REV CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
115 East Howard Avenue, Birmingham, AL, USA

Sections 2

Project No. Design No.  
Issue Date. Check No.  
Rev. Number. Change No.  
**A302**  
Date: 11/17/17

- Room Legend**
- BALCONY
  - BAR/LOUNGE
  - BEDROOM
  - CLOSET
  - CONDO + OFFICE LOBBY
  - DINNING AREA
  - GUEST BEDROOM
  - LAUNDRY
  - OFFICE
  - OFFICE LOBBY AND RECEPTION
  - PRIMARY BATH
  - PRIMARY BEDROOM
  - Room
  - STAIR CASE - A
  - UNIT # 302
  - UNIT # 401
  - UNIT # 402
  - UNIT # 501
  - UNIT # 502



PLD 03-18-19-R0000009

**GENERAL NOTES**

**REFERENCE KEYNOTES**

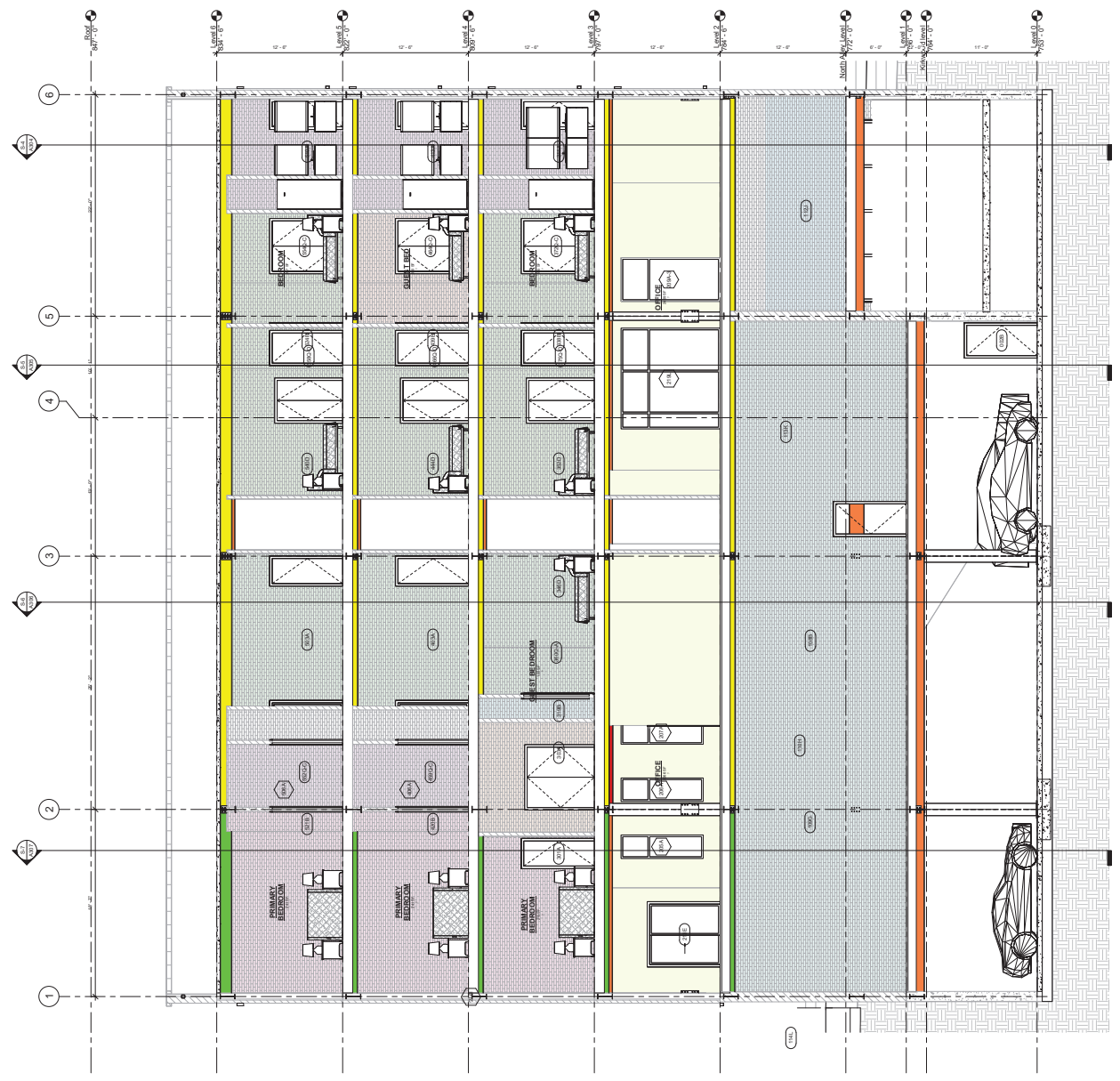
Date

REVISED CONSTRUCTION  
 FOR  
**CONDOMINIUMS &  
 RETAIL**  
 115 East Avenue in Aurora, Illinois, IL, USA

**Sections 3**

Prepared by	Danzyan
Checked by	Chenxi Li
Approved by	Chenxi Li
Scale	A303
Sheet	1/17

- Room Legend**
- BEDROOM
  - CLOSET
  - GUEST BED
  - GUEST BEDROOM
  - KITCHEN
  - MEZZANINE
  - OFFICE
  - PRIMARY BATH
  - PRIMARY BEDROOM
  - PRIMARY CLOSET



PL 01.01.01.0000000

GENERAL NOTES

REFERENCE KEYNOTES

Room Legend

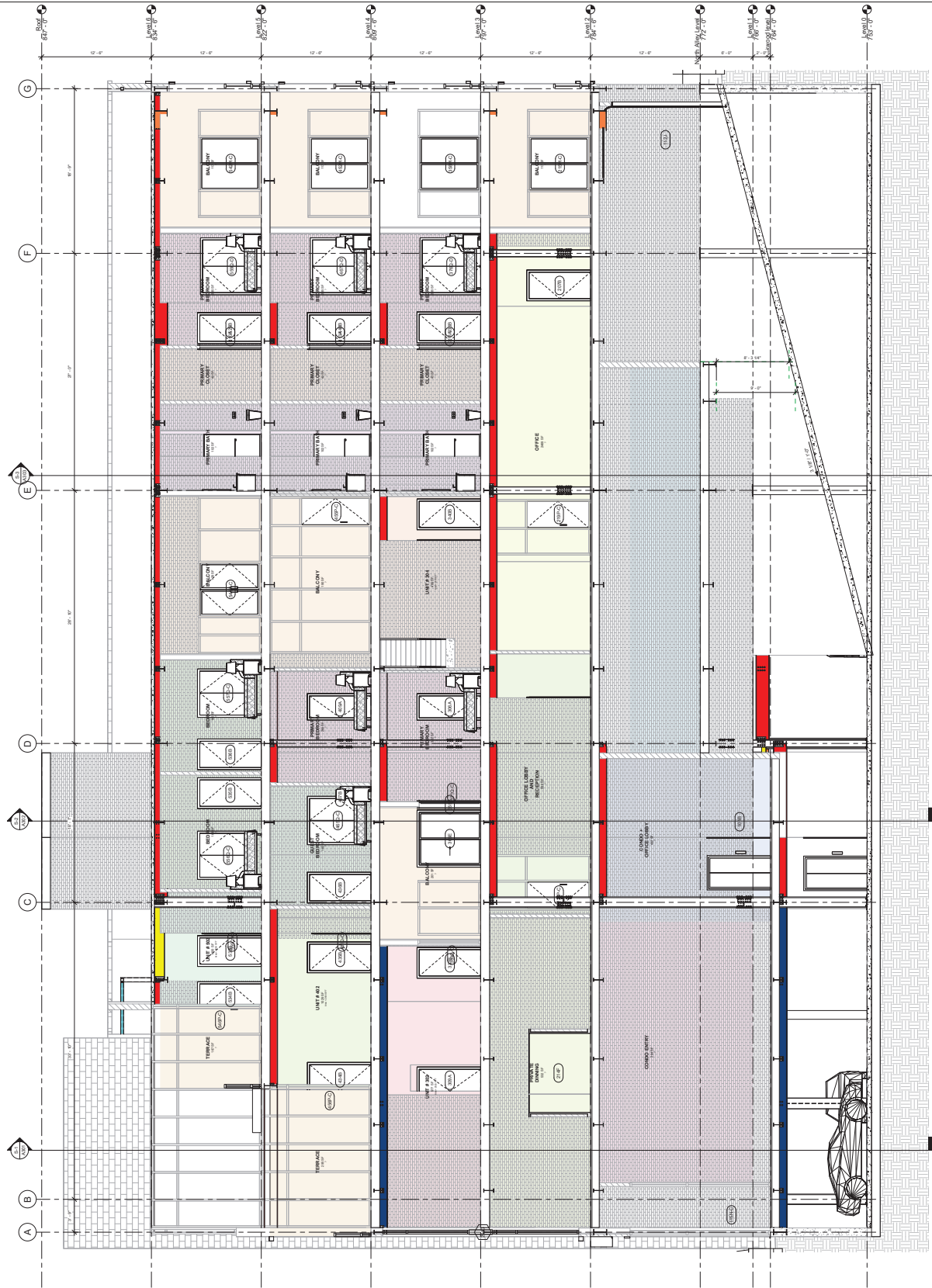
- BALCONY
- BEDROOM
- CONDO + OFFICE LOBBY
- CONDO ENTRY
- GUEST BEDROOM
- MEZZANINE
- OFFICE
- OFFICE LOBBY AND RECEPTION
- PRIMARY BATH
- PRIMARY BEDROOM
- PRIMARY CLOSET
- PRIVATE DINNING
- TERRACE
- UNIT # 302
- UNIT # 304
- UNIT # 402
- UNIT # 502

Date

NEW CONSTRUCTION  
**CONDOMINIUMS & RETAIL**  
 115 East Avenue of Justice, Birmingham, AL, USA

Sections 4

Prepared By: **Dangyuan**  
 Checked By: **Chenwei Li**  
 Approved By: **Chenwei Li**  
**A304**



Scale: 1/8" = 1'-0"

GENERAL NOTES

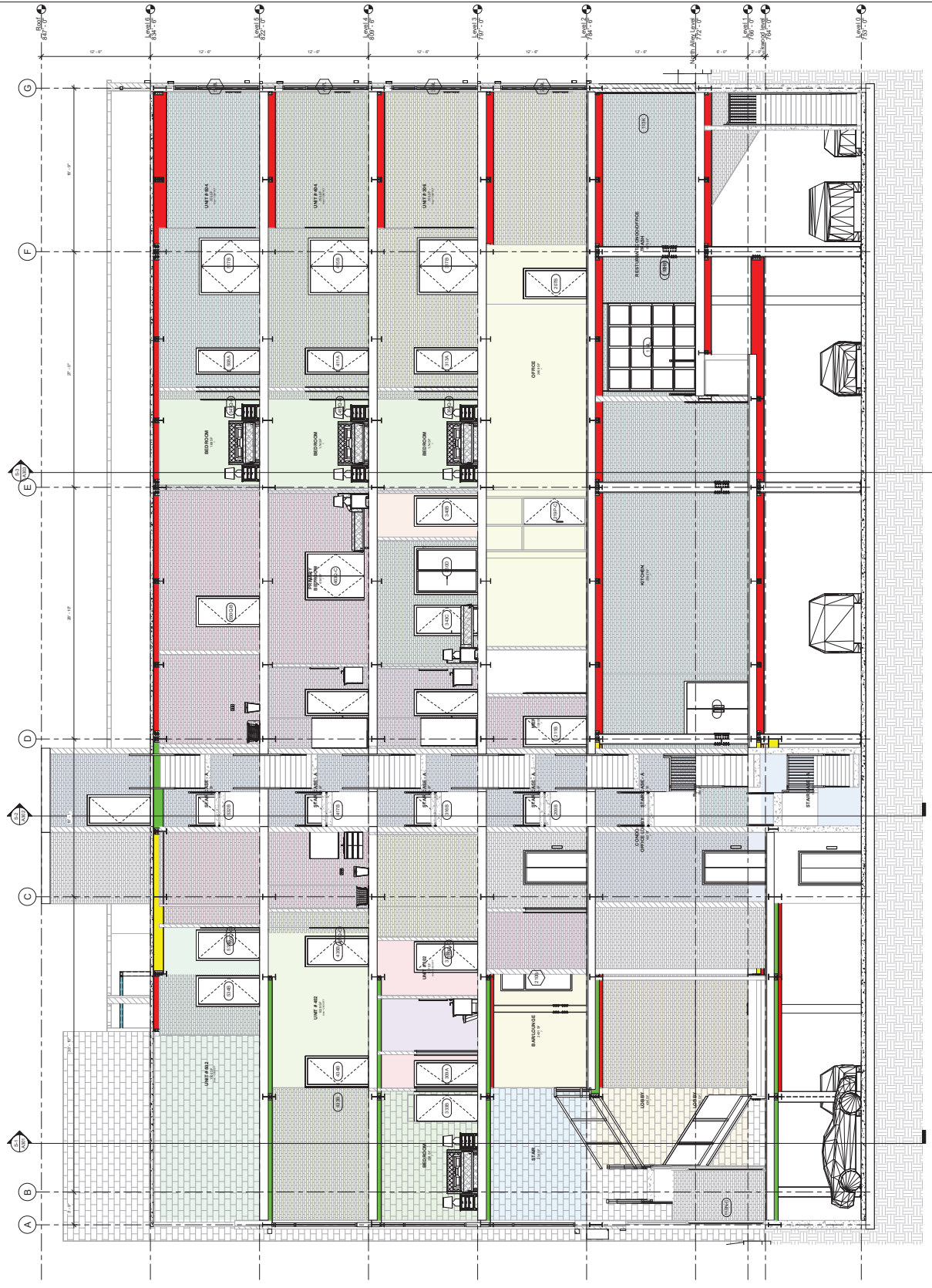
REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
135 East Avenue in Jacksonville, FL, USA

Sections 5

Prepared By: **Danzyan**  
Checked By: **Chenxi Li**  
Reviewed By: **Chenxi Li**  
**A305**  
Date



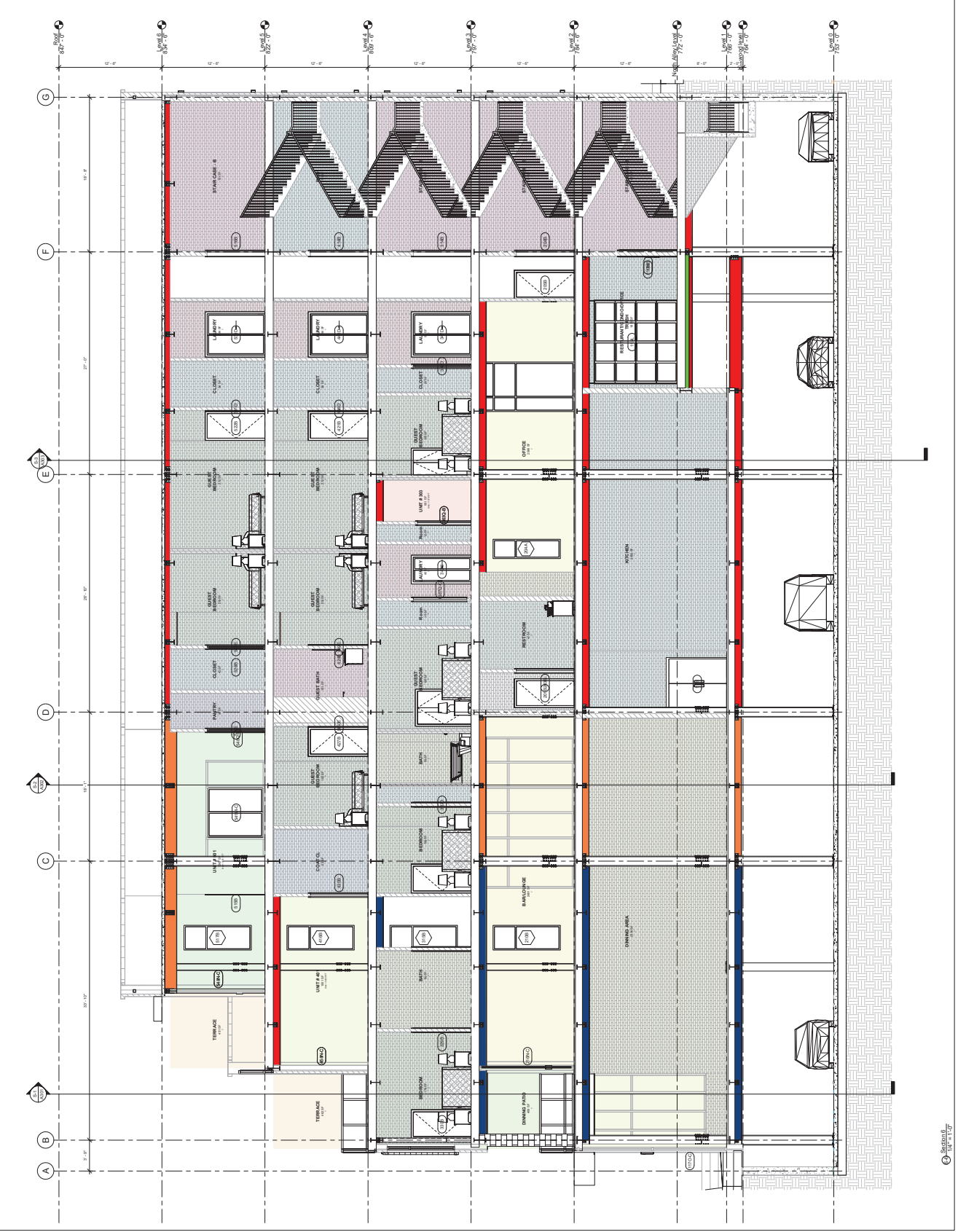
Scale: 1/8" = 1'-0"



**GENERAL NOTES**

**REFERENCE KEYNOTES**

Date	
<b>NEW CONSTRUCTION FOR CONDOMINIUMS &amp; RETAIL</b>	
155 East Avenue in Aurora, Georgetown, VA, USA	
Section 6	
Prepared by	Danzyan
Checked by	Chenka Li
Rev. Number	Change
<b>A306</b>	
Scale	1/4" = 1'-0"



GENERAL NOTES

REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
155 East Avenue of Justice, Birmingham, AL, USA

Sections 7

Prepared By: **Dangyuan**  
Checked By: **Chenxia Li**  
Reviewed By: **Chenxiang**  
**A307**  
Date



Scale: 1/8" = 1'-0"

GENERAL NOTES

REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
115 East Howard Avenue, Birmingham, AL, USA

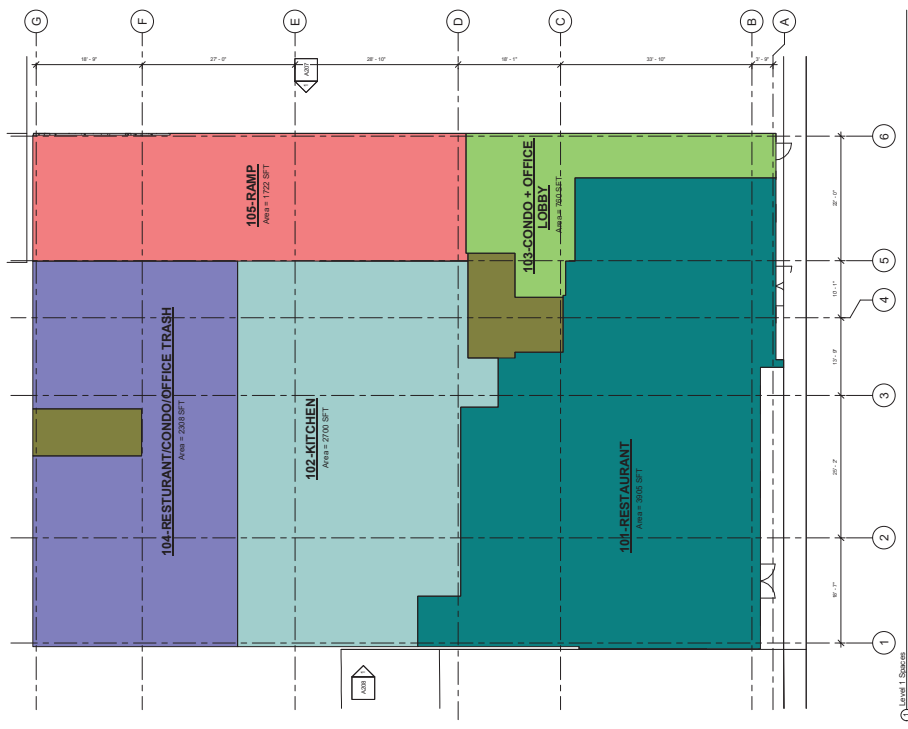
**Level-1 Space Areas**

Project No.	10000000
Area Code	000000
Area Name	000000
Code	A401
As Indicated	

Level-1 Spaces

- 101- RESTAURANT = 3905 SFT
- 102- KITCHEN = 2700 SFT
- 103- CONDO + OFFICE LOBBY = 760 SFT
- 104- RESTURANT/CONDO/OFFICE TRASH = 2308 SFT
- 105- RAMP = 1722 SFT
- Level-1 Non Sellable Area = 397 SFT
- Common Area of all Levels = 4570 SFT

Level-1 Spaces  
1/8" = 1'-0"



PL 05-11-18-0000000

**GENERAL NOTES**

**REFERENCE KEY/NOTES**

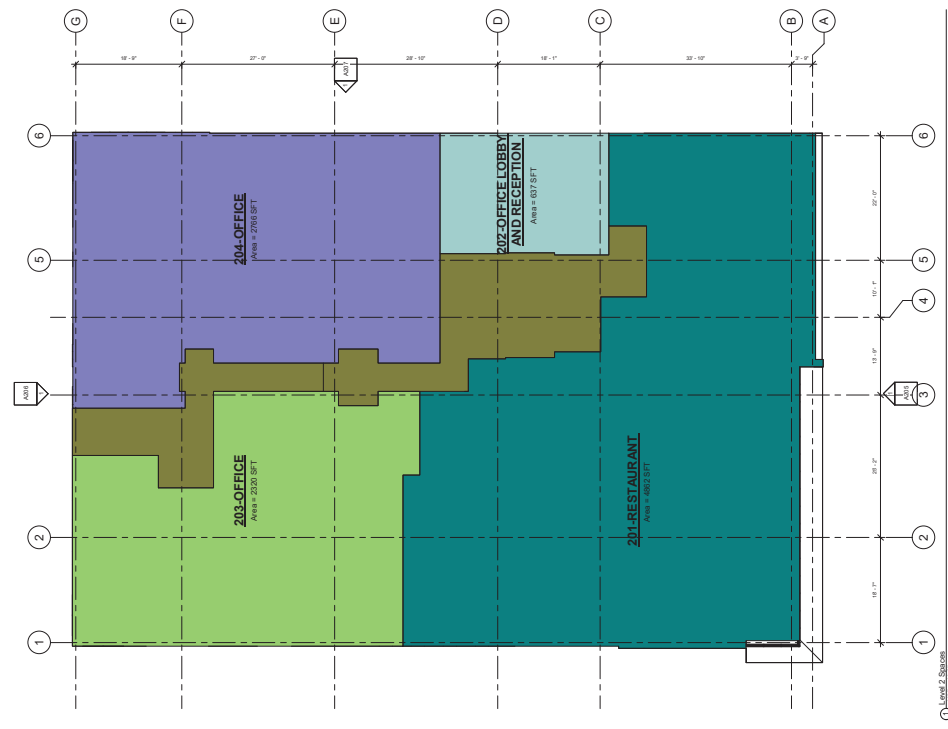
Date

REVISED FOR  
**CONDOMINIUMS & RETAIL**  
 115 East Avenue, Aurora, Illinois, U.S.A.

<b>Level-2 Space Areas</b>	
Assigned By	Designator
Issue Date	Checked By
Rev Number	Checked
<b>A402</b>	
Date	
As Indicated	

- Level-2 Spaces**
- 201- RESTAURANT = 4862 SFT
  - 202- OFFICE LOBBY AND RECEPTION = 637 SFT
  - 203- OFFICE = 2320 SFT
  - 204- OFFICE = 2766 SFT
  - Level-2 Non Sellable Area = 1196 SFT

Level-2 Spaces  
 1/8" = 1'-0"



GENERAL NOTES

REFERENCE KEY/NOTES

Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RESIDENTIAL**  
115 East Howard Street, Birmingham, AL, USA

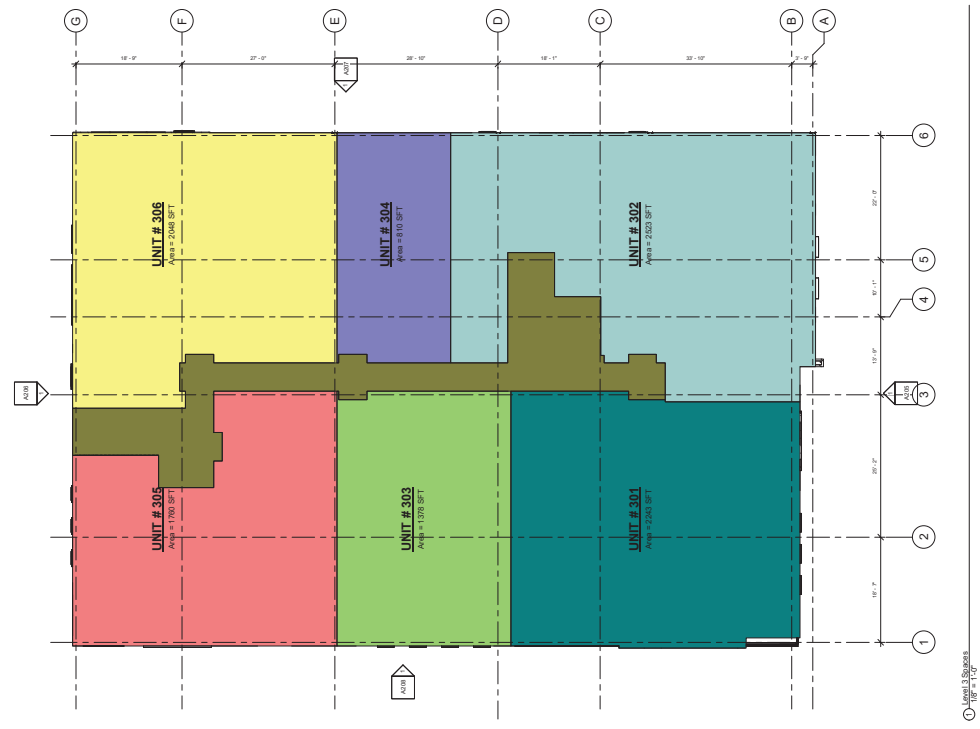
Level-3 Space Areas

Prepared By	Designator
Checked By	Checked By
Drawn By	Checked By
<b>A403</b>	
Date	

**Level-3 Spaces**

- UNIT - 301 = 2243 SFT
- UNIT - 302 = 2523 SFT
- UNIT - 303 = 1378 SFT
- UNIT - 304 = 810 SFT (1st FL)
- UNIT - 305 = 1760 SFT
- UNIT - 306 = 2048 SFT
- Non Sellable Area = 1014 SFT

Legend:  
 Level-3 Space  
 Non Sellable Area



Scale: 1/8" = 1'-0"

GENERAL NOTES

REFERENCE KEY/NOTES

Date

REVISED FOR  
**CONDOMINIUMS & RESIDENTIAL**  
 115 East Howard Avenue, Birmingham, AL, USA

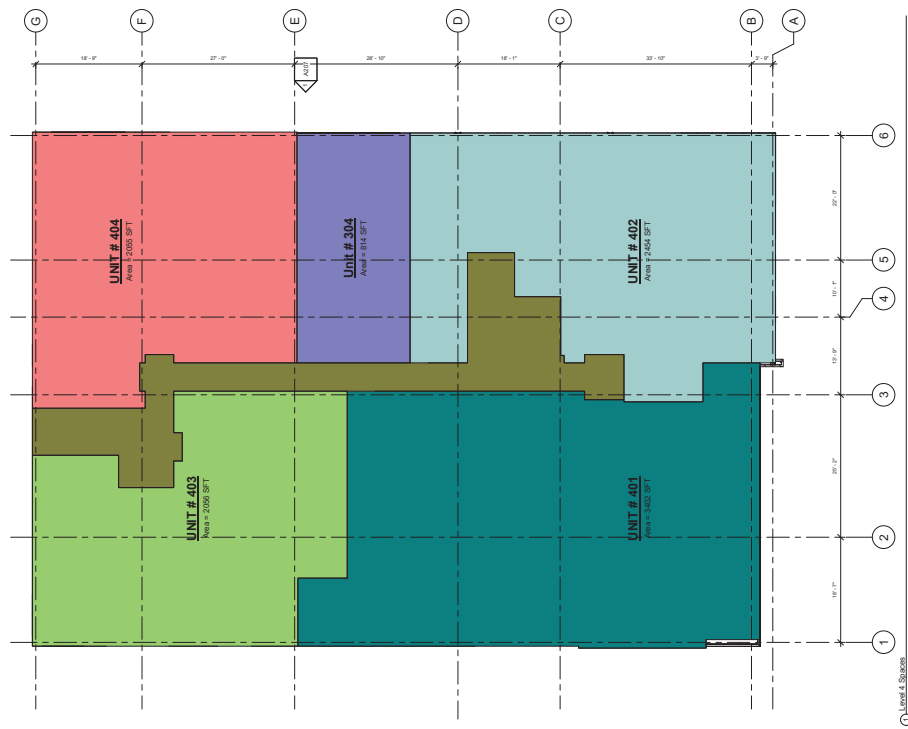
**Level-4 Space Areas**

Designed By	Designator
Issue Date	Checked By
Rev Number	Checked
	Change
	<b>A404</b>
Date	As Indicated

**Level-4 Spaces**

- UNIT - 401 = 3402 SFT
- UNIT - 402 = 2454 SFT
- UNIT - 403 = 2056 SFT
- UNIT - 304 = 814 SFT (2nd FL)
- UNIT - 405 = 2055 SFT
- Non Sellable Area = 1002 SFT

Legend  
 Level-4 Spaces



GENERAL NOTES

REFERENCE KEY/NOTES

Date

REVISED FOR  
**CONDOMINIUMS & RESIDENTIAL**  
 115 East Howard Street, Birmingham, AL, USA

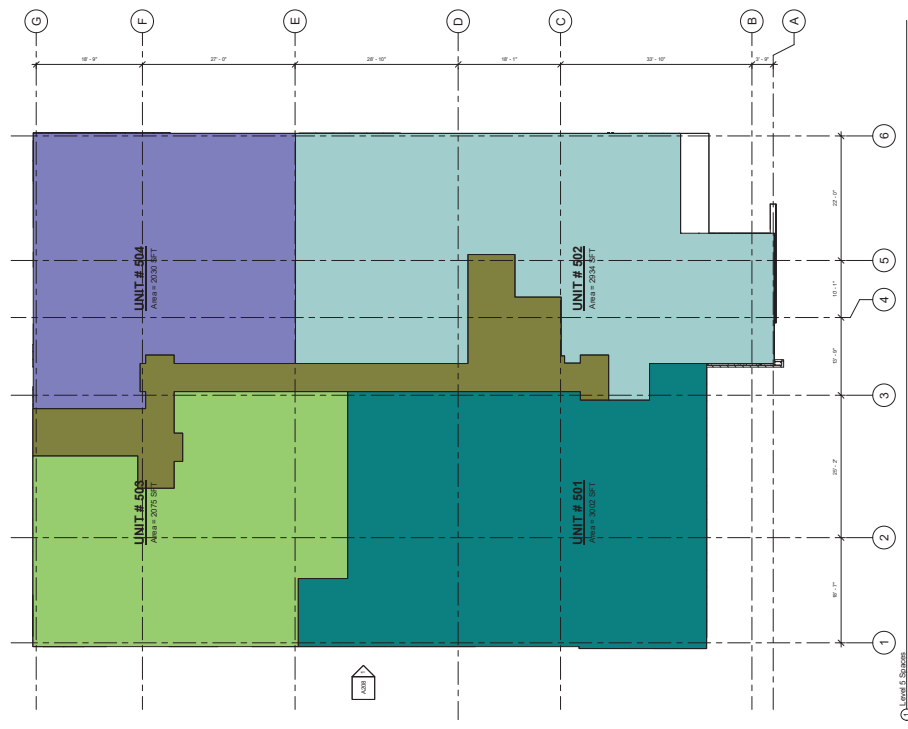
**Level-5 Space Areas**

Prepared By	Designator
Issue Date	Checked By
Rev Number	Checked
	Change
	<b>A405</b>
Date	As Indicated

**Level-5 Spaces**

- UNIT - 501 = 3002 SFT
- UNIT - 502 = 2934 SFT
- UNIT - 503 = 2075 SFT
- UNIT - 504 = 2030 SFT
- Non Sellable Area = 961 SFT

Level-5 Spaces  
 1/8" = 1'-0"



Level-5 Spaces  
 1/8" = 1'-0"

GENERAL NOTES

Table with 3 columns: Mark, Type, Height. Contains various door specifications and notes.

REFERENCE KEYNOTES

Table with 3 columns: Mark, Type, Height. Contains reference keynotes for door specifications.

Date

NEW SUBSTITUTION CONDOMINIUMS & RETAIL 111 Easton Avenue, Easton, N.J. 08821

Door Schedules

Table with 3 columns: Issue Date, Drawn By, Checked By. Includes drawing information and the number A501.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 4 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 5.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 0 through 3.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 3.

Door Schedule

Table with 5 columns: Mark, Type, Level, Width, Height. Lists door specifications for levels 1 through 3.

601B

601C

601D

601E

601F

601G

601H

601I

601J

601K

601L

601M

601N

601O

601P

601Q

601R

601S

601T

601U

601V

601W

601X

601Y

601Z



**GENERAL NOTES**

**REFERENCE KEY/NOTES**

DATE: \_\_\_\_\_

REVISED: \_\_\_\_\_

**NEW CONSTRUCTION**

**CONDOMINIUMS & RETAIL**

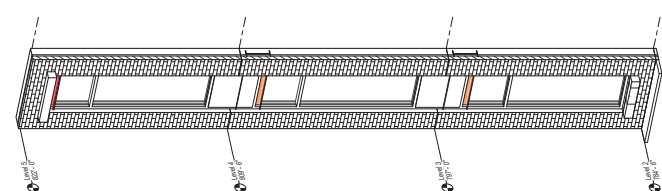
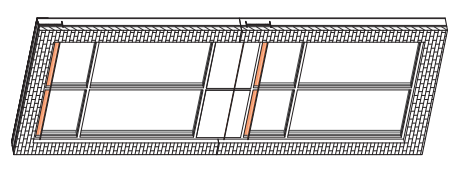
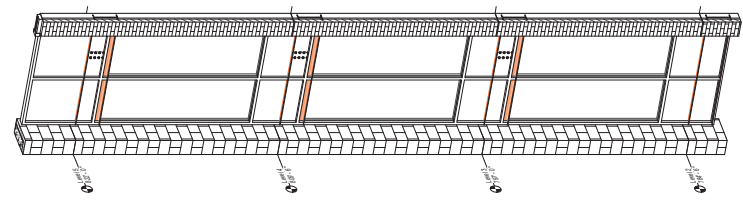
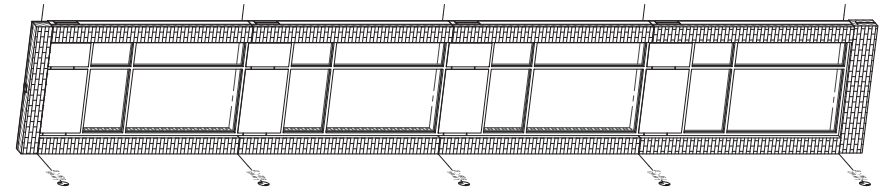
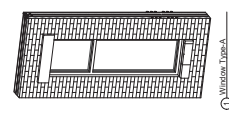
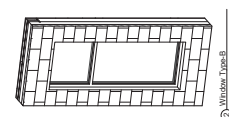
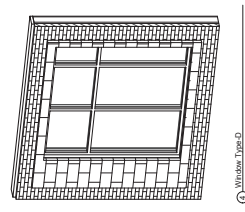
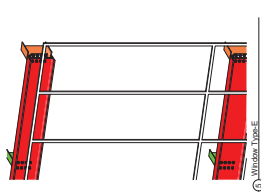
115 East Avenue, South Barrington, IL, USA

**Windows Schedules**

Prepared by: **Danayzar**

Checked by: **Chris Lee**

Drawn by: **A502**



Window Schedule					
Mark	Type	Level	Sill Height	Width	Height
201A	A	Level 2	1'-8"	2'-4"	8'-2"
202A	A	Level 2	1'-8"	2'-4"	8'-2"
203A	A	Level 2	1'-8"	2'-4"	8'-2"
204A	A	Level 2	1'-8"	2'-4"	8'-2"
205A	A	Level 2	1'-8"	2'-4"	8'-2"
206A	A	Level 2	1'-8"	2'-4"	8'-2"
207A	A	Level 2	1'-8"	2'-4"	8'-2"
208A-1	A-2	Level 2	1'-8"	3'-0"	8'-2"
208A-2	A-3	Level 2	0'-0"	4'-4"	9'-10"
209A	B	Level 2	1'-8"	3'-0"	8'-2"
210B	F	Level 2	1'-4"	3'-0"	34'-9"
212F	F	Level 2	1'-4"	3'-0"	34'-9"
213F	F	Level 2	1'-4"	3'-0"	34'-9"
214G	G	Level 2	1'-4"	6'-6"	22'-4"
215H	H	Level 2	1'-11"	6'-6"	42'-4"
216I	I	Level 2	0'-0"	6'-0"	50'-0"
217J	J	Level 2	0'-0"	1'-0"	47'-4"
218K	K	Level 2	0'-0"	3'-6"	50'-0"
219L	L	Level 2	0'-0"	10'-0"	9'-10"
301A	A	Level 3	1'-8"	2'-4"	8'-2"
302A	A	Level 3	1'-8"	2'-4"	8'-2"
303A	A	Level 3	1'-8"	2'-4"	8'-2"
304A	A	Level 3	1'-8"	2'-4"	8'-2"
305A	A	Level 3	1'-8"	2'-4"	8'-2"
306A	A	Level 3	1'-8"	2'-4"	8'-2"
307A	A	Level 3	1'-8"	2'-4"	8'-2"
308A	A	Level 3	1'-8"	2'-4"	8'-2"
309A	A	Level 3	1'-8"	2'-4"	8'-2"
310A-1	A-1	Level 3	2'-0"	2'-8"	8'-2"
311A-1	A-1	Level 3	2'-0"	2'-8"	8'-2"
312A-1	A-1	Level 3	2'-0"	2'-8"	8'-2"
313A-2	A-2	Level 3	1'-8"	3'-0"	8'-2"
314A-3	A-3	Level 3	0'-0"	4'-4"	9'-10"
315B	B	Level 3	1'-8"	3'-0"	8'-2"
316C	C	Level 3	-2'-0"	3'-3"	13'-6"
317C	C	Level 3	-2'-0"	3'-3"	13'-6"
318D	D	Level 3	0'-0"	8'-2"	8'-2"
319E	E	Level 3	0'-0"	8'-2"	8'-2"
319F	F	Level 3	0'-0"	10'-0"	9'-10"
320N	N	Level 3	8'-8"	4'-0"	1'-10"
321N	N	Level 3	8'-8"	4'-0"	1'-10"
322N	N	Level 3	8'-8"	4'-0"	1'-10"
401A	A	Level 4	1'-8"	2'-4"	8'-2"
402A	A	Level 4	1'-8"	2'-4"	8'-2"
403A	A	Level 4	1'-8"	2'-4"	8'-2"
404A	A	Level 4	1'-8"	2'-4"	8'-2"
405A	A	Level 4	1'-8"	2'-4"	8'-2"
406A	A	Level 4	1'-8"	2'-4"	8'-2"
407A	A	Level 4	1'-8"	2'-4"	8'-2"
408A	A	Level 4	1'-8"	2'-4"	8'-2"
409A	A	Level 4	1'-8"	2'-4"	8'-2"
410A	A	Level 4	1'-8"	2'-4"	8'-2"
411A	A	Level 4	1'-8"	2'-4"	8'-2"
412A	A	Level 4	1'-8"	2'-4"	8'-2"
413A	A	Level 4	1'-8"	2'-4"	8'-2"
414A	A	Level 4	1'-8"	2'-4"	8'-2"
415A-2	A-2	Level 4	0'-0"	4'-0"	8'-2"
415A-3	A-3	Level 4	0'-0"	4'-0"	8'-2"
416B	B	Level 4	1'-8"	3'-0"	8'-2"
417L	L	Level 4	0'-0"	10'-0"	9'-10"
501A	A	Level 5	1'-8"	2'-4"	8'-2"
502A	A	Level 5	1'-8"	2'-4"	8'-2"
503A	A	Level 5	1'-8"	2'-4"	8'-2"
504A	A	Level 5	1'-8"	2'-4"	8'-2"
505A	A	Level 5	1'-8"	2'-4"	8'-2"
506A	A	Level 5	1'-8"	2'-4"	8'-2"
507A	A	Level 5	1'-8"	2'-4"	8'-2"
508A	A	Level 5	1'-8"	2'-4"	8'-2"
509A	A	Level 5	1'-8"	2'-4"	8'-2"
510A	A	Level 5	1'-8"	2'-4"	8'-2"
511A	A	Level 5	1'-8"	2'-4"	8'-2"
512A	A	Level 5	1'-8"	2'-4"	8'-2"
513A	A	Level 5	1'-8"	2'-4"	8'-2"
514A	A	Level 5	1'-8"	2'-4"	8'-2"
515A-2	A-2	Level 5	1'-8"	3'-0"	8'-2"
516A-3	A-3	Level 5	0'-0"	4'-4"	9'-10"
517B	B	Level 5	1'-8"	3'-0"	8'-2"
518L	L	Level 5	0'-0"	10'-0"	9'-10"

**GENERAL NOTES**

**REFERENCE KEY/NOTES**

DATE: \_\_\_\_\_

REVISED: \_\_\_\_\_

**CONDUMINUMS & RETAIL**

115 East Roosevelt Avenue, Birmingham, AL, USA

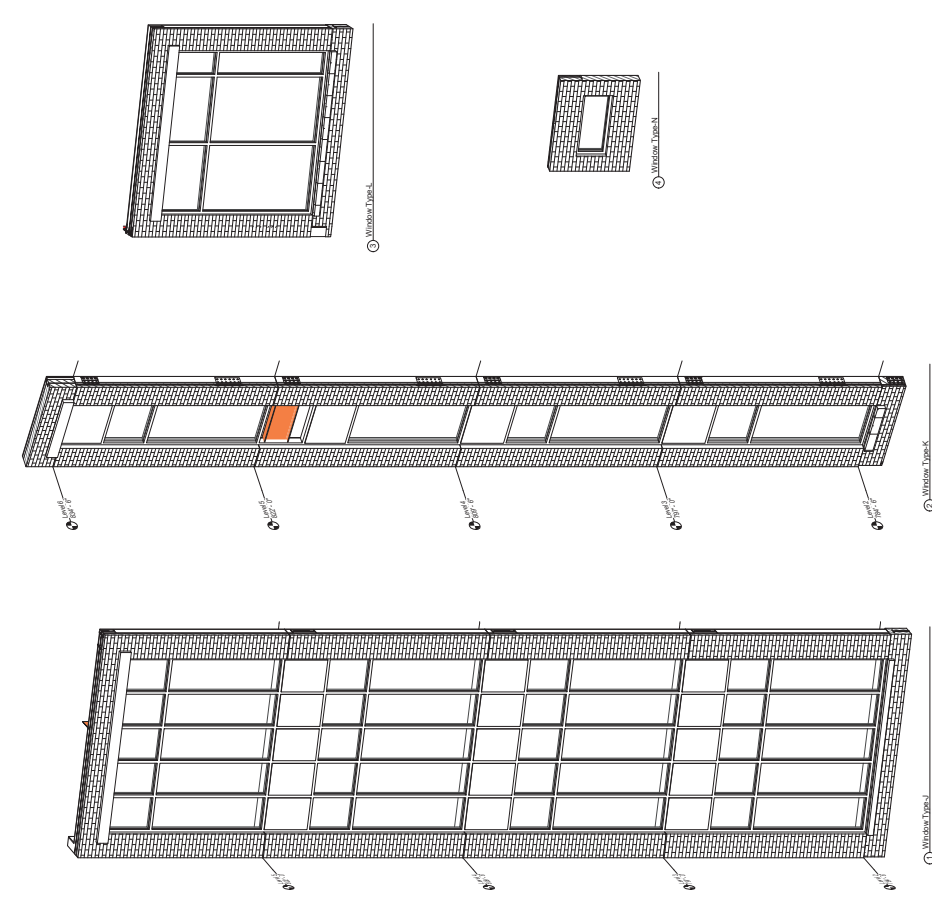
**Windows Schedules**

Prepared By: Douglas

Checked By: Chen

Drawn By: Chen

**A503**



Mark	Type	Level	Sill Height	Width	Height
201A	A	Level 2	1'-8"	2'-4"	8'-2"
202A	A	Level 2	1'-8"	2'-4"	8'-2"
203A	A	Level 2	1'-8"	2'-4"	8'-2"
204A	A	Level 2	1'-8"	2'-4"	8'-2"
205A	A	Level 2	1'-8"	2'-4"	8'-2"
206A	A	Level 2	1'-8"	2'-4"	8'-2"
207A	A	Level 2	1'-8"	2'-4"	8'-2"
208A-2	A-2	Level 2	1'-8"	3'-0"	8'-2"
209A-3	A-3	Level 2	0'-0"	4'-4"	9'-10"
210B	B	Level 2	1'-8"	3'-0"	8'-2"
212F	F	Level 2	1'-4"	3'-0"	34'-9"
213F	F	Level 2	1'-4"	3'-0"	34'-9"
214G	G	Level 2	1'-4"	6'-6"	22'-4"
215H	H	Level 2	1'-11"	6'-6"	42'-4"
216I	I	Level 2	0'-0"	6'-0"	50'-0"
217J	J	Level 2	0'-0"	1'-0"	47'-4"
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219L	L	Level 2	0'-0"	10'-0"	9'-10"
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307A	A	Level 3	1'-8"	2'-4"	8'-2"
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318E	E	Level 3	0'-0"	8'-2"	8'-2"
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GENERAL NOTES

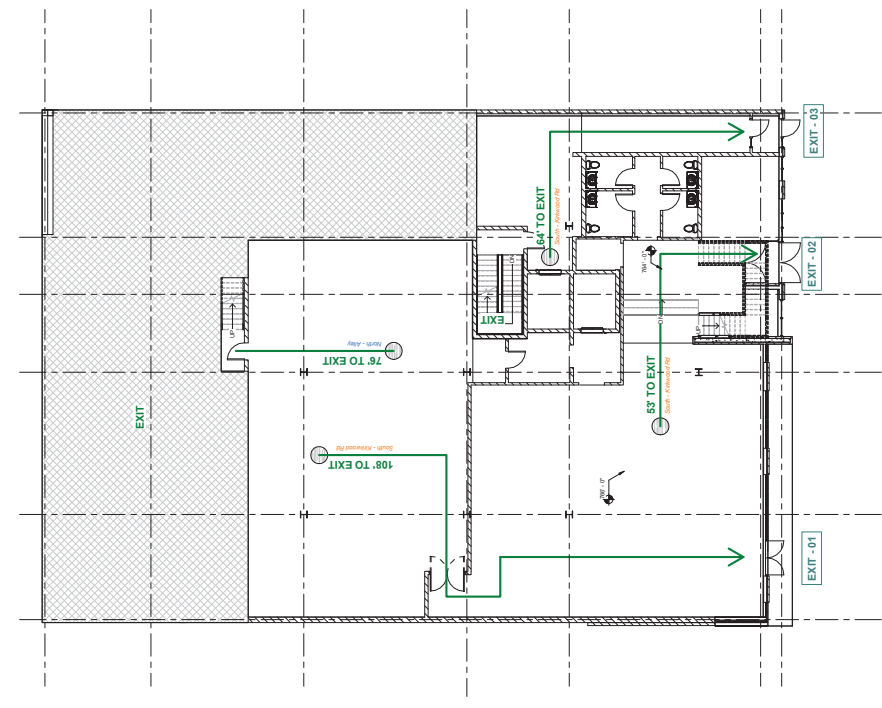
REFERENCE KEYNOTES

Date

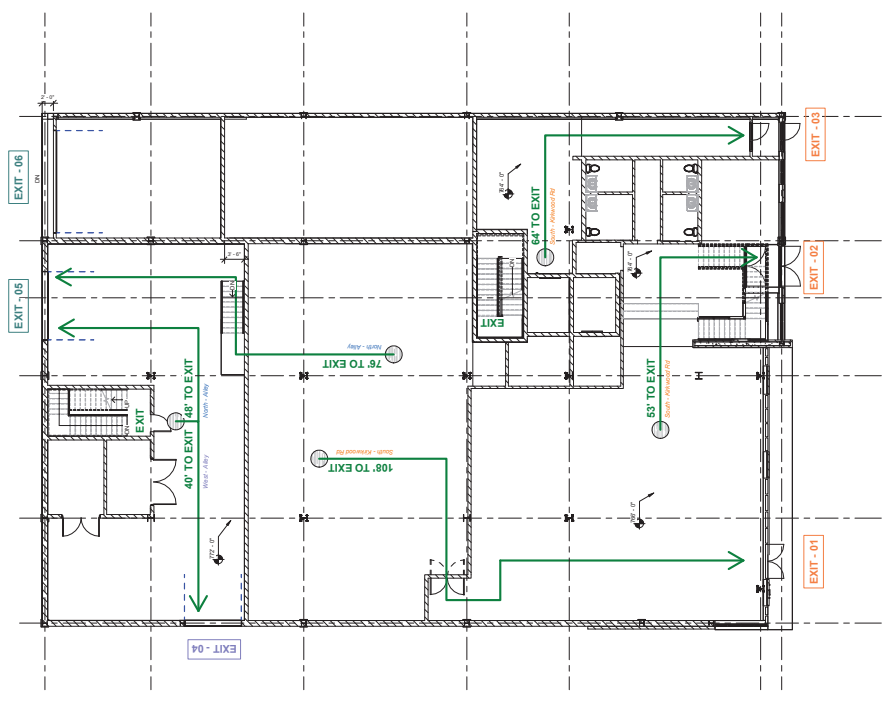
REVISED FOR  
**CONDOMINIUMS & RETAIL**  
 115 East Avenue, South Birmingham, AL, USA

**Life Safety Plan**

Designed By	Designator
Checked By	Checker
Approved By	Approver
Project No.	SP101
Scale	1/8" = 1'-0"



115 EAST AVENUE - LIFE SAFETY PLAN  
 1/8" = 1'-0"



115 EAST AVENUE - LIFE SAFETY PLAN  
 1/8" = 1'-0"

PL4 OF BC9 R0050050

GENERAL NOTES

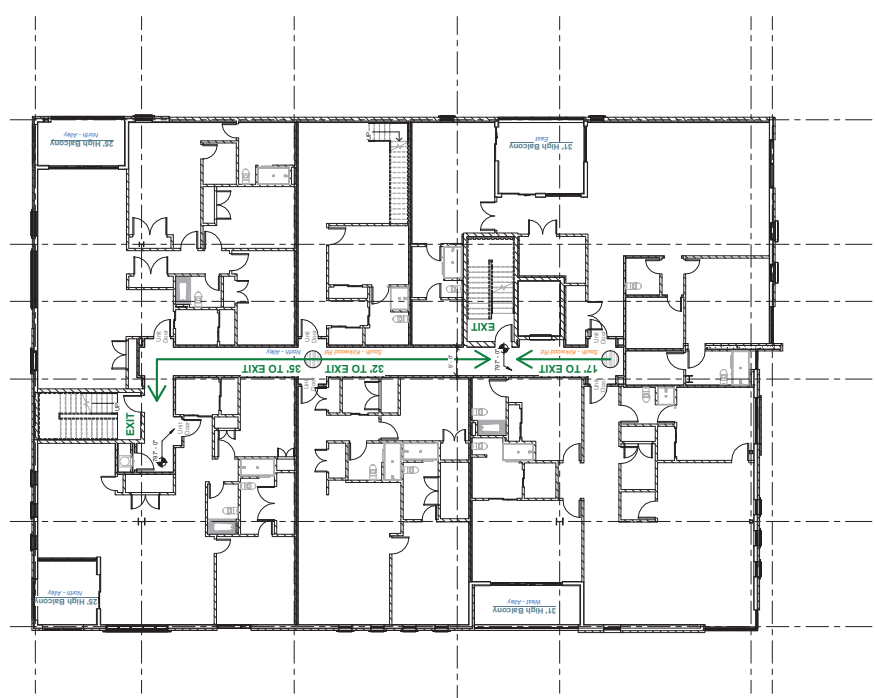
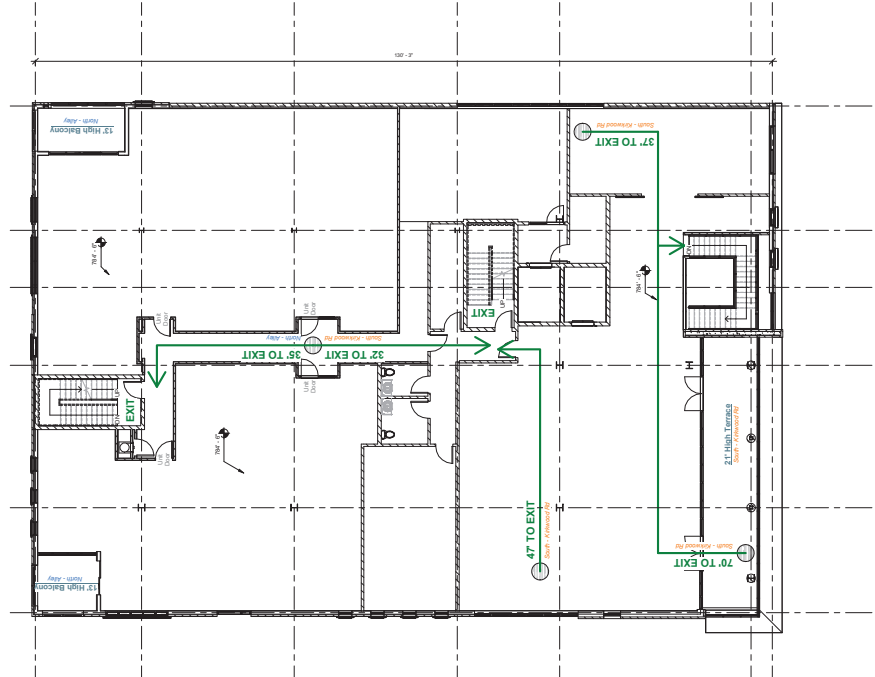
REFERENCE KEYNOTES

Date

NEW CONSTRUCTION  
 100%  
**CONDOMINIUMS & RETAIL**  
 15 East Avenue, Toronto, Ontario, M4M 1B7, Canada

Life Safety Plan Level 2 & 3

Prepared By	Designator
Issued Date	Checked By
Rev Number	Checked By
<b>SP102</b>	
Drawn	10/17/12



PL4 22-RC-00000009

GENERAL NOTES

REFERENCE KEYNOTES

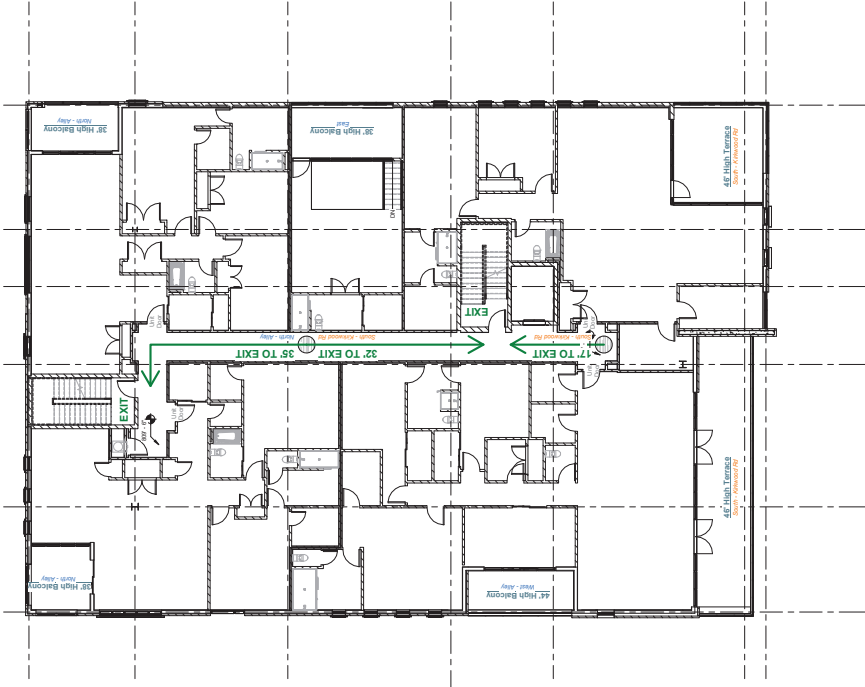
Date

NEW CONSTRUCTION  
FOR  
**CONDOMINIUMS & RETAIL**  
15 East Avenue, Aurora, IL 60009, U.S.A.

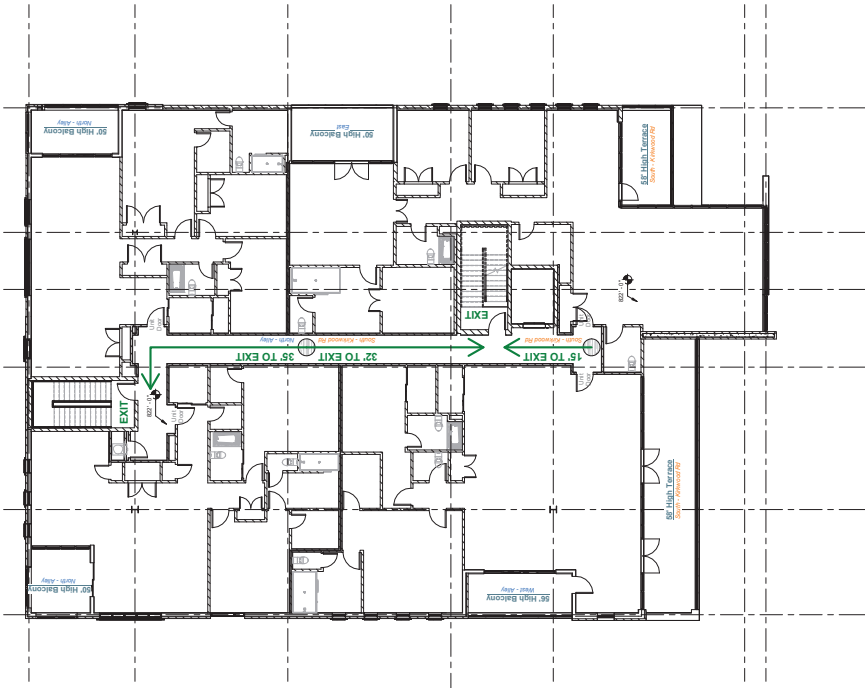
Life Safety Plan Level 4 & 5

Prepared By: [Blank]  
Checked By: [Blank]  
Reviewed By: [Blank]  
Date: [Blank]

Project No: **SP103**  
Scale: 1/8" = 1'-0"



Level 4 - LIFE SAFETY PLAN  
1/8" = 1'-0"



Level 5 - LIFE SAFETY PLAN  
1/8" = 1'-0"

**BLOOMINGTON BOARD OF ZONING APPEALS  
STAFF REPORT**

**CASE #: CU/V-26-24  
USE2024-07-0056  
VAR2024-07-0043  
DATE: July 25, 2024**

**LOCATION: 2110 E Covenanter Drive (parcel #53-08-03-409-002.000-009)**

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**PETITIONER:** Elisha Spier  
2110 E. Covenanter Drive  
Bloomington, IN 47401

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**REQUEST:** The petitioner is requesting conditional use approval for a Home Occupation in the home and variances from use-specific standards related to number of employees and on-site sales for fundraising in the Residential Medium Lot (R2) zoning district.

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**REPORT:** This roughly 1.65 acre property is located at 2110 E Covenanter Drive and is zoned Residential Medium Lot (R2). The property is located at the southwest corner of E Covenanter and S Brooks Drives. This property contains a residential home and the use of this property is Dwelling, Single Family (detached). All adjacent properties are also zoned R2 and adjacent land uses are also all used as a Dwelling, Single Family (detached).

The petitioner is proposing to use roughly 632 square feet of existing indoor space in order to offer educational opportunities related to the germination of seeds and other indoor plant care, as well as instruction for processing fruits and vegetables for sale and donation. The space where instruction would take place was built for personal use, as well as the possibility of use as an educational space.

The Home Occupation will be conducted in approximately 9% of the home and the petitioner proposes up to 8 visitors (students, volunteers, and parents) at any one time between 8:00 am and 8:00pm. Visitors will park on the property, and a parking exhibit has been submitted by the petitioner to show space for on-site parking on the roughly 250 foot long driveway.

A number of emails, letters, and petitions have been submitted by the petitioner and members of the public, and those are included in this packet.

For reference, Title 20.07 defines a Home Occupation use as: *“An activity or occupation carried on within a dwelling or approved residential accessory structure by members of the family occupying the dwelling and where the use of the home as an occupation shall be incidental and subordinate to the use of the home as a dwelling, unless this UDO states that the activity or occupation is not treated as a Home Occupation”*

The Home Occupation Use is permitted by Title 20 of the Bloomington Municipal Code as an Accessory Use, which is defined as: *“An activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this UDO; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained*

*solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.”*

Conditional Use approval for this Home Occupation proposal is required because it is not an exempted Home Occupation use. It is not exempted from the conditional use approval process because this Home Occupation proposal involves students and volunteers visiting the site, on-site sales for fundraising, and parking vehicles on the premises. Variances are required and have been requested related to the number of on-site employees and on-site sales for fundraising.

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**HOME OCCUPATION STANDARDS:** BMC 20.03.030(6) lists requirements, as follows:

1. Operator Residency Required: The operator must live on the property. The operator of the proposed Home Occupation lives in the home at 2110 E. Covenant Drive.
2. Maximum Number of Nonresident Employees: One nonresident employee is allowed. The proposed Home Occupation proposes to use nonresident volunteers and interns. The UDO does not define ‘employee’, but the Department has determined that volunteers and interns will have the same impact on the site as employees. The petitioner has requested a variance from this requirement in order to allow a limited number of volunteers and interns on the site.
3. Maximum Floor Area: 50% of the dwelling is allowed for the Home Occupation. The proposed Home Occupation is conducted inside the home, taking up approximated 9% of the footprint of the home (632 square feet).
4. Multiple Home Occupations: More than one Home Occupation is allowed. There are no other approved Home Occupations operating at this property. The petitioner operates a temporary use listed in the UDO as ‘farm produce sales’ at the site, but this is not a separate Home Occupation and can only be operated for 180 days in a calendar year.
5. Residential Character: There shall not be any interior or exterior, structural or aesthetic alterations that change the residential character of the dwelling unit within which the Home Occupation operates. There will not be any exterior changes proposed for the structure. The interior changes made at the site are for personal use, as well as the Home Occupation.
6. Outdoor Display and Storage: Outdoor display of goods, materials, supplies, or equipment is prohibited. The proposed Home Occupation will not include outdoor display of goods, materials, supplies, or equipment. While the petitioner would like to operate the educational opportunities outside of the home, that is not currently allowed by the UDO and is not an option.
7. Sales and Rentals Prohibited: Direct sales and/or rentals of products from the property on which the Home Occupation is located is prohibited, except that incidental sales of products related to personal services provided through the Home Occupation are permitted. Mail and/or telephone sales activities are permitted. The proposed Home Occupation is requesting a variance from this standard to allow part of the educational experience to be preparing and selling items for fundraising.
8. Off-street Parking and Loading: No additional driveway to serve the Home Occupation shall be permitted. A minimum of one off-street parking space shall be provided for Home Occupations that are located within an established Neighborhood Parking Zone District. No additional driveway is required to serve the Home Occupation. The petitioner

has ample off-street parking and has included a parking plan. The site is not within a Neighborhood Parking Zoning District.

9. **Hours of Operation:** Customer visits in association with the Home Occupation shall not occur before 8:00 a.m. or after 8:00 p.m. The proposed Home Occupation will only operate between the hours of 8:00 am and 8:00 pm.
10. **Commercially Licensed Vehicles:** No vehicles requiring the operator to have a commercial driver's license shall be allowed in conjunction with any Home Occupation. The proposed Home Occupation will not require the operator to have a commercial driver's license.
11. **Deliveries:** Deliveries to the property shall not be permitted, except those by typical residential delivery services at a frequency similar to homes that do not operate a Home Occupation. No additional deliveries outside of regular frequency are proposed.

## CRITERIA AND FINDINGS

The Hearing Officer or Board of Zoning Appeals shall review the conditional use permit petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(d)(7)), based on the general approval criteria in Section 20.06.040(d)(6), and the additional criteria applicable to conditional uses in Section 20.06.040(d)(6).

### 20.06.040(d)(6) Approval Criteria

**(B) General Compliance Criteria:** All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. Compliance with this UDO*
- ii. Compliance with other applicable regulations*
- iii. Compliance with Utility, Service, and Improvement Standards*
- iv. Compliance with prior approvals*

**PROPOSED FINDING:** The petition proposes is utilize an existing building with existing utilities and services and shall comply with utility, service, and improvement standards. No other applicable regulations nor prior approvals are known, however, the petitioner has worked with the Monroe County Health Department to meet any requirements related to food production at the site. The interior educational classes do not have additional utility, service, or improvement standards. No other prior approvals exist.

### 20.06.040(d)(6) Approval Criteria

**(C) Additional Criteria Applicable to Conditional Uses:** All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. Consistency with Comprehensive Plan and Other Applicable Plans - the proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives*

**PROPOSED FINDING:** The petition is supported by a number of facets of the Comprehensive Plan including those that encourage an expansion of the types of facilities in our local food system including in Policy 3.8.1, which reads: Work to provide residents with access to safe, nutritious, and affordable food, including through a sustainable, resilient local food sector.



The preceding section describes the following when discussing the Bloomington Food Charter of 2015: The Food Charter recognizes that food security is a basic human right; that collaborations among local government, businesses, and community groups should take place to support a sustainable, well-functioning local food system; that urban agriculture should be supported, including farming, community gardens, rooftop and home gardens, orchards, and edible landscaping; and that local food processing and marketing should be facilitated and not hindered by local regulations. However, the Comprehensive Plan also has a focus on quality of life and sustaining and improving the quality of life for residents.

- ii. *Provides Adequate Public Services and Facilities - Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.*

**PROPOSED FINDING:** Adequate public service capacity exists. There is sufficient parking on the site for the proposed Home Occupation. The petitioner is working with various City departments on improvements to their site and the right-of-way of S. Brooks Drive in order to improve stormwater management, but those improvements are not directly germane to this Conditional Use request.

- iii. *Minimizes or Mitigate Adverse Impacts –*
  1. *The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
  2. *The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
  3. *The hours of operation, outside lighting, and trash and waste collection shall not pose a hazard, hardship, or nuisance to the neighborhood.*
  4. *The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.*

**PROPOSED FINDING:** This proposed use does not result in damage to natural, scenic, or historic features. No nuisance related to smoke, odors, vibrations will occur with the use in the house. Some disturbance related to noise, light, and hours may occur as participants arrive and depart from the site. No changes to outside lighting are proposed, but of course all vehicles visiting the site will have lights and may create more of a noticeable light impact than a typical residence. All trash and waste collection will remain in the structure. No pre-submittal neighborhood meeting was required.

- iv. *Rational Phasing Plan - If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space,*

*and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.*

**PROPOSED FINDING:** There is no phasing plan for this proposal.

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## **CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards:** Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

**Employees PROPOSED FINDING:** The granting of the variance to allow volunteers and interns to assist in the educational offerings at the site will not be injurious to the public health, safety, morals, or general welfare of the community. There is plenty of room for on-site parking and all operations done by these individuals will be done within the house.

**On-Site Sales PROPOSED FINDING:** The granting of the variance to allow on-site sales will not be injurious to the public health, safety, morals, or general welfare of the community. The scope of sales that will take place is similar to those allowed with a personal service home occupation and will only take place within the structure. On-site sales can currently occur in conjunction with the 'farm produce sales' use for the duration of that 180 day time period.

- (2) The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and*

**Employees PROPOSED FINDING:** The granting of the variance to allow volunteers and interns to assist in the educational offerings at the site will not be injurious to the public health, safety, morals, or general welfare of the community. There is plenty of room for on-site parking and all operations done by these individuals will be done within the house.

**On-Site Sales PROPOSED FINDING:** The granting of the variance to allow on-site sales will not be injurious to the public health, safety, morals, or general welfare of the community. The scope of sales that will take place is similar to those allowed with a personal service home occupation and will only take place within the structure. On-site sales can currently occur in conjunction with the 'farm produce sales' use for the duration of that 180 day time period.

- (3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

**Employees PROPOSED FINDING:** The strict application of the terms of the Ordinance will not result in practical difficulties in the use of the property, as the home occupation can be operated without additional employees beyond the allowed one nonresident employee. No peculiar conditions of the property exist that require relief given by a variance.

**On-Site Sales PROPOSED FINDING:** The strict application of the terms of the Ordinance will not result in practical difficulties in the use of the property, as the home occupation can be operated without onsite sales. No peculiar conditions of the property exist that require relief given by a variance.

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**RECOMMENDATION:** Based upon the report and written findings of fact above, the Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the conditional use request associated with CU/V-26-24 / USE2024-07-0056 and deny the two variance requests associated with CU/V-26-24 / VAR2024-07-0043. The following conditions apply to the Conditional Use approval:

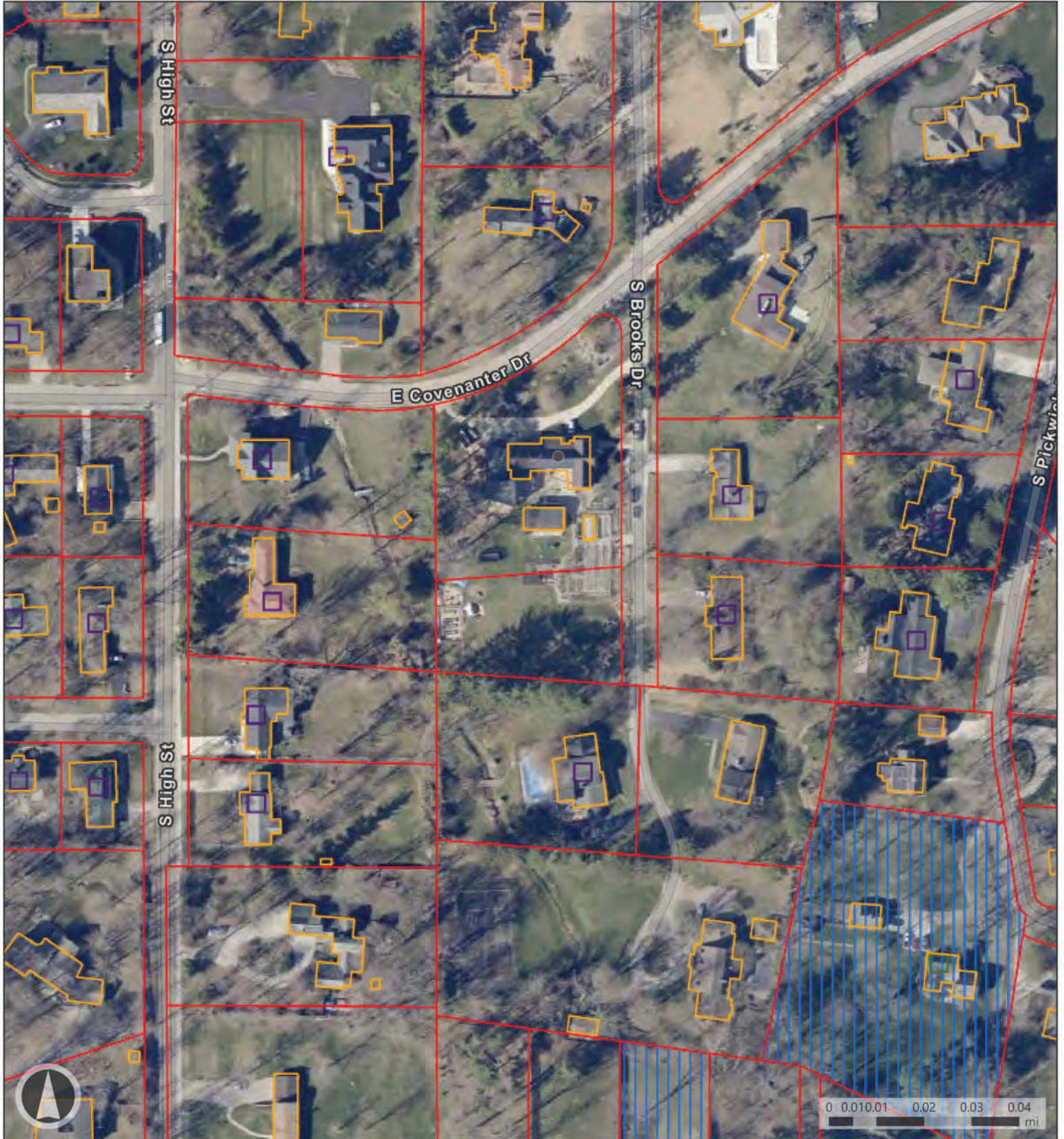
1. This home occupation approval is for the use, as described in the petitioner statement, excepting the items for which variances are denied.
2. The entirety of the home occupation shall take place within the structure. If the Bloomington Municipal Code is changed to allow home occupations to occur outside of structures, any required approvals must be met before this property can have a home occupation outside of a structure.
3. The petitioner may not have more than 15 people on site for educational programming.
4. Those utilizing the educational programming at the site must park on improved surfaces or in the garage on the site.



**Map Legend**

- |               |                  |                                |
|---------------|------------------|--------------------------------|
| Parcels       | Notable          | Local Historic Districts       |
| <b>Rating</b> | Contributing     | Bloomington Municipal Boundary |
| Outstanding   | Non-Contributing |                                |





**Map Legend**

- Parcels
- Buildings
- Notable
- Contributing
- Non-Contributing
- Local Historic Districts
- Bloomington Municipal Boundary



## Petitioner's Statement

Dear BZA,

As the co-owner (with my husband) of 2110 E. Covenanter Drive and the director of the nonprofit GardenQuest, I am requesting a conditional residential use permit for indoor urban Farm-To-Table educational purposes.

We are also requesting two variances:

1. The number of 'employees' allowed: While we will not have employees, we would like to offer internships to students who would receive class credit at the high school and college level.
2. Sale of items: For students to learn ways in which to use items produced on a farm, students would have the opportunity to create Indiana-approved cottage industry products such as beeswax candles, loofah sponges, and jams. To develop business and entrepreneurial skills, these students would use these products as a fundraiser for the nonprofit a few times per year.

To Note: We really wish that we could request a use variance for educational outdoor use of our property to provide students with the complete cycle of a plant, from seed-to-plant-table-soil, however,

Bloomington's UDO does not technically allow for me to make this request to you today. However, we urge you, as read our request, to think about all of the goals in Bloomington's Climate Action plan and how residential-based non-profits can help and support the City of Bloomington as it develops a strong, healthy, climate resilient community.

Our indoor educational space: The 4-season conservatory (approved by the Monroe County Building Dept.), contains 632 square feet of multi-use space, which we built for personal use with the option of teaching students of all ages and abilities the process of germinating seeds and how to care for edible and native plants indoors.

Within the 632 square feet, there is a separate space where students and volunteers would learn, based on Monroe County Department of Health standards, how to wash, process, and freeze fruits and vegetables directly from the farm. This frozen produce would be donated to local food banks and food kitchens with the purpose of providing nutrient-dense food such as turnip greens and winter squash that these organizations and individuals do not have time to process. Frozen produce, as well as student-produced cottage industry approved items would also be available for neighbors and community members on a donation-basis as a fundraiser to support the educational programs, supplies, and projects of GardenQuest.

a. The proposed use of the property is consistent with the

Comprehensive Plan. As an educational urban farm, GardenQuest's programming also aligns with initiatives of the Department of Economic and Sustainable Development's Urban Gardening Implementation Task Force as well as the city's 2021 Climate Action Plan.

In order for urban residents to truly learn what it takes to begin and end the food production process based on Bloomington's four season growing zone, the beginning (seeding) and the end of the food cycle (processing) must take place indoors. Of course it is critical that we also are able to teach everything that happens between the initial seeding to the processing of food post harvest. Those other steps all happen outdoors. While we understand that teaching outdoors in an R2 zone is currently forbidden, maybe there is a shade of grey that has yet to be discovered. We hope that you can find it for us.

Ultimately, GardenQuest would like to provide hands-on experiences that can be replicated from the GardenQuest's residential model to the learner's home. We want to inspire and teach other Bloomington citizens that no matter where they live or the type of home they have, they can be part of Bloomington's climate resiliency and community well-being solution.

**This endeavor has never been about making money; It has always been focused on helping to prepare family, friends,**



**neighbors, and community members to adapt to our ever changing environment. We fund programming through grants and donations. If supplies are not covered by prior funding, we ask for participants to cover the cost of supplies based on a financial-need scale.**

b. The indoor and future outdoor Farm-To-Table programming and equipment will not create a nuisance by reason of noise, smoke, odors, vibration, or objectionable lights. Grow lights will be oriented in a downward fashion. The equipment will include a three compartment sink with grease trap and garbage disposal, a countertop, cutting boards, kitchen cutlery, residential grow light shelving units and a residential hydroponic system.

c. The proposed use of space at this residential property is based on reasons of accessibility.

1. It is within walking distance of four neighborhoods, three elementary schools and one high school. It is one block from a City of Bloomington bus stop.

2. Operating at a residence allows GardenQuest more flexibility to offer opportunities around challenging work, school and extracurricular schedules.

3. Neither GardenQuest, nor the Spier Family, has the budget to

purchase a separate non-residentially zoned space for teaching. All of the equipment, supplies and tools are for both personal and community-use.

d. The proposed indoor space complies with all city, county and state laws regarding public utilities and services. *The proposed use of outdoor space complies as well and has already been reviewed and approved by the Indiana Department of Environmental Management, the USDA Farm Agency, and Monroe County Soil and Water District.*

e. Parking will be restricted to the driveway and covered parking, which can comfortably hold 10 vehicles. However, for small group programming such as Girl Scout badge work, groups will be asked to carpool to reduce the number of vehicles. For special programming, the maximum amount of students, volunteers, and parents allowed indoors at one time will be 10, with typical numbers being between 1-3 individuals at a time. *Please see the attached parking document.*

1. The desired outdoor usage of our residence is no different from the many gatherings that happen on a weekly basis in our neighborhood that foster a sense of community and well-being. Whether it is 2nd Friday Covenanter neighborhood gatherings with 30-50 neighbors to large birthday parties,

holiday celebrations, and random get-togethers at a neighbor's pool, our kids inviting 10+ friends over to hang out, this is a very active neighborhood. At any given time outdoors we would never have more people coming over for an official learning opportunity than we would have when we just have general gatherings at our home to play pickleball, jump on the trampoline, or any other things people do in their homes when they have a family and friends.

f. The addition and proposed use has not resulted in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant proportion. Floodplain requirements have been followed. Permeable pavers, gutters, downspouts, and rainwater collection devices have been designed in an environmentally-friendly approach.

g. Programming, educational internships, and volunteer opportunities would occur between the hours of 8:00 AM - 8:00 PM seven days a week.

h. Trash and recycling is hidden behind a half wall and cedar shrubs. The Bloomington Commission on Sustainability neighborhood Terracycle recycling pilot program boxes are located within the carport on a paved slab, tucked up against the wall. They will be kept orderly and within the private property lines.

i. The signage for GardenQ and GardenQuest is a small yard sign

placed inside the property line installed temporarily in the ground at the beginning of May and removed at the end of October.

j. The proposed use complies with any additional standards currently imposed.

Thank you again for reading my petition and looking at the attached documents including hundreds of signatures and letters in support of our requests.

I understand that I am asking for permission, but with all due respect, I want to politely remind this body that I don't believe that we should have to ask. I think the constitution protects my right to be able to use my property as I see fit. I think I have 1st amendment free speech and association protections to invite people onto my property and into my home, in order to teach them. And I think that I have the protection of the equal protection and due process clauses to be free from arbitrary restrictions and irrational decisions. All I want to do is have people outside on my property and in my home, teaching them how to be good environmental stewards, grow their own food, increase self-sufficiency, and more. These restrictions are making it harder for me to do that and I think that is a violation of my constitutional rights.

If at any time there is confusion or misunderstanding with the aforementioned, a request for on-site discussion / explanation is

welcome and will be provided.

Best Intentions,  
Ellee Spier

Attachments:

Parking Plan

Information about GardenQuest

Letters and Statements of Support

Alignment with the Climate Action Plan

*GardenQuest.org Alignment with City of Bloomington Climate Action Plan and the Department of Economic and Development Sustainable Urban Gardening Plan*

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### **Local Food and Agriculture**

**Goal FA 1:** Increase food and nutrition security citywide.

**Strategy FA 1-A:** Address financial food insecurity.

FA1-A-1:	Explore potential of collaborating with low-cost produce providers to establish local food markets serving low-income, vulnerable, and food-insecure communities while addressing retail and commercial food waste.
FA1-B-4:	Improve the availability of culturally appropriate food accessible to the City's populations of color, religiously diverse, and limited English speakers. Explore opportunities to expand local development of these goods through engagement with local food producers and promote information on locations and price ranges of uncommon culturally important produce and food products.

**Goal FA 2:** Increase local agricultural resilience to climate shocks.

**Strategy FA 2-A:** Provide information and promote climate-responsive agriculture practices.

FA2-A-1:	Collaborate with the Monroe County School Corporation, Monroe County, Indiana University, Monroe County Farmer's Association, Indiana Grown, and local organic farmers associations to encourage adoption of strategies to increase soil health and increased carbon sequestration for Croplands and Grazing Lands.
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**Goal FA 3:** Increase and stabilize local food market.

**Strategy FA 3-A:** Increase local food supply.

FA3-A-2:	Revise zoning ordinances to remove barriers to urban agriculture: yard and rooftop food production, edible landscaping, and foraging. Examine and pursue other policy levers to increase food production within the City. Utilize available and appropriate Parks and Recreation lands for urban farming and food production.
FA3-A-3:	Assess, develop, and adopt financial incentives through CDFI and CDBG programs to recruit and support the startup of small and mid-sized food processors in the City.
FA3-A-5:	Support existing school and community gardens and provide opportunities to

	expand community growing spaces with a focus on youth, immigrant, and low-income residents.
FA3-A-7:	Equitably promote educational opportunities for residents to gain skills in organic gardening, fruit production, food preservation and cooking, and affordable, healthy eating.
FA3-A-8:	Develop entrepreneurial program for middle and high school parents to grow food and sell in marketplace.

## **Waste Management**

**Goal WM 1:** Increase landfill solid waste diversion by 30% of 2018 values

**Strategy WM 1-A:** Increase organics diversion by 40% of 2018 values

WM1-A-6:	Establish an At-Home and Community Garden Composting program supporting the expansion of food waste diversion through at-home composting. Provide backyard composting workshops, tips, and resources.
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## **Greenspace and Ecosystem Health**

**Goal G 3:** Increase citywide tree canopy coverage by 3% of 2018 values

**Strategy G 3-B:** Support and empower community partners, businesses, and residents in meeting tree canopy goals.

G3-B-1:	Create additional incentives for tree planting, particularly in prioritized areas within the City as established by the Citywide Ground Cover and Heat Island Assessment.
G3-B-2:	Develop educational and informational resources providing information on beneficial and climate-adaptive tree species, "carbon gardening" strategies for ornamental gardens, and produce gardens, tree profile rebuilding, elimination of synthetic fertilizer and pesticide use, high mow deck settings, use of biochar amendments, polyculture lawn mixture and other beneficial greenspace practices included in this CAP.

## **Sustainable Urban Gardening Implementation Plan**

<b>ACCESS TO HOME GARDENING RESOURCE STRATEGIES</b>
---

Resource Distribution Hubs:	Establish centralized hubs in neighborhoods to distribute seeds, soil, compost, and gardening tools.
Seed Swapping Events:	Organize community seed-swapping events where residents can exchange seeds. Provide information on plant varieties and growing tips during the events.
Community Composting Initiatives:	Establish community composting programs to provide residents with locally sourced compost.
Community Garden Mentorship Program:	Pair experienced local gardeners with individuals or families new to gardening.

### **COMMUNITY GARDEN INITIATIVE STRATEGIES**

Provide Educational Support:	Offer workshops and training sessions on sustainable gardening practices.
Garden Maintenance Training Sessions:	Conduct training sessions on garden maintenance, covering watering schedules, pest control, and soil health.
Garden Education Partners:	Partner with educational institutions to integrate community gardens into school curricula

### **EXPANDING URBAN AGRICULTURE STRATEGIES**

Implement Vertical Farming Initiatives:	Explore and implement vertical farming techniques, such as hydroponics or aquaponics, in urban environments.
Promote Native Plant Planting in Urban Areas:	Encourage the planting of native plants in urban areas to enhance biodiversity, support local ecosystems, and promote sustainable landscaping practices.
Collaborate with Schools and Educational Institutions:	Partner with schools and educational institutions to integrate urban agriculture and native plant education into curricula.
Create Demonstration Gardens:	Establish demonstration gardens in accessible locations to showcase successful urban agriculture and native plant landscaping.

*The City of Bloomington Climate Action Plan recommends strategies for the City of Bloomington and the community to reduce greenhouse gas emissions and adapt to local climate impacts. Implementation of the Climate Action Plan will be essential to meet Bloomington's commitment*



*to minimize greenhouse gas emissions and prepare for climate change.*

***The goal of the Bloomington Climate Action plan is to reduce greenhouse gas emissions by 25% (below 2018 emissions levels) by 2030 and achieve carbon neutrality by 2050.***

*Resolution 21-08 accepting the City of Bloomington Climate Action Plan was passed unanimously on April 21, 2021.*

# GardenQuest

(Incorporated 2023)



<p><b>What:</b> 501(c)3 urban agriculture education non-profit</p>	<p><b>Mission:</b> To provide hands-on, sustainable urban gardening education in a residential setting to learners of all ages</p>
<p><b>Grant &amp; In-Kind Support:</b>          Bloomington Garden Club          Archer Foundation          Master Gardeners of Monroe County          Indiana Department of Environmental Management          Bloomington Commission on Sustainability          Bloomington Arts Commission          Sunbelt Rentals</p>	<p><b>Groups Who Have Benefited Since 2023:</b>          Cub Scout &amp; Boy Scouts          Girl Scouts          Marlin Elementary K&amp;1st graders          Childs Elementary Construction Club          MCCSC Community Transition Students (Ages 19-21)          MCCSC High School &amp; IU Interns          National Honor Society Students          Covenanter Neighbors          Sounds of South Choir Students          IU Classes          Volunteers</p>



## Goals:

- To provide hands-on, experiential sustainability & neighborhood gardening education
- To be a neighbor-based model of sustainable urban gardening infrastructure and techniques for home & school gardens
- To provide an accessible, walkable location for **small-scale** school field trips, student internships, volunteer opportunities, community organization workshops, & neighborhood classes
- To create an neighborhood-based urban gardening support network for both neighbors and nearby schools





To whom it may concern,

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

WonderLab worked with GardenQuest to install an in-ground worm composting system in the garden adjacent to our building. Their knowledge and expertise were essential in successfully establishing our system and Ellee's continued support and education throughout the first year was vital to ensure the survival of the worms, especially during the cold winter months. Before we installed the system, I visited GardenQuest and it was very helpful to see how the worm composting system operated on location in an urban residential setting. Our garden is located in downtown Bloomington and is an urban oasis amongst the city buildings. We use the worm composting system to educate visitors about food waste and to amend the soil in the vegetable garden.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Sincerely,

Ella Heckman  
Director of Museum Experience  
WonderLab Museum of Science Health and Technology

**.etter**

message

**Upchurch, Gwendolyn W** <gwitten@mccsc.edu>  
o: Ellee Spier <gardenq4u@gmail.com>

Thu, Jun 27, 2024 at 6:58 PM

To whom it may concern,  
I am writing in support of the Spier farm.  
At this farm students get to help experience the way vegetables and fruits grow. It is a wonderful opportunity for students that have no idea how things grow to witness this amazing process. It helps them to understand not only the process but to have the ability to have hands on experience with organic growing. It is informative for the students to understand how to make better decisions when choosing their food as they get older.  
The Spier family willingly supports the Bloomington Community by helping students learn and understand about organic farming and they financially donate and support the community as well. Their produce is excellent quality and I highly recommend they continue their wonderful work in Bloomington.

Sincerely,  
Gwen Witten Upchurch

Sent from my iPhone

26 June 2024

John and Julie Walbridge  
2603 E Windermere Woods Drive  
Bloomington IN 47401

[walbridgen@bloomington.in.gov](mailto:walbridgen@bloomington.in.gov)

To Whom It May Concern:

We are writing to support Ellee Spier's Neighborhood-Based Garden Education project.

We have been following the development of Ellee's project GardenQuest for several years now. We now use her composting methods. Our understanding is that the difficulty is that outdoor education programs are not allowed in residential neighborhoods. If this were disruptive, I could see the problem, but small numbers of children are certainly less of a problem than large parties, very slow construction projects, etc., etc. It is our neighborhood, and we don't see a problem.

We really wish that a program like this was available when our children were of an age to learn from it.

Ellee is providing a real service to the community, teaching and demonstrating ecologically conscience food practices.

And finally, this is, after all, Bloomington, an exceedingly socially conscious place that should be supporting such endeavors.

Respectfully,  
John and Julie Walbridge



**o request certificate and UDO ammendment**

message

Rima Hanania <hanania.rg@gmail.com>  
o: Ellee Spier <gardenq4u@gmail.com>

Thu, Jun 13, 2024 at 5:40 PM

Ellee,

Please pass this on to the City Council and/or BZA,

Dear City Council or/and BZA,

My little vegetable and fruit garden on 1st street is important to me for many reasons, including health, general well-being, and a sense of control in a changing environment. I would very much value having GardenQuest education available to me within a few blocks of where I live. Seeing through in-person demonstrations how to handle various problems and getting new ideas for what is possible is incredibly helpful as I struggle to make my garden grow.

Thus, I totally support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, because a hands-on in-situ approach is so valuable, I also whole heartedly support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Thank you,

Rima Hanania





**Support**

message

Cyndi Johnson <kajcyn0ij@hotmail.com>  
to: Ellee Spier <gardenq4u@gmail.com>

Sun, Jun 16, 2024 at 12:50 PM

Hello,

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

I have a daughter with multiple disabilities, and she is one of the individuals who can benefit from the educational experience provided as a partnership with our local high school's special education program. I really love what GardenQuest is doing to provide meaningful internships for these students.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Thank you for considering this important endeavor.

Cyndi Johnson

June 16, 2024

To Whom it May Concern,

We support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Sincerely,

Alan & Ann Schertz  
757 S Lincoln St  
Bloomington, IN 47401  
812.327.3402

mailto:geoff@wtsfm.com

From: [Geoff@wtsfm.com](mailto:geoff@wtsfm.com)

To: [amerzger@aol.com](mailto:amerzger@aol.com)

Sent: 6/15/2024 8:01:45 AM US Eastern Daylight Time

Subject: Re: Two Things for Bloomingtonians

I support Elee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency

Geoff

Geoff Vargo

Geoff Vargo

Sarkes Tarzian Inc.

Retired Radio Group President

Member-Board of Directors

1-812-345-0190

[geoff@wtsfm.com](mailto:geoff@wtsfm.com)

[geoff@sarkestarzian.com](mailto:geoff@sarkestarzian.com)

## To Board of Zoning Appeals

**Shakespeare, Robert A.**  
 to me  
 Board of Zoning Appeals.

Thu, Jun 13, 3:39 PM

I support *Ellee and Bret Spier's* request to receive a certificate of zoning compliance (CZC) to allow *GardenQuest*, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for *GardenQuest* to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Rob Shakespeare  
 1806 E Thornton DR  
 Bloomington  
 IN 47401  
 812-320-2806  
[shakespeare@iu.edu](mailto:shakespeare@iu.edu)

[Message clipped] [View entire message](#)

Blake Mathias <bmathias@gmail.com>  
o: Eilee Spier <gardenq4u@gmail.com>

Rachel & Blake Mathias support Eilee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

**From:** gmerzer@aol.com  
**Subject:** Message of Support  
**Date:** June 13, 2024 at 7:23 PM  
**To:** spierfamily@me.com

*I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.*

*Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.*

*Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.*

*Signed,*

*Glen Merzer  
Bloomington resident 2018-*



# BZA Email

Inbox x



**Jenny Gildea**  
to me

Fri, Jun 14, 1:40 PM (5 days ago)

Hope you get the clearance you need. You offer such good things for everyone to learn more about being healthy!

*I support Eilee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.*

*Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.*

*Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.*

Jenny Gildea

Thank you for your support!

It has been approved.

Yes, I approve.

Reply

Forward





## Support for GardenQ

message

Richard Millunchick <rmillunchick@gmail.com>  
to: Ellee Spier <gardenq4u@gmail.com>

Thu, Jun 13, 2024 at 12:29 PM

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

---

Richard Millunchick  
734-678-7145 Mobile



# Supporting GardenQ

Inbox



**Priscilla Borges**  
to me, Ellee

Jun 13, 2024, 8:40 AM (2 days ago)

To whom it may concern,

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

They have really good ideas on how to provide education. Their offerings should be approved and recognized, since they enrich our hometown of Bloomington.

Thank you.

Priscilla Borges

Support!

Inbox x



Curry, Colleen G  
to me

To Whom It May Concern:

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully, both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Best Regards,

**Colleen Grace Curry**

Financial Advisor, Vice President  
Private Wealth Management  
CA License 4025241

BAIRD

**New address for Bloomington location:**

[121 N. Pete Ellis Dr., Suite 101, Bloomington, IN 47408](#)  
(o) 812-332-6333 | (t) 800-790-6333 | (m) 812-320-6568 | (text) 812-778-3917  
[cgcurry@rwbaired.com](mailto:cgcurry@rwbaired.com) | [matthewssnyder.rwbaired.com](http://matthewssnyder.rwbaired.com) | [TheMatthewsSnyderGroup@rwbaired.com](http://TheMatthewsSnyderGroup@rwbaired.com)

**Temporary address for Franklin Location:**

Thu, Jun 13, 8:29 AM (1 day ago)



## Supporting Urban Agriculture Education In Bloomington

message

Ed Kitchen <edwkitchen@gmail.com>  
to: Ellee Spier <gardenquest.org@gmail.com>

Thu, Jun 13, 2024 at 10:19 AM

I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Sincerely,

Ed Kitchen

# CZC for GardenQuest

 **Kristen Tweedie**  
to me

To Whom it May Concern,

I support Eilee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Sincerely,

Kristen and John Tweedie

Looks good to me.

Yes, I approve.

I approve this request.

Reply Forward

Tue, Jun 18, 3:15 PM (16 hours ago)

Stefanie WEINTRAUB  
Re: Gan Shalom garden  
To: Ellee Solar

Hi Ellee,  
They said Friday the 21st would be the best day.  
I'll be out of town all of next week so can you text them directly to set something up  
Angela 812-320-1543  
or Claudia 317-418-1249

Also - here is the letter in your support:

*I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.*

*Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.*

*Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.*

thank you,  
Stefanie Weintraub  
1917 E Marilyn Dr

On Thu, Jun 13, 2024 at 8:12PM Stefanie Weintraub <[stefweintraub@gmail.com](mailto:stefweintraub@gmail.com)> wrote:



## Support for GardenQuest

messages

Erin East <erineast2020@yahoo.com>

to: "gardenquest.org@gmail.com" <gardenquest.org@gmail.com>

Thu, Jun 20, 2024 at 8:48 AM

Hi Eilee,

I'm so sorry to hear that you've had to pause the work you're doing. This is devastating news. Below is a letter of my support, but please let me know if there is anything else I can do to help! We were really looking forward to coming back to learn more, and hope that we still can!

Erin

I was extremely disappointed to hear that the AMAZING work Eilee and her crew have been doing has been halted, and I hope it is only temporary.

I lead the Wolf pack for the Cub Scouts Pack 100 here in Bloomington. Our group visited her in April and learned so many things we can do to positively impact the earth. We learned about the shocking amount of food that is put into landfills yearly and what we can do to change this. We learned about nutrition and how to grow our own food. It is scary to think of the future we will be leaving our children without the critical information and knowledge Garden Quest is providing.

We reused disposable plastic containers to grow our own sprouts and the kids even put together pots of flowers for Mother's Day. Not only was this one of the highlights of our year, but I cannot think of anything more important they learned throughout all of our time together. The other groups and the adults were also very excited to go and learn after hearing about our adventure there.

Please allow GardenQuest to continue with their mission. There is no more impactful work than teaching others how to care for the earth and themselves.

### SUPPORT FOR NEIGHBORHOOD-BASED GARDEN EDUCATION

The City of Bloomington's zoning laws (Unified Development Ordinance) do not allow for any resident to request permission to operate an outdoor organization within a neighborhood. We are asking for the opportunity to request and provide urban agriculture education outdoors at our urban farm.

My signature represents support of the following statements:

I support GardenQuest as a neighborhood-based, resident-owned urban agriculture education hub. This includes being able to see, learn about, and have access to nutrient dense food and resident led/learned agriculture practices.

I support GardenQuest, as a neighborhood-based 501(c)3 non-profit, whose mission is to provide hands-on urban agriculture and sustainability education to learners of all ages.

I believe that in residentially-zoned areas, residents who are knowledgeable in outdoor and indoor urban agriculture, should be able to give back to their community through small-scale place-based educational experiences (i.e. internships & workshops). These residents should be able to use both their indoor and outdoor space as models for neighbors, students, and community members to learn from to improve our community's well-being and progress toward climate resiliency.

Easy access to education and volunteer opportunities is important to me. I should be able to walk, bike, and/or use public transportation to access place-based educational experiences and volunteer opportunities no matter my age, gender, or the color of my skin. Neighbor-based educational opportunities create accessibility to the greater community.

Therefore, I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Please approve the CZC and amend the UDO for GardenQuest to operate responsibly and respectfully both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.

Ellee Spier <gardenquest.org@gmail.com>  
o: Erin East <erineast2020@yahoo.com>

Erin,

Thank you so much for taking the time to write this well-constructed, detailed letter!!

Kindly,  
Ellee

[Quoted text hidden]

Erin East <erineast2020@yahoo.com>  
o: Ellee Spier <gardenquest.org@gmail.com>

Of course! I hope this is resolved soon!  
Sent from my iPhone

Mon, Jun 24, 2024 at 7:35 AM

159

Mon, Jun 24, 2024 at 5:00 PM

Petition Strength

7

Good

Add an image or video

Petitions with a photo or video receive 6 times more signatures

[Add media](#)

Start an image test

Upload a few images and we'll find the one driving the most signatures.

[Start Smart Image test](#)

# SUPPORT NEIGHBORHOOD-BASED GARDEN EDUCATION

Started Petition to

June 13, 2024

Bloomington's Unified Development Ordinance Committee

97

Signatures

100

Next Goal

Support now

[Share this petition](#)

## Why this petition matters



Started by [Ellee Spier](#)

SUPPORT FOR NEIGHBORHOOD-BASED GARDEN EDUCATION

The City of Bloomington's zoning laws (Unified Development Ordinance) do not allow for any resident to request permission (variance) to operate an outdoor organization within a neighborhood. We are asking for the opportunity to request permission and to provide urban agriculture education outdoors at our urban farm.

My signature represents support of the following statements:

- o I support GardenQ as a neighborhood-based, resident-owned urban agriculture education hub. This includes being able to see, learn about, and have easy access to nutrient-dense food and resident-produced agriculture products.
- o I support GardenQuest, as a neighborhood-based 501(c)3 non-profit, whose mission is to provide hands-on urban agriculture and sustainability education to learners of all ages.



agriculture, should be able to give back to their community through **small-scale** place-based educational experiences (i.e. internships & workshops). These residents should be able to use both their indoor and outdoor space as models for neighbors, students, and community members to learn from to **improve our community's well-being and progress toward climate resiliency**.

- o Easy access to education and volunteer opportunities is important to me. I should be able to walk, bike, and/or use public transportation to access place-based educational experiences and volunteer opportunities no matter my age, gender, or the color of my skin. Neighbor-based educational opportunities create accessibility to the greater community.

*Therefore, I support Ellee and Bret Spier's request to receive a **certificate of zoning compliance (CZC)** to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.*

*Furthermore, I support an **amendment** to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.*

*Please approve the CZC and amend the UDO for GardenQuest to operate **responsibly and respectfully** both indoors and outdoors within a neighborhood setting. I believe these actions will further support Bloomington's community well-being and our progress toward climate resiliency.*



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**Decision Makers**



**Bloomington's Unified Development Ordinance Committee**

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## petition\_signatures\_jobs\_490100341\_20240711145258



Name	City	State	Postal Code	Country	Signed On
<b>Ellee Spier</b>				US	2024-06-13
<b>Bret Spier</b>	Bloomington	IN	47403	US	2024-06-13
<b>Paige Francis</b>	Bloomington	IN	47401	US	2024-06-13
<b>Austin Spier</b>	Bloomington	IN	47401	US	2024-06-13
<b>Ivan Lynch</b>	Portland	OR	97204	US	2024-06-13
<b>Charles Arnold</b>	Bloomington	IN	47401	US	2024-06-13
<b>Dylan Stringer</b>	Bloomington	IN	47403	US	2024-06-13
<b>Hunter Tabor</b>	Chicago	IL	60629	US	2024-06-14
<b>Matthew Auston</b>	Bloomington	IN	47403	US	2024-06-14
<b>Elaine Jeffers</b>	Bloomington	IN	47401	US	2024-06-14
<b>Sooae Lee</b>	Lafayette	IN	47909	US	2024-06-14
<b>Caitlin Bergman</b>	Dallas	TX	75270	US	2024-06-14
<b>Elise Erwin</b>	Bloomington		47401	US	2024-06-14
<b>Zoe Joseph</b>	Bloomington	IN	47403	US	2024-06-14
<b>Elizabeth Merkley</b>	Bloomington	IN	47401	US	2024-06-14
<b>Matthew Bloom</b>	Bloomington	IN	47401	US	2024-06-14
<b>Will Liao</b>	bloomington	IN	40471	US	2024-06-14
<b>Jonathan Staten</b>	Bloomington	IN	47401	US	2024-06-14
<b>Jon Inwood</b>	Brooklyn	NY	11226	US	2024-06-14
<b>Alyssa Huston</b>	Bloomington	IN	47403	US	2024-06-14
<b>Raegan Zelaya</b>	Bloomington	IN	47401	US	2024-06-14
<b>Lesley Miracle</b>	Indianapolis	IN	46201	US	2024-06-14
<b>Jacob Huston</b>	Bloomington	IN	47403	US	2024-06-14
<b>Joel Huston</b>	Bloomington	IN	47408	US	2024-06-14
<b>Jeff Huston</b>	Bloomington	IN	47401	US	2024-06-14
<b>Bethan Roberts</b>	Bloomington	IN	47408	US	2024-06-14
<b>Kristi Huston</b>	Bloomington	IN	47404	US	2024-06-14
<b>Suchismita Ghosh</b>	Chicago	IL	60643	US	2024-06-14
<b>Josh Huston</b>	Bloomington	IN	47401	US	2024-06-14

<b>Mylan Gaston</b>	Bloomington	IN	47403	US	2024-06-14
<b>Taylor Kinser</b>	Bloomington	IN	47403	US	2024-06-15
<b>Mary Lynn Sills</b>	Bloomington	IN	47401	US	2024-06-15
<b>Delaney Hupke</b>	Bloomington	IN	47401	US	2024-06-15
<b>Grace Farruggio</b>	Bloomington	IN	47401	US	2024-06-15
<b>Susan Seizer</b>	Bloomington	IN	47401	US	2024-06-16
<b>Elaine Spangler</b>	Orange		92869	US	2024-06-17
<b>In Need of real change</b>	Grafton	WV		US	2024-06-17
<b>Alyssa Kleve</b>	Worthington	MN	56187	US	2024-06-17
<b>Kalena Vansickle</b>	Columbus	OH	43228	US	2024-06-17
<b>Carryn Whiteford</b>	Marietta	GA	30062	US	2024-06-18
<b>Wendy Landry</b>	Lake Charles		70607	US	2024-06-18
<b>Erika Rikhiram</b>	Clermont	FL	34711	US	2024-06-18
<b>Christie Popp</b>	Bloomington	IN	47401	US	2024-06-19
<b>Bethany Murray</b>	Bloomington	IN	47408	US	2024-06-19
<b>JANET JAMES</b>	Bloomington	IN	47401	US	2024-06-19
<b>Mary Beth O'Brien</b>	Bloomington	IN	47403	US	2024-06-19
<b>Andrea Hager</b>				US	2024-06-20
<b>isabella Buntentbach</b>	Chicago	IL	60641	US	2024-06-20
<b>Divya Nagendran</b>	Aurora	IL	60505	US	2024-06-20
<b>Gwyn Nowack</b>	Hollidaysburg	PA	16648	US	2024-06-21
<b>Walt Dziekan</b>	San Diego	CA	92111	US	2024-06-21
<b>Dan Feeley</b>	Las Vegas	NV	89107	US	2024-06-21
<b>Amy Butler</b>	Bloomington	IN	47404	US	2024-06-22
<b>Maybelle Sloan</b>	Bloomington	IN	47403	US	2024-06-23
<b>Carl Jay</b>	Bloomington	IN	47401	US	2024-06-23
<b>Ruby Sloan</b>	Martinsville	IN	46151	US	2024-06-23
<b>Cameron Glass</b>				US	2024-06-23
<b>Mateo Escobedo</b>	Bloomington	IN	47401	US	2024-06-23
<b>Makenzie Snooks</b>	Jeffersonville	IN	47130	US	2024-06-23
<b>Elisabeth Siena</b>	Bloomington	IN	47401	US	2024-06-23
<b>Em Enochs</b>	Bloomington	IN	47401	US	2024-06-23

<b>Fatima Ahmed</b>	McDonough	GA	30252	US	2024-06-23
<b>Juliana Hulsey</b>	Bloomington	IN	47403	US	2024-06-24
<b>Rebecca Baxter</b>	Bloomington	IN	47401	US	2024-06-25
<b>Ash Carmichael</b>	Ashburn	VA	20149	US	2024-06-26
<b>John and Julie WALBRI</b>	Bloomington	IN	47403	US	2024-06-27
<b>Ella Heckman</b>	Bloomington	IN	47403	US	2024-06-27
<b>Kate Seader</b>	Bloomington	IN	47403	US	2024-06-27
<b>Melissa Adams</b>	Indianapolis	IN	46224	US	2024-06-27
<b>Steve Kinsman</b>	Phoenix	AZ	85034	US	2024-06-28
<b>Kelly Kinsman</b>	Bloomington	IN	47403	US	2024-06-28
<b>Brian Macdonald</b>	Bloomington	IN	47401	US	2024-06-28
<b>SARA Carmona</b>	Bloomington	IN	47401	US	2024-06-29
<b>Gabriella Katona-Urban</b>	Bloomington	IN	47401	US	2024-06-30
<b>Jean Sherfick</b>	Bloomington	IN	47401	US	2024-06-30
<b>Melissa Jeffers</b>	Bloomington	IN	47401	US	2024-06-30
<b>Lance daSilva</b>	Bloomington	IN	47401	US	2024-07-01
<b>Roberta Kerler</b>	Bloomington	IN	47401	US	2024-07-05
<b>Jesse Yates</b>	Cumby	TX	75433	US	2024-07-07
<b>Andrew Woodard</b>	Bloomington	IN	47404	US	2024-07-07
<b>Allyson Smerud</b>	Bloomington	IN	47429	US	2024-07-08
<b>Sarah May</b>	Bloomington	IN	47401	US	2024-07-08
<b>Kelli Abdon</b>	Bloomington	IN	47404	US	2024-07-08
<b>Jennifer Laughlin</b>	Bloomington	IN	47401	US	2024-07-08
<b>Linda Abdon</b>	Indianapolis	IN	46220	US	2024-07-08
<b>Jennifer Martin</b>	Bloomington	IN	47401	US	2024-07-09
<b>Lori Miller</b>	Bloomington	IN	47401	US	2024-07-09
<b>Jill Goodman</b>	Bloomington	IN	47404	US	2024-07-09
<b>Sarah Couch</b>	Bloomington	IN	47401	US	2024-07-09
<b>Sarah Beverton</b>	Bloomington	IN	47408	US	2024-07-09
<b>Emily Wetzel</b>	Bloomington	IN	47401	US	2024-07-10
<b>Marie Johnson</b>	Derry	NH	3038	US	2024-07-10
<b>Dani Ansaldo</b>	Bloomington	IN	60623	US	2024-07-10

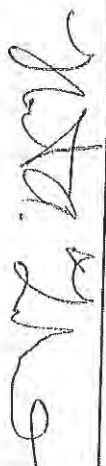

<b>Dorene Sword</b>	Raymond	OH	43067	US	2024-07-11
<b>Jeffrey Rosales</b>	Los Angeles	CA	90022	US	2024-07-11
<b>Minnie mia</b>	Staten Island	NY	10311	US	2024-07-11
<b>Joanne Shead</b>	Matteson	IL	60443	US	2024-07-11

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

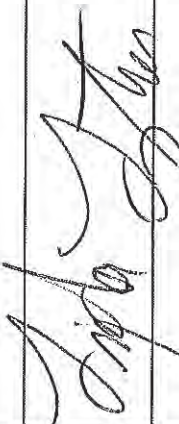


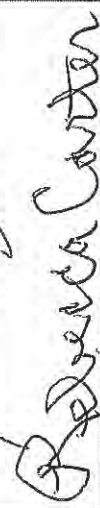





Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Ken Sheerka	874 S. Hickory DR BETHU, IN 47403		we	we
Wendy Elliot	4331 Bill Mallory Bloomington IN 47401	Wendy Elliot	JS	JS
John Schill	3907 S. Bill Mallory Blvd. Bloomington, IN 47401	John Schill	JS	JS
Sally McGuire	2607 E. Edward Road Bloomington, IN 47408	Sally McGuire	SM	SM
GLORIA E. JACOBS	3907 N. SUGAR LANE BLOOMINGTON, IN 47404	Gloria E. Jacobs	GJ	GJ
ANNE M. CLARK	3016 E. Forest Ridge Dr Bloomington IN 47401	Anne Clark	AC	AC
Martha Degan	701 E. Trace Ct Blata IN 47401	Martha Degan	MD	MD
JUNITA WATERS	2910 STAPERS TOWN Bloomington IN 47401		JW	JW

CE

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
DR. ROBERT TAMBOURNO	3011 DAPPS TOWN BL, IN, 47401		R.T.	R.T.
Wendy Tamborno	3011 Dapptown Bloomington, IN 47401		W.T.	W.T.

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Linda Lightner	Guthrie Rd Helmville IN 2298 South Bulby Pike			
Rebecca Carter	Same		ALS	RLS
Steven Jack	Same		SA	SA
Feather-Byche Suber	3122 N. Norwestwood Ave Bloomington - 47404		FBS	FBS
Stephanie Lowinger	3031 E Tapps Turn Bloomington, IN 47401		SJL	SJL
Carrie McHaley	3026 E Tapps Turn Bloomington, IN 47401		cm	cm
James McHaley	3026 E Tapps Turn Bloomington, IN 47401		Jm	Jm



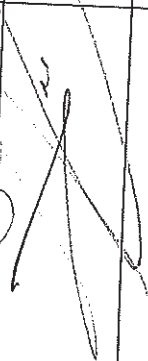


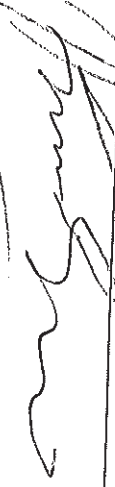




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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Martha Lenthe	3210 E Tapps Turn Bloomington, IN	Martha Lenthe	ML	ML
Carl Lenthe	"	Carl Lenthe	CL	CL
Dorees Duffey	1540 E MARKET Bloomington IN 47404	Dorees Duffey	DD	DD
Sharon Stoddard	3030 S, Highpoint Ln 3030	Sharon Stoddard	SS	SS
Rory S. Stoddard	5. HIGHPOINT LN	Rory Stoddard	RS	RS
Teresa Fickle	3829 E. Regent Ave Bloomington 47401	Teresa Fickle	TF	TF
Charles Fickle	3829 E Regent Ave Bloomington IN 47401	Charles Fickle	CF	CF


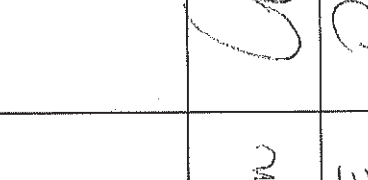
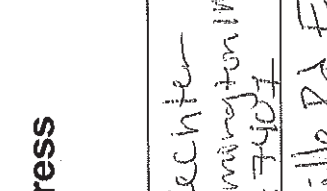
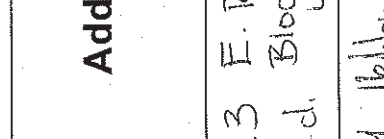
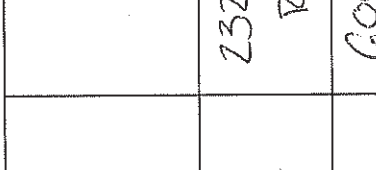
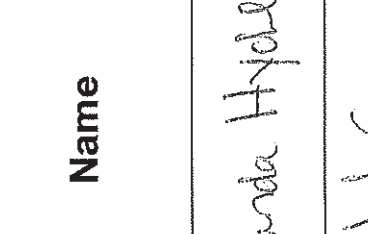
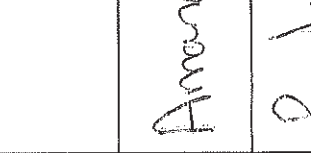
1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	1. Yes Indoors Urban Ag Ed	2. Yes Outdoors Urban Ag Ed & Experiences
DAVID MAEMER	1148 E. Cobblefield Ct		✓	✓
Kate-Lyn Edwards	4501 N Deer Lake Dr		✓	✓
Katya Chornitzky	407 S Madison St		sk	sk
Samyeggers	S. Walnut St			
Lemon MacAn	111 N. Johnson Ave		LM	LM
Leo Stancik	1913 Navaho Drive		LS	LS
JOSEPH B. DAVIS 930-904-0598	530 S. WASHINGTON ST. BLMNG. IN 47401		JD	JD
Bud Hooks two Bud Hooks two	1520 E University 47401		BH	BH




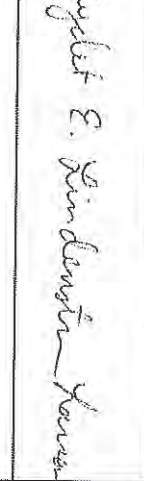
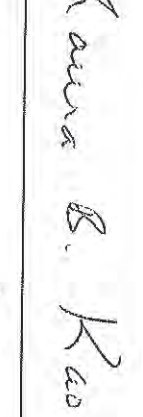


1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	1. Yes Indoors Urban Ag Ed	2. Yes Outdoors Urban Ag Ed & Experiences
Isak Arane	3612 E. Tammerson N; Bloomington 47402		✓	✓
David Spier	120 E. Tammerson Dr Bloomington 47410		✓	✓
Anickes Guenther	416 E. 2nd Street, Apt 10 Bloomington, IN 47404		✓	✓
Hannah Gregory	4701 N Shelburne Dr. Bloomington, IN 47404		✓	✓
Justin Vasel	407 S. Madison St Bloomington, IN 47403		✓	✓
Jason Winters	1645 S Syracuse Ct Bloomington IN 47401		✓	✓
GEROME HEGEMAN	2219 E. ROCK CREEK Bloomington IN 47401		✓	✓
	6020 N. Feltow Rd Bloom, IN 47461	Jennifer Bland	✓	✓

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes <u>Indoors</u> Urban Ag Ed	Initials 2. Yes <u>Outdoors</u> Urban Ag Ed & Experiences
Amanda Hyde	2323 E. Rechter Rd. Bloomington IN 47407		AH	AH
Rachel Gross	604 Heltonville Rd E		RG	RG
Susan Tirikos	1832 G. Sanders 2nd Ave. Bloomington, IN 47401		ST	ST
Christine Haeck	2420 E. Maxwell Ln Bloomington, IN 47407		CH	CH
MARK HOOD	2420 E. Maxwell Ln 47407		MH	MH
JESSICA O'REILLY	1913 S. Sussex PR. BLOOMINGTON, IN 47401		JO	JO
JOHN O'REILLY	1913 S. Sussex Dr Bloomington IN 47401		JO	JO

- 1 support Erie and Peter's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Alberto Vaca	1214 S Pickwick Pl 47401		AV	AV
Shawn Ditts	2549 E Summer Creek Dr, Blaine, IN 47401		SD	SD
Michael Larsen	1309 S. Longwood 47401		MJL	MJL
Ayelet Lindenschuss Larsen	1309 S. Longwood Dr 47401		AELL	AELL
Laura Rao	2611 E. Fair Oaks Ln 47401		LR	LR
Emmylou Long	924 S. Henderson St. 47401		EL	EL
Hunter Lynch	9128 S Henderson St. 47401		HL	HL

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Lynn Wiley	3111 E Tapps Turn	Lynn Wiley	HW	FW
Kathleen Bogess	3934 E Saratoga Drive	Kathleen Bogess	KB	KB
Robert Sherman	2129 Melville Circle	R. Sherman	RS	RS
Meredith Wood	2608 S Trotters Run	Meredith Wood	MW	MW
Vivian S. Myers	904 S. MITCHELL PUERTO 47401	Vivian S. Myers	VSM	VSM
ALMA TAUBENSEE	1302 S HEARTHSTONE 47401	Alma Taubensee	AT	AT
KEVIN HALL	1302 S - HEARTHSTONE	Kevin Hall	KH	KH

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag V/H Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Victoria Hlkevitch	1701 Circle Dr, Bloomington, IN 47401	Victoria Hlkevitch	VH	VH
Nonie Math	1008 E. Jennifer Dr. Blgtn 47401	Nonie Math	NM	NM
KARIN COPPERSMITH	4025 E BURNINGTON DR 47401	Karin Coppensmith	KC	KC
Janet Taylor	937 STELLEROST	Janet Taylor	JT	JT
NEVA GILDERSLEEVE	1158 W Sugarberry Ct	Neve Gildersleeve	NG	NG
Lori Jensen	1143 W Sugarberry Ct	Lori Jensen	LJ	LJ
Julie Kamradtsleues	2938 N, Randle Road East	Julie Kamradtsleues	JK	JK
Kathleen Gilbert	1601 S. Nancy St. 47401	Kathleen Gilbert	KG	KG

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
<del>Michelle Hause</del>	<del>2207 E Governor Dr.</del>	<del>[Signature]</del>		
Michelle Hause	2207 E Governor Dr.	[Signature]	MH	MH
Laurel Adams	1400 S. Pickwick Pl.	[Signature]	LA	LA
Sarah Nincey	1215 S Pickwick Pl.	[Signature]	SN	SN
Judith SanRector	1601 S. Pickwick Pl	[Signature]	JSP	JSP
Cheryl Stine	1212 S Pickwick Pl	[Signature]	CS	CS
Todd Stine	1212 S Pickwick Pl	[Signature]	TS	TS
Jane Phillips	1309 S Pickwick Pl	[Signature]	JP	JP



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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Marian Kelly	2972 E. Blue Bend	Marian Kelly	MK	MK
Sandra Stewart	2142 E. Condover Road Dr	Sandra Stewart	SS	SS
Josh E. Stewart	2222 E. Windermere Road Dr	Josh Stewart	JS	JS
Theodore Gammery	510 N. Gammery Rd	Theodore Gammery	TG	TG
James Craig	3010 E. Birchlin Cir	James Craig	JC	JC
Thomas Johnson	3010 E. Birchlin Cir	Thomas Johnson	TJ	TJ
Geraldine	440 N. Vista St	Geraldine	GS	GS
Christ Lovelace	3010 E. Birchlin Cir	Christ Lovelace	CL	CL

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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Laurie Elliott	453 W. Keller Xing Bloomington	Laurie A. Elliott	LE	LE
Marilyn Bauchat	510 E Lakewood Dr. Bloomington	Marilyn Bauchat	MB	MB
Mary Dewbr	Rockport Rd Bloomington	Mary Dewbr	MD	MD
Mark Kestner	Rockport Rd Bloomington	Mark Kestner	MK	MK
Kessler Proehl	532 N Kemy Dr Bloomington	Kessler Proehl	KP	KP
Brian Boyd	15 N	Brian Boyd	BB	BB
Thomas Youle	412 e 1st st	Thomas Youle	TY	TY
Jenn Putney	412 E 1 <sup>st</sup> st	Jenn Putney	JP	JP







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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Magueline Neu	600 West Grey Ave 47403	Magueline Neu	JN	JN
Sami Blackwell	4659 N Shadow Wood Dr	Sami Blackwell	SBL	SBL
Bada Singh	1803 E Tharston Dr 47401	Bada Singh	BS	BS
Zoya Ryzhki	3612 E Post Rd	Zoya Ryzhki	ZR	ZR
Jeff Hall	2200 W. Sudborg Dr Apt. B-4	Jeffery J. Hall	JLH	JLH
Travis Kahlert	5891 Sison Rd	Travis Kahlert	TK	TK
Sperie Zhang	7507 E Rushridge Ln	Sperie Zhang	SZ	SZ

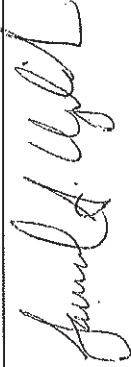


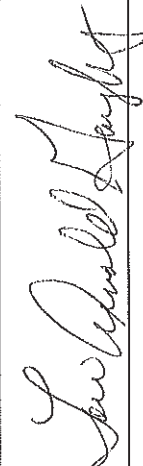














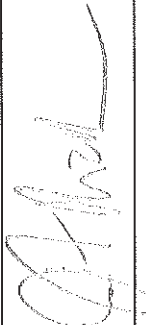


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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Erin Parker	Springville, 9812 Weaver Rd, 47402 IN	<i>Erin Parker</i>	EP	EP
Jewel Evans	1415 W 11th St Bloomington, IN	<i>Jewel Evans</i>	JE	JE
Joey Trusler	5405 Lincoln St	<i>Joey Trusler</i>	JT	JT
Annabelle Fern	100 E Miller Pkwy	<i>Annabelle Fern</i>	JT	JT
Seth Mroz	1639 S Dorchester Dr	<i>Seth Mroz</i>	AF	AF
Delaney Hupke	327 E 2nd St Bloomington, IN 47401	<i>Delaney Hupke</i>	DM	SM
Jeannette Little	3915 S. Nimitz Dr Bloomington, IN 47401	<i>Jeannette Little</i>	DL	DL
			DL	DL

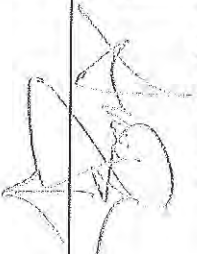






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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Eamonn Dolinger	2301 E 2nd Street		GD	GD
Undram Ouyang	2301 E 2nd St		OU	OU
Yves / Yves Brouillette	115 N 11th St		YB	YB
Robert Arron	1038 E Wabash St Bloomington, IL		RA	RA
Steph Herron	1845 S. Wilcox Ave Chicago, IL		HH	HH
Catherine Brennan	1917 E. Ruby Lane Chicago, IL		CB	CB

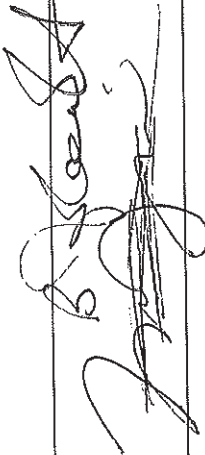
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Samuel Ujdate	1506 E. Hillside Pl. Bloomington, IN			
Lori Carraghty	510 N Gardner Dr Bloomington, IN 47408			
T. Clare Kost	3403 E BARRINGTON APT 105 BLOOMINGTON 47408			
RONALD BNELES	2803 S. THATCHER CT Bloomington, IN 47404			
BREW THEODE	5505 WILSON RD Bloomington, IN			
David Meyer	3001 E. WILSON ST Bloomington, IN			
Jeff Richardson	126 E. First St Bloomington, IN			

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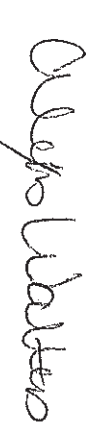




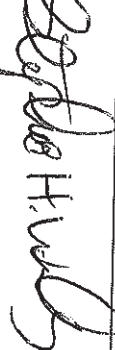

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Jenny Espartero ↓	2810 S. Cleary St, Bloom 47403 ↓		JES	JES
Tim Shea	4400 N. Hillwood Dr		TJS	TJS
Jim Sims	502 S. Westwood Dr		JS	JS
Mary Morgan	8116 E. Beebler 47401		MM	MM
John George's Drazak	3710 Exeter Ave 47408		JGD	JGD
Elyse Clark	1510 S. Princeton Pl Bloomington, IN		EC	EC
James Riley	2722 E. Briggs Blvd		JR	JR

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Name	Address	Signature	Initials 1. Yes <u>Indoors</u> Urban Ag Ed	Initials 2. Yes <u>Outdoors</u> Urban Ag Ed & Experiences
VLADAN JONANOVIC <del>FRANCIS</del>	1209 S Pickwick Bltn 47401		JBJ	JBJ










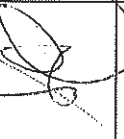

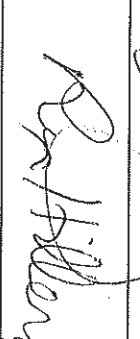
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Ruth Boshkoff	1616 S. Andrew Circle		RB	RB
Lexi Waters	236 S. Cave Creek Dr, Bloomington, IN		LW	LW
Carol Seaman	24155 Coffeywood Cir Bloomington, IN		CS	CS
Raymond Johnson	3330 N. Rustura R-474DB		RJ	RJ
STEVE WIGLE	1115 S. Fernwood		S	S
MARK STEASONS	1814 E Hyde Park Cir Bloomington, IN		MS	MS
Steve Wickes	1155 South Westmoreland Bloomington, IN 47414		SW	SW
Rayan Bengert	2222 E Carya Cool Dr. 47401		RB	RB

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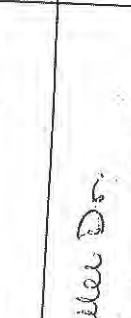

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Amy Kendall	517 S Rogers Apt 3 Bloomington, IN 47403		AK	AK
Anne Veldman	924 S. Hawthorne Bloomington, IN 47401		AV	AV
Forrest Gilman	828 W. 11th St Bloomington, IN 47404		FG	FG
Von Welch	461 E. 21st Rd Bloomington, IN 47405		vw	Vw
Liz Mitchell	421 S. Westwood Dr Bloomington, IN 47403		EM	EM
Connie Stakalis	1017 S. Hill St 47401		CS	CS
Michael Sherman	1117 W. 6th Street 47401		MS	MS

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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed PMS	Initials 2. Yes Outdoors Urban Ag Ed & Experiences PMS
GUS SHAKALIS	1017 S. Hill Ct. Bloomington, IN 47401		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Paul Anderson	508 N. Walnut Lake		<input type="checkbox"/>	<input type="checkbox"/>
Maig Spier	POB 51059		cs	cs
Art Owen	3390 E Laramie Rd Bl 1 47700		A.O.	A.O.
Hannah Walker	2000 E Rock Creek Dr		HW	HW
Richard McKay	1102 E. Berkshire Court		RM	RM
Helen Lee	1572 S Andrew Cir			
Rex Hillery	1506 S Woodhull		RH	RH

... Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow  
 VaranQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in  
 residentially-zoned neighborhood.

2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to  
 allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned  
 neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Hena Horton	100 E Miller Dr. Bloomington 47401		HH	TH
Sandra Thompson	2340 N. Blue Slopes Dr BL 47408		ST	ST

1. I support Ellee and Bret Spier's request to receive a volunteer or community service GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Judith Rose	5717 Maple Way	Judith Rose	JR	JR
Joe Lambert	820 W. Tower St	Joe Lambert	JL	JL
Carol McGregor	2407 S Childs Ct	Carol McGregor	CM	CM
Diana Ehrlich	6196 E STATE RD 46	Diana Ehrlich	DE	DE
Mildred Melendez	4309 Erickson Knoll	Mildred Melendez	MM	MM








1. I support Ellee and Bret Spier's request to receive a volunteer or community service

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials (1. Yes Indoors Urban Ag Ed	Initials (2. Yes Outdoors Urban Ag Ed & Experiences
Bryan McLeod	2208 E. Covenant Dr	Bryan McLeod	SM	SM
<del>Debra Davis</del>	<del>2208 E. Covenant Dr</del>	<del>Debra Davis</del>		
Ferns Davis	2208 E. Covenant Dr	Ferns Davis	SM	SM
Teresa Raer	2208 E. Covenant Dr	Teresa Raer		
Andrew T. Gysel	507 E. Audobon	Andrew T. Gysel	ATA	ATA
Sally Tom Miles	1203 S. Hickwick	Sally Tom Miles	SM	SM
Tom Miles	1203 S. Hickwick	Tom Miles	SM	SM
Noelle Zeichner	2222 E. Covenant Dr	Noelle Zeichner	NY	NY



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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Brandy Beyers	609 W. Ryan Rd Bloomington, IN 47403		BB	BB
Gabe Beyers	609 Ryan Rd, Bloomington, IN 47403		GB	GB
Caitlin Calligan	1701 E Canby Lane Bloomington, IN 47401		CC	CC
Shannon Goldman	6175 S. Iron Rd Bloomington, IN 47403		SG	SG
Andrea Blackwood	504 W. Lois Lane Bloomington IN 47403		AB	AB
Meredith Zanzuchi	3720 N. Collins Drive Bloomington, IN 47404		MZ	MZ
Travis Tate	2763 White Rd. Spencer, IN 47460		TT	TT



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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Clifton Crider	3516 W. West Colfax Rd. Alton, 47408		CC	CC
Amanda J. Allen	2716 S. Adams Street Apt 1 Bloomington 47403		MC	MC
Karl Soukoreff	1767 River Rd Spencer IN 47460		KS	KS
Kaleb Mitchell	454 N KINSER PIKE UNIT D3 BLOOMINGTON, IN 47404		KM	KM
Nick Schwertel	1701 CHERRY LN BUSHY, IN 47481		NS	NS
Dan Selo	7486 S. 2100s Rd Bloomington IN 47410		DS	DS
Nathan Nichols	728 E Sheerwood Hillis Dr Bloomington IN 47411		NN	NN

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Bret				
Mandy Baker	2515 E. Canada Bloomington IN	Mandy Baker	MB	MB
Heather Abrams	800 W Popcorn rd	Heather Abrams	HA	HA
Ipsa Hill	116 S. Park Ridge Rd 3525 P 1240 W	Ipsa Hill	TH	TH
ED GREEN		Ed Green	EG	EG
Christal Greene, MD	2477 Lanam Ridge Rd	Christal Greene	CG	CG
Thomas Lu	1619 S. Benwick Blvd	Thomas Lu	TL	TL

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Mary Keight	4444 S. Central	Mary Keight	MK	MK
Elyse Krapp	616 Sherwood Hills Dr.	Elyse Krapp	EK	EK
Gene Horn	4167 W. Muddlet	Gene Horn	JH	JH
Linda Scott	409 E. Cardinal St. Louis, Mo.	Linda Scott	LS	LS
Alice Cross	4416 W. Westfield #47404	Alice Cross	AC	AC
Cindy Hensch	6856 W. 150th Blomery 47403	CH	CH	CH
Cindy Stone	1755 S. Knightsbridge Rd	CS	CS	CS

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Jelene Campbell	2524 E Eastgate Ln Bloomington, IN 47408	Jelene Campbell	JC	JC
Shwami Shri	3625 E. Tamarind Dr Bloomington, IN 47408	Shwami Shri	Am.	Am
Linda Fariss	3101 E. Kensington Park Dr Bltn 47401	Linda Fariss	LF	LF
Debra Klosser-Moran	1919 E. 1 <sup>st</sup> St. Bloomington, IN 47401	Debra Klosser-Moran	DK	DK
MARY SUTHERLAND	2601 E CIANA COURT 47401	Mary Sutherland	MS	MS
Penelope Gillie	635 W. Ladd Ave 47403	Penelope Gillie	PG	PG
Deb Allmayer	3201 S. Forrester 47401	Deb Allmayer	DA	DA



I support Ellee and Bret Spier's request to receive a variance to operate GardenQuest, a non-profit, which focuses on small-scale indoor/outdoor urban agriculture education, in a residentially-zoned neighborhood.

Name	Address
Jaci Jovanovic	1209 S Pickwick Bl'gn
Luka Jovanovic	1209 S Pickwick P, Bloomington
Sue Handell	3028 E. BRICKLEY CT.
Winston Shupe, LLC	3028 E. BRICKLEY CT.

I support Ellee and Bret Spier's request to receive a variance to operate GardenQuest, a non-profit, which focuses on small-scale indoor/outdoor urban agriculture education, in a residentially-zoned neighborhood.

Name	Address
Casey Thomas	3518 S. Tulip Ave.

I support Ellee and Bret Spier's request to receive a variance to operate GardenQuest, a non-profit, which focuses on small-scale indoor/outdoor urban agriculture education, in a residentially-zoned neighborhood.

Name	Address
Dennell GARNER	2315 E. Winding Lake Ct. Bloomington, IN





I support Ellee and Bret Spier's request to receive a variance to operate GardenQuest, a non-profit, which focuses on small-scale indoor/outdoor urban agriculture education, in a residentially-zoned neighborhood.

Name	Address
Everett Sheriffick	2621 E 7th St, Bloomington, IN 47401
Eli Wetzel	2417 E Canada Dr., Bloomington, IN 47401
Keira Christie	2535 E. Clay Ct. Bloomington, IN 47401
Rebecca Epp	1947 VFW Rd, Bloomington, IN 47401
Matthew Lantieri	2624 South Prices Way, Bloomington, IN 47401
Hunter Tabor	809 W. Whitestone St.
Cameron Miles	3314 East Rogers Rd.
Jessica May	390 East Cardinal Glen Dr.
Charlie Day Smith	2714 W Ida Lane, Bloomington, IN 47401

As a Garden Quest Board Member, I would like to submit to public records the following thank you letters from students who appreciated the experiences at the Spier Urban Farm. Lynn Ulrey

Mrs. Spier,

Thank you so much for giving me the opportunity to earn enough money to be part of Sounds of South. I am so grateful! I also had a lot of fun and learned so much in the process. I look forward to helping out in the garden more as well! Thank you again!

Moira  
☺

Dear Ellee Spier,

Thank you for the opportunity to intern with you at GardenQuest. GardenQuest was not the place I expected to be at, but I'm glad I went here. By going to GardenQuest I've learned so much more than I ever imagined I would and got to experience so many new things. Gardening and biology is a lot more fun than I expected. So thank you Ellee, thank you for the time energy you took to make this a valuable learning experience for me, and thank you for opening my eyes to a new interest.

Sincerely,

Cody Milligan

Dear Ellee & Garden Q,

Thank you so much for having us at your farm. We learned so much. Our favorite stations were the chickens, pumpkins, berry painting and tasting the food you grew. We are excited to take some ideas and add them to our new garden. Thank you again!

From your Marlin friends in Mrs. Lewis K/1 class,

Mrs. Lewis

George

Audrey

MAS  
O  
N

K  
e  
n

Clair

e  
+  
n

Scametto

Plum  
Ellie

Kelie  
Mia

max

LUKE

Call  
sawyer  
iope

Aurora  
Amelia

Bri  
sona

Oliver

Dear Ellee & Garden Q,

Thank you for the inspiring and fun field trip at Garden Q.  
We learned so much and have new ideas for our own garden at  
Marlin.

Sincerely,  
Ms. Glenn-Helmer's class

Jamezon

Nond

Charlotte

Eli  
Fishin

EZKIL

KKrin

Madip

Aurora

sther  
Wallz

VANCE

Kqih

Ava  
James

Everley

Will

AARDELLS

Beatrice  
Licini

Aly Decker

Hannah  
Knight

Yvonne  
Drew

Hazel  
Helmer

Conrad  
Cundiff

Ava Rus  
sic!!!

Thank You  
for helping  
us with our  
outdoor garden!

Garbie  
Jack

Loni  
H...

Mindy  
Carlson

Mrs.  
Class  er's

Johnny  
Senac

JR = 9rr

Lettica Gill  
Daeagan

Ish clarty

Lovelei Freehling

Byron  
Schulz

Lucas McCoy

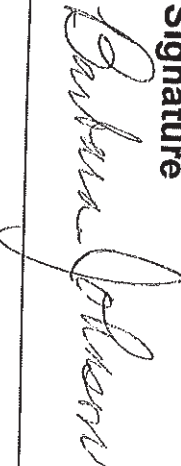
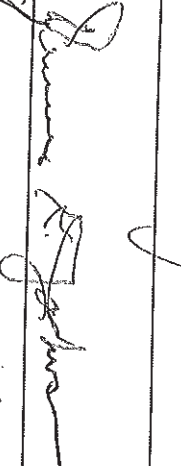

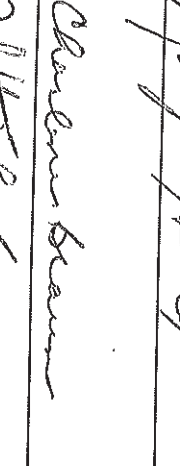
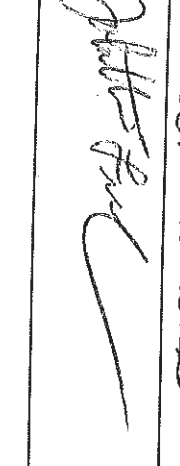
Emmett  
Arthur

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DARRELL BOGESS	3934 SARATOGA DR Bloomington 47408	DT Bogess	EB	EB
Elleen MILLS	3405 E Longview Dr 47411	Elleen Mills	EM	EM
Regina Moore	923 S. Hawthorne 47401	Regina Moore	RM	RM
Eric Ogilvie	502 S. Main St Bloomington, IN 47408	Eric Ogilvie	EO	EO
Nancy Martin	401 N. Sheffield Dr Bloomington, IN 47408	Nancy Martin	NM	NM
Shirley Minges	4997 E Cedar Crest Dr Bloomington, IN 47401	Shirley Minges	SM	SM
Shirley Minges	3644 S. Kingsbury 47401	Shirley Minges	SM	SM
<del>Brenda Minges</del> Shirley C. Minges	315 W. Kierwood Ave	Shirley C. Minges	SM	SM





*[Handwritten signature]*

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.





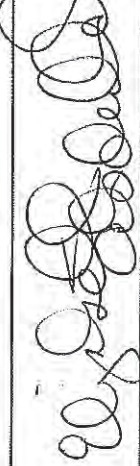


Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban-Ag Ed & Experiences
Barbara Johnson	4409 E. Sheffield Bloomington IN 47408		BJ	BJ
Dennis Johnson	4409 E Sheffield Bloomington IN 47408		DJ	DJ
Kaye Hill	709 N Park Ridge Rd 47408		KH	KH
Charlene Braun	978 S. Baldwin Dr. Bloomington IN 47401		CB	CB
Jonathan Frank	3047 E Amy Ln Bloomington, IN 47402		JF	JF



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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

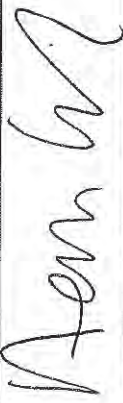





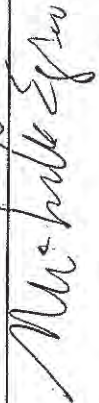
Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Kristopher Kotish	1520 S Pickwick Pl		KPK	KPK
Ashley Shumate	1520 S Pickwick Pl		AS	AS
SUSAN VARGO	1310 S. PICKWICK		SV	SV
GEOFF VARGO	1310 S. PICKWICK		GV	GV

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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

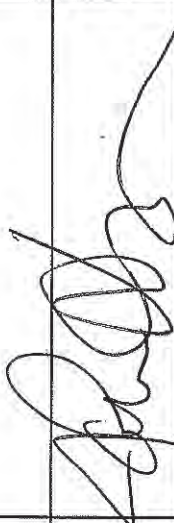

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
JOSH GINN	3100 E TAPPS TURN 47401		JS	JS
BEN MOTZ	3021 E TAPPS TURN 47401		Bm	Bm
Whitney Kalmon	2921 E Tapps Turn 47401		wk	wk
Cody Kalmon	2921 E Tapps Turn 47401		CK	CK
Beth Abdullah	3115 Forrester St		EA	EA
Neal Abdullah	3115 S. Forrester St 47411		NA	NA
Josh Goodman	2821 E Tapps Turn Bloomington, IN 47401		JS	JS

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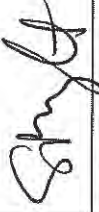



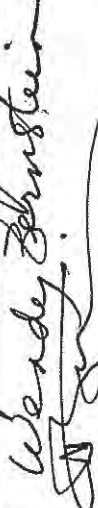
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Fern Goodeman	2721 E Tapps Turn Bloomington, IN 47401		FG	FG
H. SAWHILEY	3201 E. TAPPS TURN BLOOMINGTON, IN		HS	HS
Heather Grouts	3211 E TAPPS TURN		HG	HG
KEEGAN GROVES	3211 E. TAPPS TURN 47401		KG	KG
JOE MANLEY	3121 E TAPPS TURN 47401		JM	JM
Rachel Manley	3121 E Tapps Turn 47401		Rm	Rm
M. Esposito	2609 Tupper Run		ME	ME

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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
JOHAN LOWINGER	3031 E TAPPS TURN BLOOMINGTON, IN		JK	JK
Steve ULRICH	3111 E. TAPPS TURN 47401		SR	SR
Julie Madewell	5535 S Rogers St. Bloomington, IN 47403	Julie Madewell	JM	JM

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Sherry Mitchell-Bender	1275 S. Longwood Dr		SMB	
Dave Bender	1275 S. Longwood Dr		D.B.	D.B.
Susan Bright	721 S Lincoln St		SB	SB
Julie Roberts	1546 S Maxwell St		JR	JR
Beth Friedman Kirk	2510 S. Roundwill Ct.		BFK	BFK
Elizabeth Johnson	4408 E. Stephens Drive		EJ	EJ
Wendy Bernstein Ed Bernstein	1326 E. Maxwell Lane " " " " "		WB	WB

The Bloomington Environmental Commission strongly supports GardenQuest in their efforts to acquire a variance and conditional residential use permit, so they can pursue year-round indoor and outdoor urban soil-to-seed-to-table-to-compost education. Indoor instruction is critical at multiple stages of local food supply production education. Germination must often be done indoors, and cleaning and processing harvested produce requires bringing it indoors as well. Granting GardenQuest's request will help them provide beneficial education to support community resilience in a residential setting and will help support Bloomington's local food and agriculture goals as outlined in the Climate Action Plan.



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

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## Environmental Commission Support of GardenQuest

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**Carrie Albright** <carrie.a.albright@gmail.com>  
To: scanlanj@bloomington.in.gov  
Cc: Rachael Sargent <rachael.sargent@bloomington.in.gov>

Tue, Jul 16, 2024 at 8:45 PM

Hi Jackie,

Last month, the EC sent Ellee Spier (GardenQuest Director) a letter of support for her educational efforts through GardenQuest. She shared today that you are gathering the materials for BZA. I've attached the letter, please let me know if you need anything additional from me (cc'ing EC liaison, Rachael Sargent for her records as well).

Best,  
Carrie



**Letter of recommendation for GardenQuest (1).docx**

13K



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

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## Signatures in support of GardenQuest (Ellee Spier)

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**Congregation Beth Shalom** <bethshalombloomington@gmail.com>  
To: scanlanj@bloomington.in.gov

Tue, Jul 16, 2024 at 1:47 PM

Dear Jackie,

Congregation Beth Shalom circulated a Change.org petition to collect signatures to support GardenQuest's request to be able to educate in a residentially-zoned area. Please accept the attached signatures for consideration.

Many thanks,  
Sarah

Sarah Portwood (*she/her*)  
Congregational Administrator  
Congregation Beth Shalom  
3750 E Third Street  
Bloomington, IN 47401  
(812) 334-2440  
www.bethshalom-bjc.org

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 **GardenQuest Signatures.pdf**  
78K



## petition\_signatures\_jobs\_490100341\_20240716171013

<b>Joanne Shead</b>	Matteson	IL	60443	US	2024-07-11
<b>Aaron Hoffman</b>	Savannah	GA	31405	US	2024-07-11
<b>Sam Clemetsen</b>	Greenville	SC	29601	US	2024-07-11
<b>Sarah Portwood</b>	Bloomington	IN	47403	US	2024-07-11
<b>Bruce David</b>	Heltonville	IN	47436	US	2024-07-11
<b>Madeline Hirschland</b>	Bloomington	IN	47401	US	2024-07-11
<b>Jerry Myerson</b>	Bloomington	IN	47403	US	2024-07-11
<b>Andrew Floyd</b>				US	2024-07-11
<b>juelci klotz</b>	Bloomington	IN	47401	US	2024-07-11
<b>Larry Moss</b>	Albany	CA	94706	US	2024-07-12
<b>Katie Webber</b>	Bloomington	IN	47401	US	2024-07-12
<b>Precilla Aviles</b>	New Britain	CT	6051	US	2024-07-12
<b>Daphne Richards</b>	Bloomington	IN	47401	US	2024-07-12
<b>Angela Aneiros</b>	Bloomington	IN	47401	US	2024-07-12
<b>Sara Friedman</b>	Bloomington	IN	47401	US	2024-07-12
<b>danery cervantes</b>	San Jose	CA	95132	US	2024-07-12
<b>Layla Wood</b>	Apex	NC	27502	US	2024-07-12
<b>Natasha Coles</b>	Anchorage	AK	99501	US	2024-07-13
<b>Diane Legomsky</b>	Bloomington	IN	47401	US	2024-07-13
<b>gisselle garcia</b>	greenwood	IN	46143	US	2024-07-13
<b>Joseph Kreft</b>	Oceanside	CA	92057	US	2024-07-13
<b>Heather Isaac</b>	Vista		92084	US	2024-07-13
<b>Harmony Rucker</b>	Monticello	GA	31064	US	2024-07-13
<b>Bonnie Gordon-Lucas</b>	Glen Mills	PA	19342	US	2024-07-14
<b>LA Fitzgerald</b>	Winchester	TN	37398	US	2024-07-14
<b>Lynsey Bartholomew</b>	Justin	TX	76247	US	2024-07-14
<b>Alexys Martinez</b>	Dallas	TX	75270	US	2024-07-14
<b>James Collins</b>	New Orleans	LA	70114	US	2024-07-14
<b>Tyler Walker</b>	San Antonio	TX	78254	US	2024-07-14
<b>Vita Washington</b>	Fort Washington	MD	20744	US	2024-07-14
<b>Ralphie Beam</b>	Cumberland	MD	21502	US	2024-07-15
<b>Kelly Chapman</b>	Boca Raton	FL	33433	US	2024-07-15
<b>Nicole Collings</b>	Sebring	FL	33870	US	2024-07-15
<b>Alana Preziosi</b>	Swedesboro	NJ	8085	US	2024-07-15
<b>Lilly Hupke</b>	Mooresville	NC	28117	US	2024-07-16

To Note: The Change.org system inputs users zip code based on the original location where they set up their email address or their cell phone. The individuals on the list are members of Congregation Beth Shalom on East Third Street.

1. I support Eilee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Lance da Silva	3512 S. Bainbridge Pr. Bloomington, IN 47401		SD	SD
AMELIA MASCHU	1454 N KINSER PIKE UNIT D3 BLOOMINGTON, IN 47404		AM	AM
Carrington Sillis	5915 E. Binghamton Crest Rd Bloomington IN 47401	Carrington Sillis	CS	CS
Michala Beasley	4826 N Love Lane Bloomington, IN 47404	Michala Beasley	MB	MB
Joyce Schaschke	2387 E WINDING BROOK CIRCLE BLOOMINGTON IN		JS	JS
Emily West	1717 12 St. Bedford IN, 47421		EW	EW
Sydney Hawkins	210 Hidden Falls Camp Rd.		SH	SH



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

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## Letter of Support for GardenQuest

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**Nancy Goswami** <nancygoswami@yahoo.com>  
To: "scanlanj@bloomington.in.gov" <scanlanj@bloomington.in.gov>

Tue, Jul 16, 2024 at 8:57 PM

Greetings,

I am writing to express my enthusiastic support for Ellee Spier and GardenQuest. GardenQuest offers an invaluable opportunity to provide hands-on sustainable urban gardening education to learners of all ages, in our community.

GardenQuest's commitment to fostering an understanding of sustainable gardening practices is vital in promoting environmental stewardship and enhancing local food systems. As an avid gardener and community member, I value this important asset.

The goals of GardenQuest align perfectly with the needs of our community and surrounding areas. By educating individuals about sustainable urban gardening techniques, Elle Spier is empowering residents to transform their spaces into thriving gardens, thereby enriching our community and promoting healthier lifestyles. Even potentially helping to eliminate local food deserts. GardenQuest's focus on sustainability and urban gardening education is commendable with its ability to inspire more people to engage with their environment.

The educational opportunities GardenQuest could provide, from teaching sustainable urban gardening, the infrastructure that assists to ensure increasing gardening potential, resulting in higher yields. Ensuring that more of our community members have access to quality nutritious foods. GardenQuest also provides an inclusive atmosphere where everyone can learn and grow. Offering a vital resource for home and school gardener that is crucial in building a community that values sustainable environmental and social practices.

Additionally, the accessible location offers small-scale field trips, student internships, and volunteer opportunities that will foster a spirit of collaboration and engagement among community members of all ages.

I urge you to support GardenQuest in its mission to provide learning opportunities in building a sustainable future for our community and others.

Together, along with GardenQuest, we can cultivate a greener, more sustainable community.

Sincerely,  
Nancy Goswami

As a neighbor of the Spier Family and a member of multiple gardening organizations in Bloomington, I strongly urge BZA to consider their request to operate GardenQuest in the Covenanter neighborhood. I have witnessed over the past seven years Ellee Spier carry out multiple projects responsibly and respectfully to improve community well being and make a Bloomington a more sustainable place to live.

Our schools and children need alternative avenues to learn about how to grow food and use resources wisely; GardenQuest provides a template for what can be accomplished at home. It is accessible to kids and families from multiple schools. Why make education challenging? Let citizens use the resources that they have at home to be neighborly and build a resilient community.

Beth Hollingsworth



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

---

## Elle Spier

---

**Janet Barrows** <barrowsjanet@icloud.com>  
To: scanlanj@bloomington.in.gov

Mon, Jul 15, 2024 at 1:59 PM

I do not have a problem with the education portion of Elle's programming at her home.  
Janet Barrows  
1205 S Pickwick Place  
Bloomington, IN 47401  
812.325.3031  
barrowsjanet@icloud.com



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

---

## Support for 2110 E Covenanter DR

---

**Keri Miksza** <kjmiksza@miksza.com>

Sun, Jul 14, 2024 at 9:24 PM

To: "scanlanj@bloomington.in.gov" <scanlanj@bloomington.in.gov>

Dear Ms Scanlan,

I'm writing in support of re-zoning of 2110 E Covenanter Drive.

The work the non-profit does at this residence in regards to garden education is essential for the youth in our community. AND if the Indiana State Board of Education passes the new diplomas as is, which is incredibly work heavy for high school students, programs like this in neighborhoods near home and school...and along a city bus route...will be essential for high school students who lack transportation.

If you wish to discuss more, please reach out to me.

Sincerely,  
Keri Miksza  
2313 E Rechter Road  
Bloomington, IN 47401  
303-746-8986



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

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## Letter of support

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**Auden Pennington** <auden.pennington@gmail.com>  
To: scanlanj@bloomington.in.gov

Tue, Jul 16, 2024 at 8:11 AM

Dear City of Bloomington,

I am writing this letter in support of Garden Quest's mission to provide urban gardening education in residential settings. As a high school resident that enjoys nature, I feel Garden Quest will improve and benefit the greater community. This opportunity will broaden the education Bloomington students receive and better educate them on gardening and climate topics. In turn this opportunity will benefit Bloomington's community and future by teaching the next generation.

Therefore, I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education indoors, in a residentially-zoned neighborhood.

Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences outdoors in a residentially-zoned neighborhood.

Sincerely,

Auden Pennington, Bloomington High School North Senior





Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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## Letter in support of Ellee Spier/Garden Quest

---

**Karen Sprague** <eurypterus7@gmail.com>  
To: scanlanj@bloomington.in.gov

Wed, Jul 17, 2024 at 7:58 AM

This is a letter I wrote to the local paper that should apply here. Please let Ms Spier continue her important work in educating the people of Bloomington and surrounding areas. We need more people like her.

Sincerely,

Karen Sprague  
281-881-3819

Sent from my iPhone

Begin forwarded message:

**From:** Karen Sprague <eurypterus7@gmail.com>  
**Date:** May 5, 2024 at 7:08:12 AM EDT  
**To:** ckugler@heraldt.com  
**Subject:** Local environment-forward business

Hi Carol,

I moved to Bloomington last summer to work at the IU School of Public Health - I have fallen in love with the city and surrounding areas, and enjoy exploring and learning more about my new home. I stumbled upon an incredible operation almost right away, one that made me even more proud to live here... I wasn't sure if you were also aware, but I feel like the entire community should be.

I am referring to GardenQ (<https://gardenq4u.com/>). GardenQ founder Ellee Spier has transformed her entire backyard into a high volume-producing fruit, veggie and flower garden, complete with free-roaming chicken flock. While this may not be uncommon here, I believe the manner that she gardens is - she works with the earth to produce this bounty by using companion plants, her own compost (including Bokashi tea) to support microbial growth and increase soil health, planting following lunar cycles... all within an urban setting. She extends her knowledge to the entire community, namely the younger generation - Girl Scout troops, school groups, etc - to give them a connection to their food, allowing them to play in the dirt, taste delicious produce, and foster the importance of good food and good nutrition.

Ellee is a wealth of knowledge and a natural teacher. By visiting GardenQ, one can quickly see that you can grow food just about anywhere. The way she utilizes her back yard is a great example of what all of us can do regardless of growing space - who knew you could grow your own potatoes literally in a potato sack full of dirt?? It's inspiring to see that you could turn even a 6'x6' patio into a vegetable Eden with a little planning.

There is more than meets the eye here, though... Ellee is teaching these kids (and adults like me!) not only about gardening, but about the science behind it. The science of soil, water, plant growth/physiology, cover crops and nitrogen fixation, nutritional density, the importance of pollinators, and gardening with diversity, welcoming predator insects into the garden to eliminate the need for pesticides... proper food storage, freezing, canning, overall waste reduction - I am just scratching the surface here. I hope you can stop by and see what she is doing, as I am not able to properly convey her passion and talent through words. Ellee is inspiring the kids of Bloomington to take care of themselves and the planet, and it is absolutely joyous.

Thank you so much for your time - have a wonderful day!

Karen Sprague

Sent via microwave radiation



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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**[Planning] Petition and Requests of Elisha Spier, 2110 E. Covenant Dr.**

---

**Conkle, Daniel O.** <conkle@iu.edu>

Thu, Jul 18, 2024 at 1:23 PM

Reply-To: conkle@iu.edu

To: Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;, "planning@bloomington.in.gov" &lt;planning@bloomington.in.gov&gt;, City Council &lt;council@bloomington.in.gov&gt;, Dave Rollo &lt;rollod@bloomington.in.gov&gt;

Cc: "mayor@bloomington.in.gov" &lt;mayor@bloomington.in.gov&gt;, "gretchen.knapp@bloomington.in.gov" &lt;gretchen.knapp@bloomington.in.gov&gt;, Debbi Conkle &lt;debbiconkle@gmail.com&gt;, Constance Cook Glen &lt;constancecookglen@gmail.com&gt;, Sarah Wyatt Swanson &lt;sarah.wyatt.swanson@gmail.com&gt;,

"Ben@secretlycanadian.com" &lt;Ben@secretlycanadian.com&gt;, "Hughes, Sarah Jane" &lt;sjhughes@indiana.edu&gt;, "Barnes, A James" &lt;barnesaj@indiana.edu&gt;, James Glen &lt;jglenin@gmail.com&gt;, Mather-Boehm Deborah &lt;dmbarch02@gmail.com&gt;, "raz.boaz@gmail.com" &lt;raz.boaz@gmail.com&gt;, Indermohanvirk &lt;indermohanvirk@gmail.com&gt;, "Alderson, Arthur S." &lt;aralders@indiana.edu&gt;, maria martinez &lt;maria3139090@gmail.com&gt;, Jeannie Bower &lt;supermom4365@att.net&gt;, "Gass, Glenn" &lt;gass@indiana.edu&gt;, Julie Gass &lt;jma6385@yahoo.com&gt;

Dear Jacqueline Scanlan, Members of the Board of Zoning Appeals, and Members of City Council:

Elisha Spier's current petition and requests place us, her neighbors, in a difficult position. Since 1983, we have lived at 2109 E. Covenant Drive, which is directly across the street. During our four decades in the Covenant neighborhood, we have treasured not only its historical and residential character but also its friendly and cooperative spirit, and we have attempted to extend this spirit to the Spiers. Sadly, the transformation of their property from a beautiful residential lot into a working farm, combined with their past requests to city officials, have had an adverse impact on our neighborhood – not only tangibly but also by impairing our friendly, transparent, and cooperative manner of interacting. We do appreciate Ellee's reaching out to us recently to discuss her current proposals. We have tried to be neighborly friends to the Spiers and will continue to do so. Even so, we share the concerns expressed in the memorandum of opposition that has been submitted by Connie Cook Glenn and other residents of South Brooks Drive, who in many respects are the ones most directly affected by the farm and by the possibility of its further expansion. We trust that city officials, including members of the Board of Zoning Appeals and City Council, will reach appropriate decisions.

Thank you.

Sincerely yours,

Dan and Debbi Conkle

2109 E. Covenant Dr.



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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## Attention: Neighborhood Response to Spiers' Requests

---

**Constance Cook Glen** <constancecookglen@gmail.com>

Thu, Jul 18, 2024 at 12:09 PM

To: mayor@bloomington.in.gov, planning@bloomington.in.gov, Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;, City Council &lt;council@bloomington.in.gov&gt;

Cc: Dave Rollo &lt;rollod@bloomington.in.gov&gt;, morgan.brummett@bloomington.in.gov, justin.crossley@bloomington.in.gov, desiree.demolina@bloomington.in.gov, gretchen.knapp@bloomington.in.gov, sophie.suter@bloomington.in.gov, ewyatt@mccsc.edu, ahennessey@mccsc.edu, apirani@mccsc.edu, cfr@mccsc.edu, ecooperman@mccsc.edu, rgrimes@mccsc.edu, bshurr@mccsc.edu, simoon@iu.edu, jafarmer@iu.edu, Debbi Conkle &lt;debbiconkle@gmail.com&gt;, "Conkle, Daniel O." &lt;conkle@indiana.edu&gt;, Sarah Wyatt Swanson &lt;sarah.wyatt.swanson@gmail.com&gt;, Ben@secretlycanadian.com, "Hughes, Sarah Jane" &lt;sjhughes@indiana.edu&gt;, "Barnes, A James" &lt;barnesaj@indiana.edu&gt;, James Glen &lt;jglenin@gmail.com&gt;, Mather-Boehm Deborah &lt;dmbarch02@gmail.com&gt;, Hadar Karmazyn &lt;hadar.karmazyn@gmail.com&gt;, raz.boaz@gmail.com, Indermohanvirk &lt;indermohanvirk@gmail.com&gt;, aralders@indiana.edu, maria.martinez &lt;maria3139090@gmail.com&gt;, Jeannie Bower &lt;supermom4365@att.net&gt;, Glenn Gass &lt;gass@indiana.edu&gt;, Julie Gass &lt;jma6385@yahoo.com&gt;

To: Mayor Kerry Thomson, Jacqueline Scanlan, Board of Zoning Appeals, and City Council Members:

Please see attached memo responding to the Spiers' requests to the city. This response is predicated on the notification we received on the 16th about the BZA zoning appeal set for the 25th, and on a publicly distributed petition by the Spiers. We have (an hour ago) received the official petition from Ms. Scanlan, and you will receive other notes about it later.

The neighborhood people on this email are either in agreement with this letter or are sending their own/calling, etc.

Thanks for your consideration of our concerns.

Best,

Connie Cook Glen and James Glen

---

**July 18.2024 - Response to Spiers petition.pdf**  
123K

## MEMO

To: Kerry Thomson, Mayor, City of Bloomington, IN  
 Jacqueline Scanlan, Development Services Manager, City of Bloomington, IN  
 Board of Zoning Appeals Members, City of Bloomington, IN  
 City Council Members, City of Bloomington, IN

From: Constance Cook Glen, James Glen, Arthur Alderson, Indermohan Virk, Diamond Mather, Maria Martinez, Jeannie Bower, Trent Bower, Hadar Karmazyn, Boaz Raz, Sarah Wyatt Swanson, Ben Swanson  
 (Residents of Brooks Drive, Bloomington IN)

Date: July 18, 2024

Re: Petition Circulated by the Spier Family for a Special Permit and Change in Zoning

We are writing to express our opposition to the petition that we saw online, put forth by Ellee and Bret Spier, which seeks approval from the Bloomington, IN Board of Zoning Appeals and City Council to provide education at their non-profit, urban agriculture farm on the corner of E. Covenanter and S. Brooks. **As the people who would be most impacted by approval of this petition on a daily basis, we feel our voices should be heard. The petition itself is vague as to how plans would be implemented.**

We are aware that the Spiers have applied for and received non-profit status both from the Indiana Secretary of State and the Internal Revenue Service for the business that they operate on their residential property. They operate it under the name “Gardenquest, Inc.” which is linked with “GardenQ4U.”

Our understanding is that **after building a structure for business and educational purposes in an area zoned residential**, the Spiers have asked for a variance to the UDO so that they can continue to operate a nonprofit enterprise focused on urban agriculture, beekeeping, sustainable urban gardening, and neighborhood gardening education. We also understand that they are requesting that the terms of the UDO which regulate residential zoning be changed to allow similar educational urban farms to operate in Bloomington and to allow their own nonprofit to expand. **While the Spiers’ commitment to environmental sustainability, climate resiliency, and education may be commendable, we don’t believe that the operation of their non-profit belongs in a residential neighborhood**, despite their petition casting plans as climate change solutions. There are reasons why residential neighborhoods have been zoned for private lives and the objectives of private residences and public-facing enterprises are at odds with each other. The latter is necessarily outward-facing, as a formally established entity has to rely on promoting its activities. **For us, the insertion of a public enterprise in the midst of a residential neighborhood is the crux of the issue.** All the effects listed below are related to the intermixing of these incompatible interests. We also do not believe that the Spiers can be trusted to keep their enterprise small, as they have disregarded zoning laws in the past.

The petitioners have not made a good faith effort to address our concerns. All direct contact with the Spiers regarding the impact of their projects on neighbors’ lives thus far has been disregarded. **As such, we cannot count on their consideration of how things on their working farm impact us.**

We ask that you – the elected mentors and protectors of our community – consider several issues that are at stake. The Spiers’ petition calls for changes that impact their property and objectives, *as well as those of other residents in the neighborhood.*

- 1) Informing Neighbors

We, the closest neighbors, learned about this petition by accident several weeks after its initial distribution. If there was a **pre-submittal neighborhood meeting**, we did not hear of it and were not invited. We note that it is required in the most recently approved UDO and see this rationale on p. 291: “The purpose of the pre-submittal neighborhood meeting is to allow residents, businesses, and organizations in the area surrounding a proposed development project an early opportunity to learn about the project details and to provide feedback to the petitioners before significant funds have been spent on project design and engineering.” [20.06.040 3A, p. 291] Unfortunately, the Spier family has built little trust with us, as this is not the first time that we have become aware of their plans from third parties. Their projects have caused a lot of unease in the generally peaceful and harmonious Covenanter neighborhood. Some of us have experienced intimidation from members of the Spier family when we have had disagreements. **We do not believe that they followed the process of informing immediate neighbors of their plans and their petition.**

2) Zoning use boundaries

The UDO has set up specific **boundaries** for types of activities within our city for a purpose. These include boundaries that promote **stability**, as well as support, facilitate, and allow for the work of civic culture – schools, parks, homes, businesses, and so forth. Approval of the Spiers’ petition would comprise a departure from longstanding policies determining what constitutes a residential neighborhood. We see this statement in the UDO under purpose: [20.01.010 B4 (p.1)] “This UDO is adopted: to Protect the character and stability of residential, institutional, business, employment, and natural areas.” 20.01.01 B7 and B8 also speak to preserving, enhancing, and protecting “the scale and character of existing development from the encroachment of incompatible uses.”

Many of us are lifelong educators and dedicated to students, education, and sharing knowledge, and yet, we question the wisdom of either granting a variance or of changing the UDO to accommodate the requests by the Spiers for educational activities. This is **not** because we are opposed to educational activities, but rather, because we believe that opening the policy to educational activities within residential zoning will extend the **boundaries** of residential use in questionable ways. What will be the limits of these boundaries and how will they be enforced? If the request is approved, who oversees the numbers of students or their mode of transportation? Who will oversee the potential extension of other uses by property owners?

3) Disturbance of the peace

There is an aspect of the Spiers’ petition that represents a **disturbance of the peace** in the neighborhood; its goal is counter-productive to creating a positive community environment for the common good of the neighborhood. To reiterate: **We say this because we, the closest neighbors, learned about this petition by accident several weeks after its distribution at a local exercise facility, but not to us.** Their projects have not been part of **responsible development** of the property, but rather have caused disruptions on the street that are counter to the establishment of harmonious neighborhoods. As stated before, we have no confidence that there will be any consideration of our requests or concerns.

4) **Adverse Impact:** Increased Noise, Traffic, Visitor-Customer Parking, and Hours of Operation

East Covenanter is already a busy street. Adding traffic to East Covenanter has been a safety concern for some time and was addressed positively by the City with the addition of speed bumps. Recent uses of the Spiers’ property at 2110 E. Covenanter have added more **traffic** to East Covenanter and to the south end of S. Brooks Drive. S. Brooks is a narrow road and is the sole

means of access for five homes. Vehicles serving the Spiers' property parked along S. Brooks can make ingress and egress difficult. The Spiers have argued in their petition that they will have clients park in their driveway, but we have frequently seen clients parked along E. Covenanter and S. Brooks. If their petition is approved, who is going to ensure compliance on this issue?

We are also concerned about the constant activity level that accompanies an urban farm when combined with educational pursuits: vehicles, traffic, and signage are examples. The petitioners have proposed that they would limit hours of operation to the hours of 8 a.m. to 8 p.m., which we find to be excessive. Their activities now are a direct violation of a statement in the UDO, which says that activities could be exempted if "No employees or customers visit or park vehicles on the premises." [UDO 20.03.6Aii1 p. 111]

5) **Adverse Safety Impact:** The number and location of beehives

Over recent months, the Spiers have expanded their beekeeping from one to three hives, and we feel that this expansion is problematic. The hives are located at the southeast corner of their property *as far away from their home as possible*, but very close to S. Brooks and to neighbors' properties. There are other U.S. cities where beekeeping is not allowed on corner lots (for instance: Bloomington, MN), precisely because of the safety threat posed to walkers, pets, and neighbors, who cannot avoid the beehives when walking the street. In fact, when they are working with the hives, the Spiers have posted signage warning walkers to move to the other side of the street. We know Indiana law allows beekeeping, but the hives are near the street, and – since the street is a walkway – they **limit accessibility** for people who cannot easily cross to the other side.

If the Spiers' educational nonprofit is allowed to resume operations and children attend sessions on the property, the risks of their beekeeping will increase. We are concerned that beekeeping at the current level combined with the possibility of children being present on the property is risky – in fact, it is risky to us. What conditions need to be in place for the resumption of the nonprofit is a major topic for resolution in our view.

Additionally, without informing neighbors, the Spiers obtained permission to construct a "bee wall" **sign** and have built it on the southeast corner of their property even closer to the minimum setback provided in the City's laws and very close to S. Brooks. *The new bee wall stands as far as possible from their own home.*

Approved plans include creating a sign (mural) on the street-facing bee wall. It will face two neighbors' homes directly – but not the Spiers' home. The Spiers won't see this sign, but neighbors will. We are additionally disappointed that the Bloomington Area Arts Council committed public funds on the Spiers' private property that will impact the neighborhood aesthetic. **There is a place for public murals; it is not on a residential street.**

6) **Adverse Safety Impact:** Traffic and Children

The Spiers have noted that they wish to engage groups of children, and yet the property is unfenced and fronts a busy street. There is no other barrier to the street.

7) The Spiers' "urban farm" may negatively **affect property values**

We believe the Spiers' existing use of the urban farm and non-profit may decrease the value of neighbors' properties. This issue is addressed in the UDO under General Approval Guide: "The use and value of the area adjacent to the property included in the development standards variance

will not be affected in a substantially adverse manner.” [20.06.080 Ei1b, p. 375] For example, a home on S. Brooks directly across from their property was empty more than a year after an extensive renovation. **Some of us on S. Brooks would not have bought homes in this neighborhood if we had known that a busy farm and non-profit educational facility would be built on the corner.**

8) Additional observations

Although materials we have seen about the GardenQuest/GardenQ4U enterprise mention “urban farming” prominently, we are aware that the term may mean different things to different people. One meaning is to use an unoccupied lot in a truly urban neighborhood that is a food (or supermarket) desert to grow fresh food for local residents. But generally, we’re having a hard time distinguishing an urban farm from a large family garden plot in a suburban area or a larger operation in a rural area.

What specifics do we know about the current enterprise? We know that the Spier family, (and helpers), grow produce, herbs, and flowers on their land at 2110 East Covenant. They offer all three categories for sale as well as recipe kits using the produce and herbs cultivated by Ellee Spier. We also know that the Spiers offer eggs for sale from the dozen or so chickens on their land. At some points, they have offered meats from other farms for pick-up from their property.

This is not an enterprise where all crops are grown to be donated to food banks, religious groups or other community entities. It is not an enterprise where community members share plots for their own consumption like the community garden near the YMCA. It is not a family garden plot feeding a family as is typical in many Bloomington homes.

### Concluding Thoughts

We respectfully ask you to consider whether the dissolution and extension of current UDO boundaries and policies regulating the purpose of residential property would be positive for Bloomington, given the likelihood that the results cannot be predicted or controlled. The adverse disturbances (noise, traffic, parking, number and placement of beehives etc.) of a neighborhood environment certainly seem counter-productive to community building. The promotion of an urban farm that seeks “clients” for their various projects necessarily requires an outward focus, the opposite of how a residential neighborhood is ideally conceptualized. If either a special permit (a zoning variance) is granted or a wider zoning amendment is approved, we urge that our concerns be addressed by the City. **This seems necessary, as these are issues that could magnify city-wide if more people in stable neighborhoods find themselves suddenly living next to an educational “farm” or business. These issues could provide potential for neighbors to be in conflict or could require that one side defer to the more aggressive party, neither one being conducive to neighborly coexistence based on longstanding laws governing zoned residential neighborhoods.**

In closing, we request that we be given a voice in discussions about the Spiers’ petition in the future. Thank you in advance for your support and, for keeping citizens informed in advance of any meetings or actions.



Jacqueline Scanlan <[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)>

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**Re: One further comment re: Spier petitions**

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**constancecookglen@gmail.com** <[constancecookglen@gmail.com](mailto:constancecookglen@gmail.com)>

Fri, Jul 19, 2024 at 4:24 PM

To: Jacqueline Scanlan <[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)>, [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov)Cc: Debbi Conkle <[debbiconkle@gmail.com](mailto:debbiconkle@gmail.com)>, Glenn Gass <[gass@indiana.edu](mailto:gass@indiana.edu)>, Indermohan Virk <[indermohanvirk@gmail.com](mailto:indermohanvirk@gmail.com)>, Sarah Jane Hughes <[sjhughes@indiana.edu](mailto:sjhughes@indiana.edu)>, Hadar Karmazyn <[hadar.karmazyn@gmail.com](mailto:hadar.karmazyn@gmail.com)>, Mather-Boehm Deborah <[dmbarch02@gmail.com](mailto:dmbarch02@gmail.com)>, Chizuko Johnson <[chizukojohnson@gmail.com](mailto:chizukojohnson@gmail.com)>, Sarah Wyatt Swanson <[sarah.wyatt.swanson@gmail.com](mailto:sarah.wyatt.swanson@gmail.com)>, James Glen <[jglenin@gmail.com](mailto:jglenin@gmail.com)>, A James Barnes <[barnesaj@indiana.edu](mailto:barnesaj@indiana.edu)>, Boaz Raz <[raz.boaz@gmail.com](mailto:raz.boaz@gmail.com)>, Daniel Conkle <[conkle@iu.edu](mailto:conkle@iu.edu)>

I would like to request that the memo submitted on Thursday be updated to include the term conditional residential use. This note is to confirm opposition to the conditional residential use petition put forth by the Spiers. We note that their petition signers are not from Brooks drive and some are out of state. The public petition is unclear about the terms of the conditional use request. The petitioners statement also expands from requesting only indoor use to suggesting that the BZA find a way to approve outdoor use to allow for full year use which we oppose. It requests sales of products in this commercial venture which we also oppose. The statement about inspiring others runs counter to our experience with Spiers who have been dismissive at best about all of our concerns . They have consistently misrepresented their actions and refused to even consider any close neighbor's statements. We in fact were not given the opportunity to discuss their public petition as it was not given to us. We have been treated as if we were invisible. The final paragraphs are astounding but represent the attitude we experience from them.

Thank you for all of your efforts for the citizens of Bloomington.  
Written on behalf of Jim and Connie Glen with copies to close neighbors.

Sent from my iPhone

On Jul 18, 2024, at 10:08 AM, Jacqueline Scanlan <[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)> wrote:

Hi Debbi,

I have attached the updated petitioner's statement for you.

Thanks,  
Jackie

On Thu, Jul 18, 2024 at 11:05 AM Debbi Conkle <[debbiconkle@gmail.com](mailto:debbiconkle@gmail.com)> wrote:

Jackie,

Thanks for this information. I realize that we do not have the actual petition that Ellee filed with the City. I am copying Connie Glen, a neighbor on South Brooks next to the Spier property. Would you please send that to Connie and me?

Thank you,  
Debbi

On Thu, Jul 18, 2024 at 10:15 AM Jacqueline Scanlan <[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)> wrote:

Hi Debbi,

Here is a link to the [UDO](#). Table 03-1 lists uses and whether they are permitted, conditional, temporary, or accessory. Page 87 (pdf page 95) lists "Home Occupation" as an accessory use in the R2 zoning district, which is the zoning for the property. From the bottom of page 110 through the top of page 113 show the use-specific standards for the use "Home Occupation". They are requesting the Conditional Use required by (C) on page 111 and variances from the (F) and (K) in the same list.

Thanks,

Jackie Scanlan, AICP  
Development Services Manager

On Wed, Jul 17, 2024 at 3:12 PM Debbi Conkle <[debbiconkle@gmail.com](mailto:debbiconkle@gmail.com)> wrote:

Ms. Scanlon,

Thanks so much for meeting with me and answering my questions just a few minutes ago.

Unfortunately, I forgot to ask what specific part or parts of the UDO are in question. I know that the UDO is a VERY long document with many divisions.

Can you tell me where exactly we might find the part or parts that Ellee Spier's petition is addressing. Page numbers would be most helpful.

Thanks so much,  
Debbi Conkle



**Petitioner's Statement 6\_28\_24.pdf**

61K



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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## Neighborhood Response to Spiers' Requests; Meeting Postponement

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**Jeannie Bower** <supermom4365@att.net>

Fri, Jul 19, 2024 at 12:44 AM

To: "Gass, Glenn" &lt;gass@iu.edu&gt;

Cc: mayor@bloomington.in.gov, planning@bloomington.in.gov, Jacqueline Scanlan <scanlanj@bloomington.in.gov>, City Council <council@bloomington.in.gov>, Dave Rollo <rollod@bloomington.in.gov>, morgan.brummett@bloomington.in.gov, justin.crossley@bloomington.in.gov, desiree.demolina@bloomington.in.gov, gretchen.knapp@bloomington.in.gov, sophie.suter@bloomington.in.gov, ewyatt@mccsc.edu, ahennessey@mccsc.edu, apirani@mccsc.edu, cfr@mccsc.edu, ecooperman@mccsc.edu, rgrimes@mccsc.edu, bshurr@mccsc.edu, "Mooney, Sian" <simoon@iu.edu>, Debbi Conkle <debbiconkle@gmail.com>, "Conkle, Daniel O." <conkle@indiana.edu>, Sarah Wyatt Swanson <sarah.wyatt.swanson@gmail.com>, Ben@secretlycanadian.com, "Hughes, Sarah Jane" <sjhughes@indiana.edu>, "Barnes, A James" <barnesaj@indiana.edu>, Jim Glen <jglenin@gmail.com>, Mather-Boehm Deborah <dmbarch02@gmail.com>, Hadar Karmazyn <hadar.karmazyn@gmail.com>, raz.boaz@gmail.com, Indermohanvirk <indermohanvirk@gmail.com>, "Alderson, Arthur S." <aralders@indiana.edu>, maria martinez <maria3139090@gmail.com>, "Gass, Glenn" <gass@indiana.edu>, jma6385@yahoo.com, "Cook, Constance L." <cglen@indiana.edu>

Agree totally  
Jean T. Bower

> On Jul 18, 2024, at 6:42 PM, Gass, Glenn <gass@iu.edu> wrote:

>

> We would like to add our voices in support of Connie and Jim Glen's suggestion (below) that the meeting regarding the Spier's "Educational urban farm" (GardenQ4U) be postponed until everyone has had a chance to review the documents and ponder the issues. Much has not been shared along the way and at this point it feels like an ambush. The very neighbors it will effect most have been purposefully kept out of the loop. This issue has already caused more than enough friction in the neighborhood, and with so many variables, who knows how awry things could go? This is a business, not a backyard garden.

[Quoted text hidden]



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

## Neighborhood Response to Spiers' Requests; Meeting Postponement

Gass, Glenn &lt;gass@iu.edu&gt;

Thu, Jul 18, 2024 at 6:41 PM

To: "mayor@bloomington.in.gov" <mayor@bloomington.in.gov>, "planning@bloomington.in.gov" <planning@bloomington.in.gov>, Jacqueline Scanlan <scanlanj@bloomington.in.gov>, City Council <council@bloomington.in.gov>, Dave Rollo <rollod@bloomington.in.gov>, "morgan.brummett@bloomington.in.gov" <morgan.brummett@bloomington.in.gov>, "justin.crossley@bloomington.in.gov" <justin.crossley@bloomington.in.gov>, "desiree.demolina@bloomington.in.gov" <desiree.demolina@bloomington.in.gov>, "gretchen.knapp@bloomington.in.gov" <gretchen.knapp@bloomington.in.gov>, "sophie.suter@bloomington.in.gov" <sophie.suter@bloomington.in.gov>, "ewyatt@mccsc.edu" <ewyatt@mccsc.edu>, "ahennessey@mccsc.edu" <ahennessey@mccsc.edu>, "apirani@mccsc.edu" <apirani@mccsc.edu>, "cfr@mccsc.edu" <cfr@mccsc.edu>, "ecooperman@mccsc.edu" <ecooperman@mccsc.edu>, "rgrimes@mccsc.edu" <rgrimes@mccsc.edu>, "bshurr@mccsc.edu" <bshurr@mccsc.edu>, "Mooney, Sian" <simoon@iu.edu>, Debbi Conkle <debbiconkle@gmail.com>, "Conkle, Daniel O." <conkle@indiana.edu>, Sarah Wyatt Swanson <sarah.wyatt.swanson@gmail.com>, "Ben@secretlycanadian.com" <Ben@secretlycanadian.com>, "Hughes, Sarah Jane" <sjhughes@indiana.edu>, "Barnes, A James" <barnesaj@indiana.edu>, Jim Glen <jglenin@gmail.com>, Mather-Boehm Deborah <dmbarch02@gmail.com>, Hadar Karmazyn <hadar.karmazyn@gmail.com>, "raz.boaz@gmail.com" <raz.boaz@gmail.com>, Indermohanvirk <indermohanvirk@gmail.com>, "Alderson, Arthur S." <aralders@indiana.edu>, maria martinez <maria3139090@gmail.com>, Jeannie Bower <supermom4365@att.net>, "Gass, Glenn" <gass@indiana.edu>, "jma6385@yahoo.com" <jma6385@yahoo.com>, "Cook, Constance L." <cglen@indiana.edu>  
Cc: "Gass, Glenn" <gass@iu.edu>

We would like to add our voices in support of Connie and Jim Glen's suggestion (below) that the meeting regarding the Spier's "Educational urban farm" (GardenQ4U) be postponed until everyone has had a chance to review the documents and ponder the issues. Much has not been shared along the way and at this point it feels like an ambush. The very neighbors it will effect most have been purposefully kept out of the loop. This issue has already caused more than enough friction in the neighborhood, and with so many variables, who knows how awry things could go? This is a business, not a backyard garden.

I won't belabor points that have already been made, but this project simply does not seem to fit the character of the neighborhood. Would YOU like to live next to an urban farm, with noisy equipment running 8:00am - 8:00pm and kids on field trips running around next door?

Yes, kids play in backyards and once in a while (rarely) there are neighborhood get-togethers, but it is disingenuous to compare those random events to this type of ongoing agricultural work and "educational mission."

The petition also mentions "employees" and "interns" and points out that "It is within walking distance of four neighborhoods, three elementary schools and one high school."

Um... ok. Those are the type of numbers we can expect jamming up Covenant? Apparently if all goes according to plan, it will be a real beehive of activity (pardon the pun). Is this something we want?

Lastly, we can't help but note this comment from the Spiers petition:

"I want to politely remind this body that I don't believe that we should have to ask."

Don't have to ask? Really? Do we have a 1st Amendment right to start a dairy farm in our backyard to teach kids how to milk cows and sell the milk for our "non-profit"? Maybe the time to ask would have been before the structures were built and all of this was in place. "If we build it, they will approve" seems to be the attitude. Please do not be taken in by the feelgood words about climate and sustainable growth, food insecurity, etc. Please come look for yourselves at the scale of this operation and put yourself in the neighbors' shoes.

Thank you very much for your consideration,

—  
Glenn & Julie Gass  
2211 Covenant Drive  
Bloomington, IN 47401  
—

Dear all,

As a follow-up (since we saw the official petition from the Spiers at 11 this morning), I would like to request that the meeting be rescheduled to give us (the neighbors) more time to prepare. It seems clear that the Spiers have been working on this for a very long time and we have just been made aware of it.

I should have included this link in the earlier note, as it is the petition that we learned about by accident:

[https://www.change.org/p/support-neighborhood-based-garden-education?recruiter=1341231175&recruited\\_by\\_id=b76caf10-29d9-11ef-8140-c3953fd41d7c&utm\\_source=share\\_petition&utm\\_campaign=petition\\_dashboard\\_share\\_modal&utm\\_medium=copylink](https://www.change.org/p/support-neighborhood-based-garden-education?recruiter=1341231175&recruited_by_id=b76caf10-29d9-11ef-8140-c3953fd41d7c&utm_source=share_petition&utm_campaign=petition_dashboard_share_modal&utm_medium=copylink)

It is very vague, as we referenced in the memo and we thought it had been sent to the city.

I should also bring your attention to the fact that some included on this note are with MCCSC and some with IU. They are not neighbors but may be interested parties.

Best,  
Connie Cook Glen

**Sarah Jane Hughes**  
**1305 S. Brooks Drive**  
**Bloomington**

July 16, 2024

Mayor Kerry Thompson  
City Council  
City of Bloomington Board of Zoning Appeals  
City Planning Commission  
City Hall  
N. Morton Street  
Bloomington, IN 47401

Via email to [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov); [council@bloomington.in.gov](mailto:council@bloomington.in.gov);  
[scanlanj@bloomington.in.gov](mailto:scanlanj@bloomington.in.gov)

Re: Opposition to the current requests for a special permit/variance or conditional use permit for a home office or for a certificate of zoning compliance to operate an outdoor enterprise within an R2 neighborhood under the auspices of GardenQuest, Inc., a 501(c)(3) nonprofit, and the d/b/a of "GardenQ4U" an outdoor enterprise in the R2 residential zone on the property owned by by Ellee and Brett Spiers for 2110 E. Covenanter Drive

Dear Mayor Thompson, Members of the City Council, Members of the Board of Zoning Appeals, City Planning Department; and City Planning Commission:

Around June 12th, my husband and I learned that our neighbors, Ellee and Brett Spiers, were circulating a petition to gather support for a special permit/ variance or possibly for a "conditional use" permit to resume operations of their nonprofit at the corner of S. Brooks Drive and E. Covenanter Drive. Their requests seem to include permission for a "home occupation" and an exemption of some kind from limits on the number of employees their nonprofit may have as well as permission to sell products for "fundraising" purposes to support their nonprofit. Their communications with others also mentioned a certificate of zoning compliance and potential change in the Unified Development Ordinance to enlarge activities permitted in the R 2 zone.

**I oppose the options regardless of the labels attached to them by the applicants.** I have slightly different reasons that reflect my assessment of differing criteria for approval, as set forth below.

I also **oppose a change in the parameters of the R2 Zone** to permit enterprises such as theirs and **urge that the City adopt limitations on beekeeping in a residential zone** in terms of the maximum number of hives on a residential property and the permissible locations for hives to reduce the public safety issues that neighbors of the Spiers' family perceive are associated with the placement and number of bee hives on the southeastern corner of their property close to the southern end of S. Brooks Drive.

### I. Neighborhood Context

My family's property does not abut the Spiers' property. But we live on the same block that has only six homes, including theirs, with four families reliant on S. Brooks as our sole means of ingress and egress from the block. We have lived in our home on this block since August 15, 1988, and have enjoyed respectful relationships with our neighbors on this block.

We have enjoyed knowing the Spier family and have allowed the immediate family to use our tennis court and to park on our property when they celebrated family milestones. We have placed trust in Dr. Spiers' services.

The Spiers have told neighbors that they no longer consult with S. Brooks Drive neighbors because no one supported their requests for City approval to install and operate a bicycle rest-and-repair stop at the corner of S. Brooks and E. Covenanter.

**Not true.** My husband and I were among the few neighbors that supported their effort to build a bicycle-rest-and-repair stop at the corner of S. Brooks and E. Covenanter. Indeed, I spoke in favor at a City board meeting held on Zoom. We also supported their petition not to install a new sidewalk on the west side of the block (the east side of their land) when they first bought the property. Other neighbors including at least one abutter did not speak against or for the application for the rest-and-repair stop.

The City denied permission for the bicycle-rest-and-repair stop – largely because many other neighbors on both ends of S. Brooks and some on East Covenanter expressed significant concerns about road safety and congestion if the rest-and-repair stop were built. The fact that some neighbors, but not all neighbors, objected to the rest-and-repair stop does not mean we should – or can – be dealt out of future plans the Spiers have for their property. Those who spoke against the project were exercising their right to civic engagement and speech and their rights as abutters and neighbors to object to uses in the neighborhood that may change traffic and pedestrian safety or other aspects of an R 2 zoned neighborhood.

We learned from a third party that the Spiers family had submitted requests for the special permit/variance or conditional use and a petition for a zoning change to permit expansion of their enterprise, we were surprised. We also were not aware that the City

had suspended operations of their nonprofit in recent months. We learned that, also, from third-party sources.

We subsequently communicated with neighbors about the Spiers' petitions to others in the Windermere Addition. Some of the group we communicated with supported and some who objected to the bicycle-rest-and-repair stop – about some concerns we had about the Spiers' plans for their property. Our memorandum signed by me and two other families on the block caused the Spiers to send a rebuttal on or about June 13, 2024, to the same distribution list. Fair enough.

The Spiers' June 13, 2024, memorandum expressly seeks support for “neighborhood-based garden education.” The memorandum, at the time I first saw it, claimed to have received “131 signatures” for a petition to the City to operate an outdoor organization that would provide “urban agriculture education at [their] urban farm.”

A major cause of concern to me is the number and location on the Spiers' property of bee hives that are causing some of us to be afraid to walk by. The bee population has expanded from one hive to the current three hives in the last few months -- two added earlier this year. The hives stand close to S. Brooks and too close in my opinion to the minimum setback for the R 2 residential zone. The hives sit about as far from the Spiers' house as possible. In recent months, the Spiers added two additional colonies/hives to the single hive present last season.

We learned the day before construction of a “bee wall” – that was late on Friday afternoon when City offices were about to close before Saturday construction. Ellee came by with a flyer about the bee wall. We had no effective opportunity to review the plans for the bee wall or seek the City's thoughts on its addition to our formerly quiet neighborhood at that point. So, as recently as this spring, abutters and close neighbors did receive information from the Spiers about plans – just not with sufficient notice to raise concerns in any formal City forum.

In June, I explained to Ellee that I have sensitivity to bee stings and that I am afraid of her bee hives. She told me not to worry because in October, they would move the bees from their current hilltop location close to Brooks Drive to behind the bee wall, which is roughly the same distance from the edge of the street but closer to another property and to our property. *Ellee's remark did not alter my concerns.*

The bee wall is too close to S. Brooks and to an abutter's property for everyone's safety. Ellee told one neighbor that the placement was necessary *because some members of her family are allergic to bee stings!* So, *abutters and neighbors including those who walk, bike, or run on S. Brooks are exposed to the hives, but the hives are positioned to be as far away from the Spiers' house as possible to reduce their risk? Unacceptable.*



The Spiers do not work near the hives without proper protective clothing. Do abutters, close neighbors, and those who use S. Brooks for exercise have protective clothing to walk on S. Brooks Drive? **That is doubtful and would be wildly unfair.**

Is it enough when the Spiers are working on the bee hives to post signs that bee hives are present? **No, not when the hives are so close to the road.**

The Spiers have the burden of showing that the special permit/variance or conditional use permit or whatever other permissions or amendments they seek are consistent with City ordinances that apply to their land and to the R 2 zone. I assume that they will try to establish their case in terms of the Required Documents and Submittals described on the November 3, 2023, version of the “Application for a Variation from the Zoning Code (Variance)” **or** with requirements for Conditional Uses described in sections 20.06.040(d)(6)(B) and (C) of the City’s UDO. *Their case for either form of relief should fail.*

## II. Reasons for Opposition to a Special Permit or Variance

As an application for a special permit or variance, the Spiers’ application appears to fail to meet their burden of proof in terms of at least three (3) of the five (5) “Findings of Fact” specified in the instructions. Here are my thoughts:

**Item 1 (physical characteristics pose unreasonable challenges making adherence to the Code “difficult”):** The Spiers bought a piece of land that was bare at the time of purchase. Thus, neither the land itself nor the location of buildings caused any challenge to their uses for a residence and a garden for their own consumption as many neighbors have.

The lot sits on a bend in E. Covenant Drive that is tough to navigate without oncoming traffic from vehicles, bicycles or scooters, and pedestrians. Essentially, from both directions on E. Covenant between High Street and S. Brooks drivers cannot see oncoming traffic. This street and this corner have all four types of traffic. The intersection of E. Covenant and Brooks also has obstructed views of traffic on E. Covenant – at least from the south end on which I live. Adding traffic or parking or both on E. Covenant will exaggerate the risks to everyone.

Any permission that brings more traffic to these streets will add to existing problems. This was a primary reason that some neighbors opposed the bicycle rest-and-repair stop that the City previously denied.

**Item 3 (conditions not created by the applicant):** The Spiers have created the property as they have seen fit. The issues they now face and that apparently

caused the City to order a suspension of some activities and impose a fine on thee Spiers are entirely of their own ambitions, and thus of their own “making.”

The primary obstacle to the uses the Spiers have in mind is the property’s location in the R 2 residential zone. The zoning would have been obvious when the Spiers’ bought the property in the past 10 years. So, instead of encountering a surprise condition of the property, the Spiers *walked right into* the zoning issue they now seek relief from. That is not grounds for a variance or for putting the rest of the immediate neighborhood at the mercy of what the Spiers wish to do inside the City limits in a residential zone.

Additionally, it appears that the Spiers built a freestanding two-story structure on the northwestern end of their property to serve as a classroom for their GardenQuest, Inc. enterprise. The classroom seems to sit above a large, enclosed space and sits next to a multi-car carport and roof deck. At the time construction started on this structure, Ellee Spiers told me that the lower, enclosed floor would house two “commercial freezers” so that customers of her produce and other products could access their purchases easily.

I believe I saw building permits for the new structure mentioned in the prior paragraph in 2023, but I am unaware that the Spiers applied for or received permission from the City to operate their educational ambitions in the new space or to serve retail customers from it.

I infer from the recent actions by the City to suspend the enterprise’s activities and to impose a fine that the Spiers *did not obtain necessary permissions or operating permits*. Thus, the Spiers were forced by City actions to commence their current well-coordinated effort to obtain permissions that the petitions being circulated describe. So, it appears that the Spiers gambled on either not getting caught in violations of some City rules or planned to seek various approvals long after they made what must have been a large investment in the new structure and its fixtures.

**Item 5 (detriments to the public welfare, alteration of the essential character of the neighborhood, or unreasonably impair the use of development of adjoining properties):** Ours has been a quiet, two-block street that intersects a thoroughfare. Traffic is sufficiently heavy that the City installed speed bumps at the request of some neighbors who live on E. Covenanter. Our block has five homes other than the Spiers’ compound. The road is narrow, making use by more than one car at a time an exercise in avoiding the other vehicle and the drainage ditches on both sides of the road.

The Spiers' use of their property (unfortunately for them) falls under each of the three topics mentioned in Item 5 for different reasons:

- The current location of the bee hives and prolonged use of the road are “detriments to public welfare.” Vehicles, bicycles, kids’ scooters, walkers and joggers are faced with being close to the hives or finding other routes.

Not all vehicles can find other routes because they are servicing needs of the four houses south and east of the Spiers’ property on the southern block of S. Brooks, including ours.

The June 13, 2024, memorandum encourages support on the grounds that “[individuals] should be able to walk, bike, and/or use public transportation to access place-based educational experiences and volunteer opportunities no matter [their] age, gender, or the color of [their] skin.” Thus, persons who decide to frequent the Spiers’ enterprise appear to have more rights than abutters and close neighbors and other residents in the Windermere Addition.

- The “urban farm” and “educational nonprofit” they are creating and operating (until the recent suspension) alters the essential character of our neighborhood. The June 13, 2024, memorandum does not mention other uses that the Spiers apparently intend including on-site food preparation for sale to the general public by students to help sustain the nonprofit.

The location of the bee hives is impairing our use of our properties and the uses by neighborhood residents to S. Brooks as a walking and jogging avenue. As to the bee hives’ existence and locations, any increase in the number of hives or any less desirable placement of the hives than currently exists would be detrimental to neighbors, their properties, and the use of our block by runners and walkers from around the whole Windermere Addition. The bee hives’ numbers and location are at odds with the character of the immediate neighborhood.

- One property on our block has been on the market to sell or rent for more than a year. Ellee Spiers reported that some family has rented it beginning soon. Some prospective purchasers apparently balked at the extent of the operations on the Spiers’ property and the view of the “urban farm” equipment and other necessities.

Three senior neighbors – abutters all who lived on the block since the late 1950's, only one of whom survives – have been publicly opposed to the uses for which the Spiers are asking permission. The survivor may be the individual that the Spiers claim reported their uses to the City. Her view is that the plans are inconsistent with the residential quality of the block and neighborhood. She is entitled to her position as her property looks out on the fenced area on the eastern edge of the Spiers' property nearest S. Brooks Drive. Until last year or so, the large "Garden@4U" sign faced her front door. She also looks at the bee hives' current position on the top of an artificial mound on the same boundary with S. Brooks. (Until the bees arrived, I had assumed the mound was for some sort of sports practice.)

I cannot name another property in the Windermere Addition that was being used for agricultural education purposes or any uses like the uses the Spiers had made prior to the suspension by the City. And, Such use is outside the character of this neighborhood of established homes and a few condos.

- The Spiers make extensive use of the narrow road (S. Brooks) that is the egress means for four other houses, including ours. Builders' trucks and other vehicles often make passage difficult; deposits of gravel and other supplies are made to their land and sometimes onto the road. They also have had construction vehicles and workers' vehicles parked along E. Covenanter in a manner that made passage by others – vehicles, pedestrians, and bicycles – harder. A major issue is the lack of information about how the Spiers plan to handle parking by customers of their produce and products or by groups coming for instruction.

The Spiers told some neighbors that their current construction project would be over by year's end. That project has lasted a long time and has caused additional parking on Covenanter and Brooks and contributed to less safe driving conditions in both directions on Covenanter and more noise.

The essential character of the neighborhood as it stood quite recently is being altered negatively with every step towards the Spiers' goals they take. This is a pity for all concerned, including the Spiers. Approval of the Spiers' plans would not be in the best interest of owners of close-by properties or of the Windermere Addition as a whole.

### III. Reasons for Opposition to a Conditional Use Permit

I appreciate that other criteria are used to determine eligibility for a “conditional use” permit from the ZBA. I note that “private schools” are considered appropriate for conditional uses in the R 2 zone. Sections 20.06.040(d)(6)(B) and (C), but private schools will be subject to licensure, inspections, and other forms of regulations. Will the Spiers’ educational enterprise be subject to other licensure, inspections, or forms of regulation?

I understand that sections 20.06.040(d)(B) and (C) are often cited as reasons why conditional use permits are denied by the ZBA. They certainly seem to make approvals by your Board of the Spiers’ application(s) less likely without significant, enforceable conditions.

From the sections of the UDO cited above, I gather that the permission sought must be (A) proposed in a manner and (B) with suitable accommodations to neighbors as to render them not harmful or bothersome to neighbors.

Efforts to discuss options with the Spiers since neighbors learned of the petitions for the special permission/variance/ conditional use have not resulted in changes in the Spiers’ plans insofar as we can tell. Effectively, Ellee and Bret Spiers have rebuffed suggestions that would make it easier for neighbors to support their plans. *It appears that they want what they want – regardless of how others may be affected.*

Thus, I conclude that unless the City or ZBA insists, the Spiers seem uninterested in any changes in their plans that would mitigate or minimize adverse effects on neighbors unless the ZBA or the City require changes. Their application for any “conditional use” currently described by the Spiers in applications or documents circulated in the neighborhood should be denied.

Shortly after we learned about the Spiers’ suspension and fine and about their applications for relief from various City agencies, three families on the southern block of S. Brooks raised these concerns in a document I participated in drafting and that we shared with other neighbors. I dispatched a copy the same day to Ellee Spiers. She shared her rebuttal document with me. It did nothing to calm my concerns. What did we get in response from Ellee Spiers? A rebuttal, not any offer to remedy concerns.

### IV. The Spiers’ Alternate Option Is to Receive a Certificate of Zoning Compliance

The same June 13<sup>th</sup> memorandum used to gather signatures on the petition mentions an alternative – a certificate of zoning compliance that would enable the nonprofit to provide “small-scale urban agriculture education indoors, in a residentially-zoned

neighborhood.” Under the current zoning ordinance, it appears that a certificate of compliance with zoning could not be issued.

Their plans do not comply with the UDO requirements. From other sources, it appears that they intend to have more “employees” than the R 2 zoning permits. They intend to use – and have already used – their property for outdoor activities.

There no doubt are more discrepancies between the UDO and their prior uses, which have included marketing meats provided by other producers in the surrounding communities to neighbors and the general public in email communications at prices marked up to match what Whole Foods charges for the same items or cuts. (Their description of pricing, not mine.) Sales of meats presumably are regulated activities. Does one need a license to sell meats in the City? In Monroe County? In the state of Indiana? I imagine so. Does one have to use a certified and supervised kitchen space if one plans to sell prepared foods to the general public? I imagine so as well.

**V. The Spiers Also Want the UDO Amended to Allow Small-Scale Urban Agriculture and Education Experiences Outdoors in Residentially Zoned Neighborhoods**

The June 13<sup>th</sup> memorandum also mentions a future campaign to amend the UDO to allow what the Spiers want to do in the R 2 zone. Any amendment of the UDO should be a widely publicized process with lots of opportunities for public participation and debate. I will not support such an amendment because it will have broad and negative consequences for the carefully crafted protections in the UDO for the R 2 zone.

## VI. Concluding Thoughts

The Spiers did not consult abutters with whom I am in contact before sharing their plans with other owners in the Windermere Addition and perhaps others around the City and seeking other owners' signatures on petitions we gather they intend to submit to the ZBA and other City agencies. That did not engender trust among residents who own the properties on the southern block of S. Brooks and others who are owners nearby on Covenanter and the northern block of S. Brooks.

It appears that the Spiers consulted others in their quest for approval to operate their nonprofit and urban farm in our neighborhood. We have identified two meetings with City boards and commissions that they attended in recent months. They may have had a pre-application meeting with the Covenanter Neighborhood Association principals as well. We had no notice of a meeting, if indeed one occurred, or any invitation to participate. *Don't abutters and close neighbors deserve timely notice of requests for meetings that must be held?*

Efforts by neighbors to alert other neighbors of the Spiers' plans have not been well-received by the Spiers. *The Spiers want what they want.* They do not want to hear our concerns.

The Spiers are trying to claim moral high ground in their campaign to get what they want, but that current zoning does not allow. Their June 13<sup>th</sup> memorandum claims they want to operate their enterprise (it really sounds like more than an educational nonprofit) "responsibly and respectfully" (see the last paragraph on page 2). I appreciate that tone of those adverbs, but based on conversations and email exchanges, it appears that they see the current situation as a one-way street: I have not seen, so far, respect for direct abutters whose uses and quiet enjoyment of their own properties are being frustrated and challenged by the Spiers' behavior and desires.

*Because they have shown little respect for abutters and close-by neighbors so far in the current campaign,* I see no reason to expect that "respect" will be part of the operations if the BZA or other City boards or the City Council grant any of the requests that they have made or apparently plan to make.

With no interest shown by the Spiers in accommodating neighbors' concerns about the bee hives' locations, I must oppose any relief the Spiers seek that imposes more on direct abutters and those who live close enough to be affected by the enterprise they seek to operate. I also am concerned about traffic increases and parking on E. Covenanter and S. Brooks (both ends). *I am sad that they have shown no interest in meeting neighbors part way.*

If you are inclined to grant any of the parts of their application – in whatever form the permission may take – **please help us by specifying enforceable conditions** on

numbers of participants, parking, expansion only by additional applications to your board or other City Agencies, and better locations of the beehives closer to their own house and farther away from S. Brooks and abutting properties with suitable fencing to prevent inadvertent contact with the hives by visitors. A serious fence around the bee hives and the bee wall would help allay my fears. (Some communities require a four-foot fence around hives.) Mandatory movement of both the hives and bee wall away from S. Brooks and from the lot lines on abutting properties would help.

Please do not grant a special permit/variance or conditional use permit or any certificate of zoning compliance without significant changes consistent with the requirements the City has specified for either a special permits/variiances or a conditional uses.

If the Spiers continue to seek a zoning change to permit their use and similar uses in residential zones in the City, I would expect that a series of hearings with ample advance notice of dates and times and extensive opportunity for public comment would be provided to all concerned. I will participate in those hearings and invite others to join me.

So much information has come into light since mid-May about the plans and various campaigns the Spiers have used to rally support. I fully expect more information to emerge. Thus, despite the length of this letter, I reserve the right to file additional comments to respond to or rebut claims made by others as consideration of the Spiers' application(s) proceeds. I also will follow closely subsequent meetings on the application(s) the Spiers may make.

I take no pleasure in objecting to plans a family that I have liked are proposing. It is a sad state of affairs indeed.

Respectfully submitted,

Sarah Jane Hughes

Cc: Ellee Spiers





Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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**Attention: Neighborhood Response to Spiers' Requests**

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Hadar Karmazyn &lt;hadar.karmazyn@gmail.com&gt;

Thu, Jul 18, 2024 at 12:19 PM

To: Constance Cook Glen &lt;constancecookglen@gmail.com&gt;

Cc: mayor@bloomington.in.gov, planning@bloomington.in.gov, Jacqueline Scanlan <scanlanj@bloomington.in.gov>, City Council <council@bloomington.in.gov>, Dave Rollo <rollod@bloomington.in.gov>, morgan.brummett@bloomington.in.gov, justin.crossley@bloomington.in.gov, desiree.demolina@bloomington.in.gov, gretchen.knapp@bloomington.in.gov, sophie.suter@bloomington.in.gov, ewyatt@mccsc.edu, ahennessey@mccsc.edu, apirani@mccsc.edu, cfr@mccsc.edu, ecooperman@mccsc.edu, rgrimes@mccsc.edu, bshurr@mccsc.edu, simoon@iu.edu, jafarmer@iu.edu, Debbi Conkle <debbiconkle@gmail.com>, "Conkle, Daniel O." <conkle@indiana.edu>, Sarah Wyatt Swanson <sarah.wyatt.swanson@gmail.com>, Ben@secretlycanadian.com, "Hughes, Sarah Jane" <sjhughes@indiana.edu>, "Barnes, A James" <barnesaj@indiana.edu>, James Glen <jglenin@gmail.com>, Mather-Boehm Deborah <dmbarch02@gmail.com>, raz.boaz@gmail.com, Indermohanvirk <indermohanvirk@gmail.com>, aralders@indiana.edu, maria martinez <maria3139090@gmail.com>, Jeannie Bower <supermom4365@att.net>, Glenn Gass <gass@indiana.edu>, Julie Gass <jma6385@yahoo.com>

To reinforce this letter, as a Bloomington resident living in closest proximity to “Gardenquest, Inc.” (a private urban farm owned by Ellee and Bret Spier located on South Brooks Drive), **I strongly oppose the petition to allow MCCSC, Indiana University or any student-learning activities on our quiet and private residential street!!!**

While we are all active supporters of sustainable living, the “Gardenquest, Inc.” **farm is imposing public and farming life on us to an extent that disturbs our own private living and safety**, from fear of hosting guests in our yard to fear of walking down our own street. We ask for your intervention to **bring regulation and balance** between the privacy and safety of nearby residents and promote **sustainable farming guided and supported by science**.

Bloomington city already offers multiple **public gardening and community education that promotes equality** (as they are not benefiting privately owned properties) <https://bloomington.in.gov/parks/community-gardening>.

Best,

Hadar Karmazyn

(resident of S. Brooks Drive)

[Quoted text hidden]



Jacqueline Scanlan &lt;scanlanj@bloomington.in.gov&gt;

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## South Brooks Drive resident Diamond Mather Strong objection to proposed special use permit

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Mather-Boehm Deborah &lt;dmbarch02@gmail.com&gt;

Fri, Jul 19, 2024 at 2:53 PM

To: scanlanj@bloomington.in.gov

I am emailing you for my mother, Diamond Mather, who has lived at [1215 South Brooks Drive](#) since **July 1965**. The Spiers non-sanctioned commercial "educational" farm is directly across S. Brooks Drive from Diamond Mather's home for 59 years.

There have been so many issues with what the Spiers have done since moving in. South Brooks Drive is not their own personal back alley. The Spiers started years ago by getting Diamond Mather and her neighbor Maurice Biggs to sign off on the Spiers being required to put in a sidewalk along Brooks Drive. Trying to be a good neighbor my mother thought that would be ok because people walked on the quiet street. Since then so much has been put in this side easement along S. Brooks Drive that used to be a completely tree lined street. The Spiers have built an elevated fenced farm structure directly across from my Mother's property. In the "sidewalk easement" area they have built a concrete access space to the very large commercial fenced farm structure. Workers have blocked my Mother's driveway with their cars or trucks. Many times there are piles of gravel and other materials spilling into the street across from her drive. The Spiers chickens have been in the road in Brooks Drive and onto my Mother's property. Now there are beehives on top of a mound they built when they first moved in, across from her mailbox and where she puts her trash receptacles out for pickup. They have landed helicopters in the past on the property over the years. (Now there is no clear area to land anything). I have photos of all of these issues.

This was a beautiful, quiet, residential street. A commercial "urban farm" is a benefit to only the Spiers or other people who have signed their petition but live in other neighborhoods and have no interest in how the neighbors are affected, including property values. What once was a beautiful street to live on has now become a busy eyesore of a business that does not meet the zoning code.

**There are zoning ordinances for a reason.**

The Spiers knew what the property was zoned for when they purchased it but decided they were "entitled" to do whatever they wanted, then attempt to get special use permits to break the zoning ordinance.

Diamond Mather strongly objects to any special use permit for this property.

Diamond Mather &  
Deborah Mather-Boehm  
1215 S. Brooks Drive



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

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## Attention: Neighborhood Response to Spiers' Requests

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**Indermohan Virk** <indermohanvirk@gmail.com>

Thu, Jul 18, 2024 at 4:43 PM

To: Constance Cook Glen <constancecookglen@gmail.com>

Cc: mayor@bloomington.in.gov, planning@bloomington.in.gov, Jacqueline Scanlan <scanlanj@bloomington.in.gov>, City Council <council@bloomington.in.gov>, Dave Rollo <rollod@bloomington.in.gov>, morgan.brummett@bloomington.in.gov, justin.crossley@bloomington.in.gov, desiree.demolina@bloomington.in.gov, gretchen.knapp@bloomington.in.gov, sophie.suter@bloomington.in.gov

Dear City officers,

I write to ask if the 7/25 date to hear Ellee Spier's petition gives our community adequate time to address it. The Spiers have only shared piecemeal with us what they are asking you to do. Their request is not an inconsequential one; it will greatly affect immediate neighbors. I can report that not only is approval of their extensive projects likely to cause a disturbance of the peace, it already has.

I bring up the question of timing as, in all fairness, we neighbors have been at a disadvantage to make an argument against a petition that the Spiers likely took time to craft. We only managed to get our hands on the full petition today. As such, we have not been able to research it to our complete satisfaction. We do, of course, stand by the letter Connie Glen forwarded you. However, had the Spiers been fully transparent in sharing their actual petition, we may have spent more time on it and made our case in a stronger fashion.

Thank you for considering my question/request.

Sincerely,  
Indermohan Virk  
1301 S Brooks Drive

On Jul 18, 2024, at 1:08 PM, Constance Cook Glen <constancecookglen@gmail.com> wrote:

[Quoted text hidden]