

# CITY OF BLOOMINGTON



July 24, 2025 @ 5:30 p.m.  
City Hall, 401 N. Morton Street  
Common Council Chambers, Room #115

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDI nWGROTU43dEpXdz09>

Meeting ID: 824 4898 3657  
Passcode: 319455

**CITY OF BLOOMINGTON  
BOARD OF ZONING APPEALS (Hybrid Meeting)  
July 24, 2025 at 5:30 p.m.**

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

❖Virtual Meeting: <https://bton.in/Zoom>

Meeting ID: 824 4898 3657      Passcode: 319455

Petition Map: <https://bton.in/G6BiA>

**ROLL CALL**

**APPROVAL OF MINUTES:** June 26, 2025

**PETITIONS CONTINUED TO:** August 21, 2025

AA-17-22	<p><b>Joe Kemp Construction, LLC &amp; Blackwell Construction, Inc.</b> 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. <u>Case Manager: Jackie Scanlan</u></p>
CU-33-24/ USE2024-11-0068	<p><b>Hat Rentals, LLC</b> 202 N. Walnut Street Parcel: 53-05-33-310-028.000-005 Request: Request for conditional use approval of "student housing or dormitory" to allow one four-bedroom unit in the Mixed-Use Downtown (MD) zoning district. <u>Case Manager: Jackie Scanlan</u></p>
V-13-25/ VAR2025-03-0063	<p><b>Carolina Lopes</b> 4216 E. Penn Court Parcel: 53-05-36-302-045.000-005 Request: Variance from Fence Height standards to allow a six-foot tall fence along the front east side of the property located in the Residential Medium Lot (R2) zoning district. <u>Case Manager: Joe Patterson</u></p>

*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.

The City offers virtual options, including CATS public access television (live and tape delayed) found at <https://catstv.net/>. Comments and questions will be encouraged via [Zoom](#) or [bloomington.in.gov](https://bloomington.in.gov) rather than in person.



**PETITIONS:**

V-22-25/ ZR2025-06-0075

**Autovest, LLC**

2130 S. Walnut Street

Parcel: 53-08-09-301-005.000-009

Request: Variance from front parking setback requirements and landscaping standards to allow the expansion of a vehicle display area for the use "Vehicle sales or rental" in the Mixed-Use Corridor (MC) zoning district.

Case Manager: Eric Greulich

V-26-25/ ZR2025-06-0078

**All American Storage (Sam Heale)**

2401 / 2501 N. Walnut Street

Parcel: 53-05-28-200-040.000-005

Request: Determinate sidewalk variance request for a portion of required pedestrian facilities in the Mixed-Use Corridor (MC) zoning district.

Case Manager: Jackie Scanlan

V-29-25/ ZR2025-06-0081

**Valu-Built Construction (Ernest Xi)**

1017 E. Erin Court

Parcel: 53-08-09-111-022.017-009

Request: Determinate sidewalk variance to allow for construction of a single family dwelling unit (detached) in the Residential Medium Lot (R2) zoning district.

Case Manager: David Brantez

CU-30-25/ ZR2025-06-0082

**Steve and Sue McCracken**

1004 S. Palmer Avenue

Parcel: 53-08-04-302-044.000-009

Request: Conditional Use to allow a "Dwelling, duplex" in the Residential Small Lot (R3) zoning district.

Case Manager: Joe Patterson**Board of Zoning Appeals Members**

<b><u>Member</u></b>	<b><u>Appointed By</u></b>	<b><u>Term</u></b>
Tim Ballard	Mayor	1/1/2022-12/31/2025
Flavia Burrell	Plan Commission	1/1/2023-12/31/2026
John Fernandez	Mayor	1/1/2023-12/31/2026
Leslie Kutsenkow	Mayor	1/1/2025-12/31/2028

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Jo Throckmorton	Common Council	1/1/2022-12/31/2025
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\*Members serve at the pleasure of the Mayor BMC 2.09.020

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**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**Location: 2130 S. Walnut Street**

**CASE #: V-22-25**  
**VAR-2025-06-0075**  
**DATE: June 26, 2025**

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**PETITIONER:** AutoVest II, LLC  
2609 S. Walnut Street, Bloomington, IN

**CONSULTANTS:** Bynum Fanyo & Associates, Inc.  
528 N. Walnut Street, Bloomington, IN

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**REQUEST:** Variance from front parking setback requirements and landscaping standards to allow the expansion of a vehicle display area for the use "Vehicle sales or rental" in the Mixed-Use Corridor (MC) zoning district.

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**REPORT:** This 7.91 acre property is located at 2130 S. Walnut Street and is zoned Mixed-Use Corridor (MC). Surrounding land uses include several commercial and retail buildings to the north, "vehicle sales or rental" uses to the south, Bloomington High School South to the east, and the Switchyard Park to the west. Adjacent properties to the north and south are zoned Mixed-Use Corridor (MC), to the east is zoned Mixed-Use Institutional (MI), and to the west is zoned Mixed-Use Institutional (MI) and Parks and Open Space (PO). Since the properties to the east of this site are zoned Residential Medium Lot (R2). The 100-year floodplain of Clear Creek as well as its regulated riparian buffer run along the west side of this property. This area also contains sections of closed canopy coverage that are subject to the tree preservation requirements of the UDO. All of these environmental features must be placed in easements and will be required with the site plan review.

The petition site includes several properties that have been developed with a mix of commercial uses that will be combined into one development site to allow the use "vehicle sales or rental" for a Kia automobile dealership that currently exists in the southern most building on the site. No additions to the building are proposed. The petitioner is proposing to remove the existing buildings and parking areas, except the building at 2130 S. Walnut, and install new parking and vehicle display areas. In general, all of the areas for the proposed new vehicle display areas are currently developed with either buildings or parking areas. The expansion of this use across the site requires the site to come into compliance with the Limited Compliance standards of Section 20.06.090(f)(2)(B). This includes new landscaping throughout the property, installation of islands within the parking areas, installation of bike racks, and new pedestrian facilities with street trees along the property frontage.

The proposed site plan shows a total of 7 customer parking spaces (including 1 ADA accessible parking spaces) on the south side of the building for customers and 316 spaces for vehicle display. The petitioner is proposing to install new islands within the parking area as well as a storm water management pond on the west side of the site to meet stormwater quality requirements. The entire area for the vehicle display area will be regraded and striped to meet current standards. New landscaping will be installed within the parking areas and around the perimeter of the site and parking areas, however full compliance with landscaping requirements has not been shown and the petitioner is requesting a variance from landscaping standards.

As discussed with previous similar petitions, the use “vehicle sales or rental” is a unique land use in that the display of merchandise (vehicles) for sale occurs almost exclusively outside of a building. For this use, the areas where vehicles for sale are parked are not counted as parking spaces towards the maximum number of spaces allowed, however those areas are subject to all other standards that regulate parking including landscaping requirements and setbacks. Due to the location of the existing building that is shown to be maintained with this petition, the location of existing and proposed parking spaces and display areas that are located between the building and the street, the petitioner is requesting a variance from parking setback standards to allow the proposed parking and display areas to be located within the required front parking setback of 20’ behind the front of the building. The petitioner is also requesting a variance from landscaping standards to not require tall, canopy trees within the interior islands, a variance from the maximum required spacing for street trees along the front to allow 40’ spacing rather than the maximum 15’ spacing for small/medium street trees, a variance from the number of tall canopy trees required for parking lot perimeter landscaping to allow 24 tall canopy trees rather than 81 tall canopy trees that would be required, and a variance from the minimum number of shrubs required to allow 454 shrubs rather than the 969 shrubs required.

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**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.*

**PROPOSED FINDING:**

**Landscaping (street trees):** The granting of the variance to not require street trees every 15’ as required is expected to be injurious to the public health, safety, morals, or general welfare of the community as it creates a streetscape that would not be consistent with the goals of adopted plans and regulations to create a desired streetscape design.

**Landscaping (number of shrubs, parking perimeter):** The granting of the variance to not require the total number of shrubs on the site for parking lot landscaping is not expected to be injurious to the public health, safety, morals, or general welfare of the community since there is a substantial amount of vegetation that will be preserved on the site along Clear Creek and shrubs have been shown along the north and east property lines adjacent to the street and adjacent properties for visual screening.

**Landscaping (number of tall canopy trees, parking perimeter):** The granting of the variance to not require the full number of trees on the site for parking lot landscaping is not expected to be injurious to the public health, safety, morals, or general welfare of the community since there is a substantial amount of trees that will be preserved on the site along

Clear Creek. However, there is room to install additional tall canopy trees along the front and achieve separation from the display vehicles, a condition of approval has been included to this effect.

**Landscaping (tall canopy trees within islands):** The granting of the variance to not require tall canopy trees in every island is not expected to be injurious to the public health, safety, morals, or general welfare of the community the presence of the trees within the parking area would have a negative impact on the vehicles displayed within the parking areas with the height of trees required and vegetation hazards on the display vehicles for this use.

**Parking Setback (front):** The granting of the approval to allow the existing area that has been used for buildings and parking spaces to remain between the existing building and street is not expected to be injurious. There are a very limited number of spaces that are shown within the front parking setback and there are no known negative impacts from the parking spaces in the current location. Some parking spaces within the front will be removed for new islands and landscaping thus reducing the amount of parking between the building and the street.

- 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.*

#### **PROPOSED FINDING:**

**Landscaping (street trees):** No adverse impacts to the use and value of surrounding properties as a result of the requested variance to have an increased spacing of the street trees are found.

**Landscaping (number of shrubs, parking lot perimeter):** No direct adverse impacts to the use and value of surrounding properties as a result of variance to not have the full number of shrubs along the parking perimeter are found. As noted above, there will be a substantial amount of vegetation preserved on the site in the riparian buffer and floodplain of Clear Creek along the west side of the site.

**Landscaping (number of tall canopy trees, parking lot perimeter):** No direct adverse impacts to the use and value of surrounding properties as a result of variance to not have the full number of tall canopy trees along the parking perimeter are found. As noted above, there will be a substantial amount of trees preserved on the site in the riparian buffer and floodplain of Clear Creek along the west side of the site to offset the lack of trees along the perimeter of the parking areas.

**Landscaping (tall canopy trees within islands):** No direct adverse impacts to the use and value of surrounding properties as a result of variance to not have tall canopy trees within the islands are found.

**Parking Setback (front):** No adverse impacts to the use and value of the area adjacent to the

property are found. There are a very limited number of spaces that are currently within the front parking setback and there are no known negative impacts from the few, existing spaces in the current location. Some parking spaces within the front will be removed for new islands and landscaping thus reducing the amount of parking between the building and the street.

- 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.*

#### **PROPOSED FINDING:**

**Landscaping (street trees):** The strict application of the terms of the Unified Development Ordinance do not appear to result in practical difficulties in the use of the property in that the presence of the street trees with the required spacing will not prevent the property from being used with the proposed use or any other allowable use. There do not appear to be any conditions that are peculiar to this property that prevent street trees from being installed with the spacing as required in the UDO. There are no topographic challenges, infrastructure improvements, drainage features, or other inherent characteristics that present a practical difficulty or peculiar conditions.

**Landscaping (minimum number of shrubs, parking perimeter):** The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that requiring all of the required shrubs would create a practical difficulty in further limiting the amount of the property that can be utilized for display vehicles. The practical difficulties are peculiar to the property in question in that almost half of this petition site is encumbered by environmental constraints that include the 100-year floodplain of Clear Creek, riparian buffer, and tree preservation requirements. The granting of the variance will relieve these difficulties and allow a limited area of display vehicles along the portions of the site already developed.

**Landscaping (minimum number of trees, parking perimeter):** The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that requiring all of the required trees would create a practical difficulty in further limiting the amount of the property that can be utilized for display vehicles. The practical difficulties are peculiar to the property in question in that almost half of this petition site is encumbered by environmental constraints that include the 100-year floodplain of Clear Creek, riparian buffer, and tree preservation requirements. The granting of the variance will relieve these difficulties and allow a limited area of display vehicles along the portions of the site already developed.

**Landscaping (tall canopy trees within islands):** The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that requiring tall canopy trees within islands would have a negative impact on the merchandise that is displayed for sale that is all displayed outside. Peculiar condition is found

in this use has all of the merchandise displayed for sale on the exterior of the site and the presence of large trees within the parking and display areas would have a negative financial impact on the property.

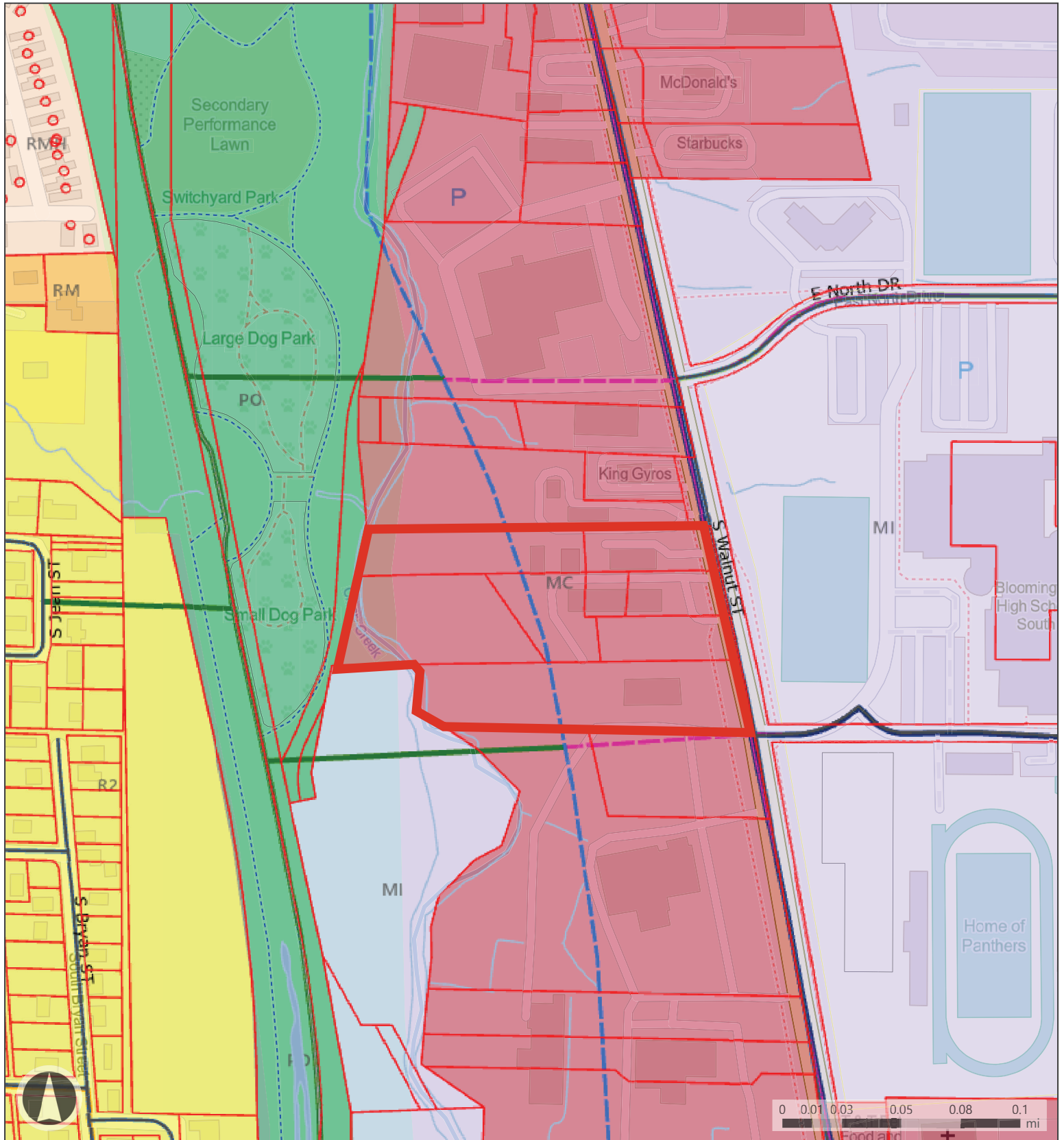
**Parking Setback (front):** The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that compliance with this standard would require a significant amount of parking and display area to be removed and present a hardship in limiting the amount of area available for the display of vehicles for sale. The practical difficulties are peculiar to the property in question in that the location of existing parking, display areas, and existing building do not allow for the removal of spaces without substantially affecting the ability of the use to continue at this location. The granting of the variance will relieve these difficulties and allow the site to be brought closer to compliance with other UDO development standards.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the variances from the number of shrubs required for the parking lot perimeter, the number of tall canopy trees required for the perimeter, requirement for tall canopy trees within the islands, parking setback; but deny the variance for required street tree spacing with the following conditions:

1. These variances are for this use only, any future development must meet all UDO requirements.
2. Street trees are required along the front with the spacing required in the UDO.
3. A total of 10 tall canopy trees are required along the property frontage.
4. Site plan approval is required prior to issuance of any permits.



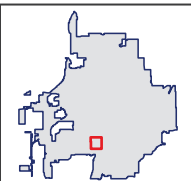


**Map Legend**

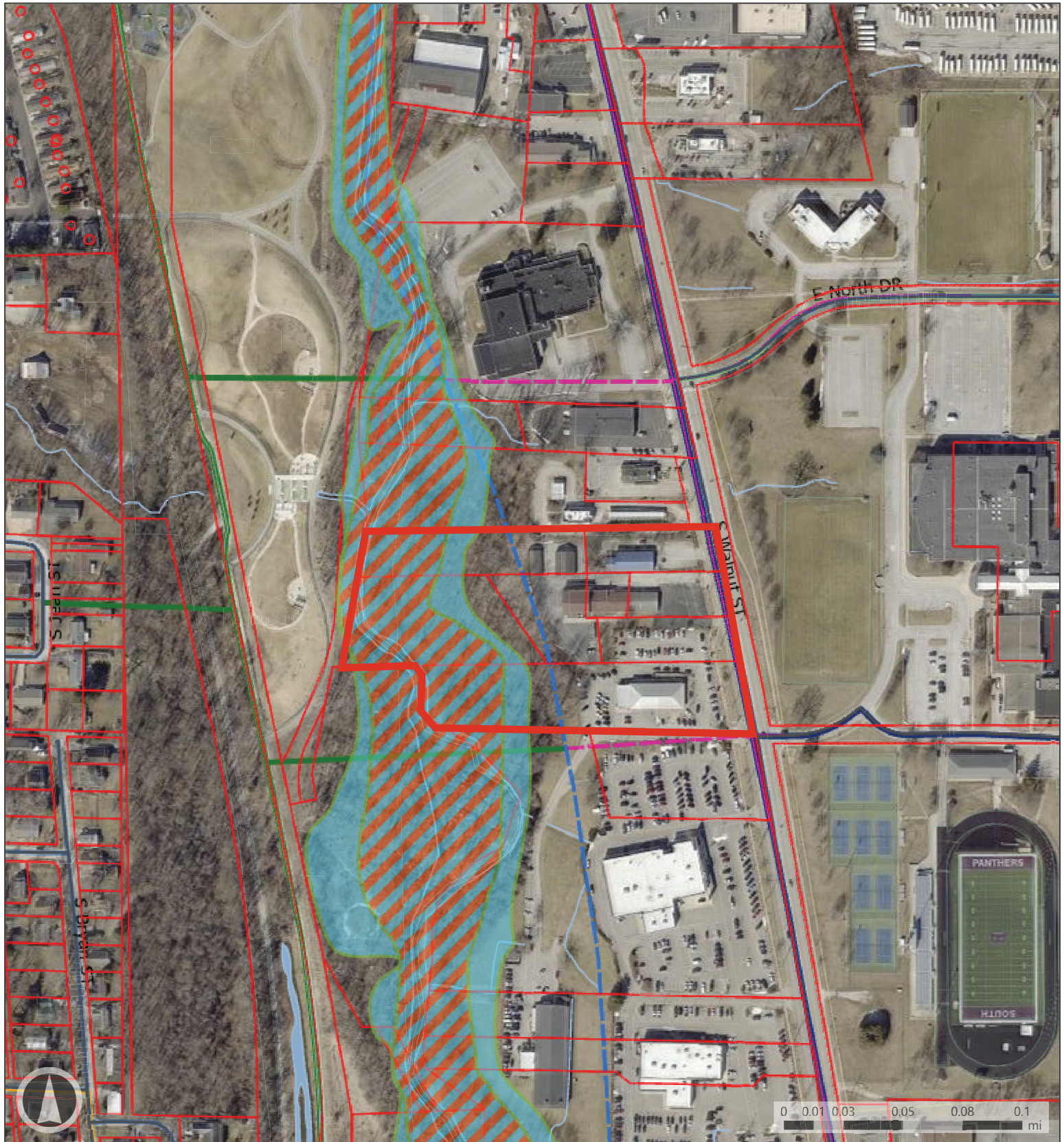
- Parcels
- Current
- City Maintained Streets
- General Urban
- Neighborhood Residential
- Primary Arterial

- Waterlines
- Waterbodies

- Bloomington Municipal
- Mixed-Use Corridor
- Mixed-Use Institutional







#### Map Legend

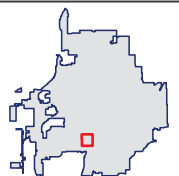
FLD\_ZONE, SOURCE\_DNR, ZONE\_SUBTY

- FEMA Zone AE Floodway; FEMA Administrative Floodway
- FEMA Zone AE ; AE,NFHL,<Null>

Not Mapped

- Parcels
- Current

- City Maintained
- General Urban
- Neighborhood







BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

May 30, 2025 REVISED June 26, 2025

City of Bloomington Planning and Transportation Department  
And City of Bloomington Board of Zoning Appeals  
401 N. Morton Street, Suite 130  
Bloomington, Indiana 47404

SUBJECT: AutoVest II LLC – 2130 South Walnut Street, Bloomington, IN  
\*\*\*Variances Letter\*\*\*

Board of Zoning Appeals or To Whom It May Concern:

‘Community Pre-Owned’ (AutoVest II LLC) is located at 2130 South Walnut Street. It is currently zoned, ‘MC: Mixed-use Corridor’. ‘Community Pre-Owned’ and ‘Community’ car dealerships have been in business in Bloomington since 1988 and adding to the Walnut Street corridor business vitality for decades. This project would be a reduction in impervious surface area while revitalizing an abandoned business section of South Walnut Street. This project will also be adhering to all Bloomington stormwater regulations including stormwater quality/quantity.

On behalf of AutoVest II LLC, Bynum Fanyo & Associates, Inc. would like to request four (4) variances from the following design standards for display vehicle parking expansion:

1. Front yard parking (existing and proposed) setback (required 20’ behind front building edge) according to UDO standard 20.02.020 Mixed-Use Zoning Districts – MC zoning
2. East property line street tree planting requirement according to UDO standard 20.04.080 Landscaping
3. Landscape Bumpouts, Islands, and Endcaps tree planting requirement according to UDO standard 20.04.080 Landscaping – substitute small trees for large canopy trees
4. Overall site parking lot perimeter planting requirement according to UDO standard 20.04.080 Landscaping

The provided findings of facts for each variance listed above are summarized below using the three criteria:

- A) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
- B) The use and value of the areas adjacent to the property included in the variance will not be affected in a substantially adverse manner.
- C) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

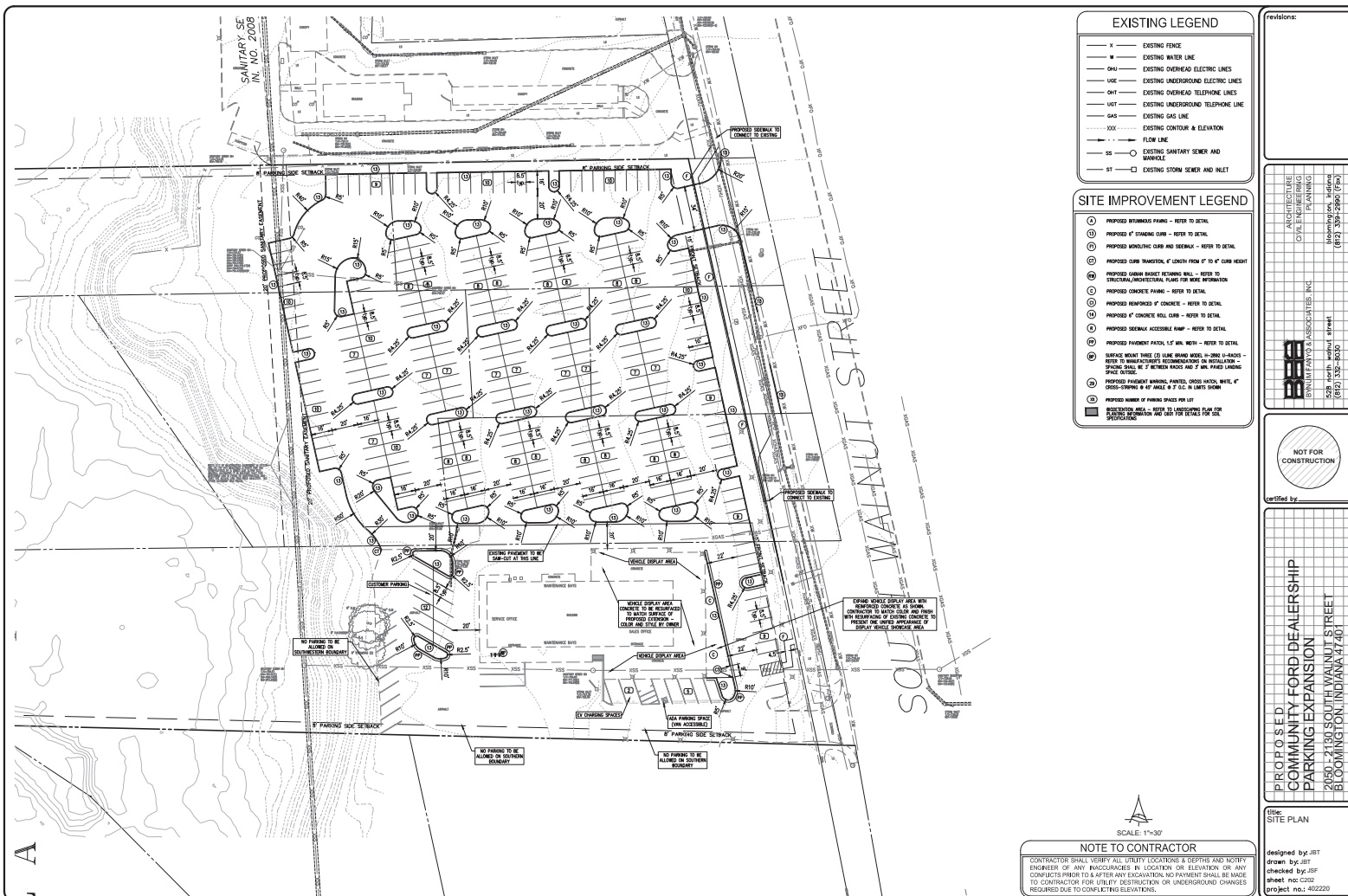
### **Findings:**

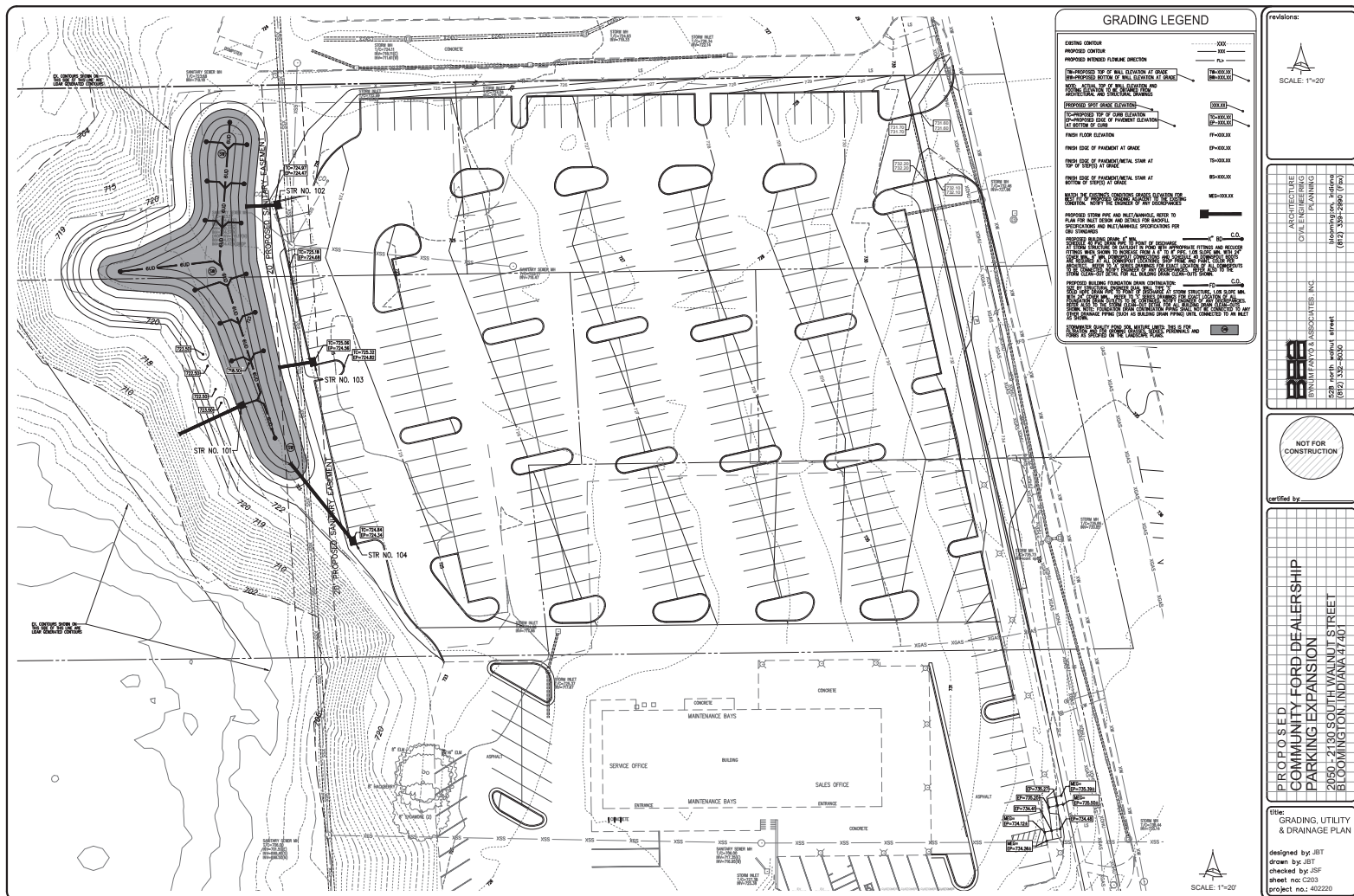
1. Front yard parking (existing and proposed) setback – This variance is dealing with the existing and proposed (display vehicle) parking field that is in front of the building along Walnut St. The proposed parking field is an extension of existing parking. All landscape standards will be met per current ordinance standards around these parking fields except for other variances requested. The parking is already in the front yard setback, as exists today. This proposed plan provides the best and most efficient placement of any new parking to connect existing parking fields. This pertains to display vehicle parking mostly with some customer parking at southern end of existing building that is labeled.
2. East Property line street tree plantings - Street tree plantings along the east side of the project facing S. Walnut Street are required per UDO standards for projects along street corridors. There are overhead utilities along the west side of Walnut Street so this would reduce the street tree size to small. The UDO states that we would need to plant small trees every 15 feet along our frontage. The nature of the car dealership use is to provide display vehicle spaces facing the street. Normally, street trees are desired to reduce heat island effect and create a green corridor look. We propose planting small street trees along this frontage but at 40' on center, rather than 15' (propose 10 street trees total along this site's frontage). This allows for the green corridor but permits for enough space to see display vehicles essential to this specific use.
3. Landscape bumpouts, islands and endcaps receive small trees instead of large canopy trees - Each curbed island is required to have one canopy tree. Due to the nature of the use on this property it is undesirable to have canopy trees in the display vehicle parking lot because of falling leaves, branches, and debris landing on the display vehicles. These curbed islands will contain shrubs and grasses (or bio-swale plantings if required by CBU). We are asking for small ornamental trees, instead, in the islands.

4. Overall site parking lot perimeter planting requirement – It has been determined by City of Bloomington UDO that parking lot perimeter plantings needs to be counted toward all parking spaces (including display parking spaces). We have filled the perimeter of the parking area with 454 shrubs and 18 trees. These plantings are above and beyond the interior planting requirements for islands and end caps in the parking lot. If you were to count all parking spaces (including display vehicle parking spaces) then it would be required to plant 81 trees and 969 shrubs for parking lot perimeter plantings alone. These are required to be within 10 feet of the parking lot edge to count. We are asking for this additional variance because of unique site restrictions in 4 different ways that would inhibit getting all these plantings spots to grow:
  - a. Walnut Street side of the parking lot needs to be visible. This is a similar reason to the street tree plantings request
  - b. A previous sanitary sewer line with accompanying easement on the western side of the proposed parking lot. We are not allowed to plant trees on this easement which is within the 10' of the edge of the proposed display vehicle parking lot.
  - c. Existing trees and vegetation on the western side of the parcel. This area is to be preserved. These trees and vegetation do not technically count toward parking lot perimeter plantings because they are not within 10' of the parking lot.
  - d. The type of use (and existing use) that this is. This is primarily for display vehicle parking. This is a similar reason to the landscape bumpouts, islands, and endcaps request.

Thank you for taking the time to hear these requests for this property development.  
Sincerely,

Bynum Fanyo & Associates, Inc.  
Daniel Butler, PE, Project Engineer



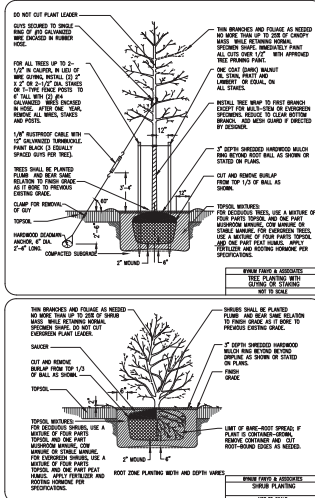






## PLANT INVENTORY

SYM	SYMBOL	COMMON NAME	SIZE & LOCATION	QUANTITY
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NOTE: INSTALL ALL PERENNIAL AND IRIS PLANTINGS IN THE INTERIOR OF THE BIO-RETENTION PLANTING AREA IN CLUMPS BY TYPE OF PLANTINGS. INSTALL ASTERS/SHRUBS/SEDGES/GRASSES ON EXTERIOR OR BACKSIDE OF BIO-RETENTION PLANTING AREA WHERE AREAS ARE LESS WET.

SCALE: 1"=30'

PROPOSED LIGHTING LOCATION - REFER TO THE SITE LIGHTING PLAN FOR MORE INFORMATION AND SPECIFICATIONS

revisions:

NO.	DATE	DESCRIPTION
1	02/20/2006	ISSUED FOR PERMITS
2	03/20/2006	REVISED PER COMMENTS
3	04/20/2006	REVISED PER COMMENTS
4	05/20/2006	REVISED PER COMMENTS
5	06/20/2006	REVISED PER COMMENTS
6	07/20/2006	REVISED PER COMMENTS
7	08/20/2006	REVISED PER COMMENTS
8	09/20/2006	REVISED PER COMMENTS
9	10/20/2006	REVISED PER COMMENTS
10	11/20/2006	REVISED PER COMMENTS
11	12/20/2006	REVISED PER COMMENTS
12	01/20/2007	REVISED PER COMMENTS
13	02/20/2007	REVISED PER COMMENTS
14	03/20/2007	REVISED PER COMMENTS
15	04/20/2007	REVISED PER COMMENTS
16	05/20/2007	REVISED PER COMMENTS
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18	07/20/2007	REVISED PER COMMENTS
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26	03/20/2008	REVISED PER COMMENTS
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97	02/20/2014	REVISED PER COMMENTS
98	03/20/2014	REVISED PER COMMENTS
99	04/20/2014	REVISED PER COMMENTS
100	05/20/2014	REVISED PER COMMENTS

NOT FOR CONSTRUCTION

verified by:

PROPOSED  
COMMUNITY FORD DEALERSHIP  
PARKING EXPANSION  
2050 - 12180 SOUTH WALNUT STREET  
BLOOMINGTON, INDIANA 47407

Landscape Plan

designed by JST  
drawn by JST  
checked by JST  
sheet no. C1005  
project no. 402220

**BLOOMINGTON BOARD OF ZONING APPEALS  
STAFF REPORT**

**CASE #: V-26-25/ ZR2025-06-0078  
DATE: July 24, 2025**

**Location:** 2401/2501 N Walnut St

---

<b>APPLICANT:</b>	Sam Heale 405 N Rogers St Bloomington
<b>OWNER:</b>	American Storage LLC PO Box 40 Bloomington
<b>CONSULTANT:</b>	Don Kocarek, Smith Design Group 2755 E Canada Dr Suite 101 Bloomington

---

**REQUEST:** Development standards variance for a determinate sidewalk variance for a portion of required pedestrian facilities in the Mixed-Use Corridor (MC) zoning district.

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**REPORT:** This property is located at 2401 (2501) 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 received a building setback variance at the Board of Zoning Appeals hearing in July 2024, as well as a variance to not install the required pedestrian facilities along the N Old State Road 37 frontage. The petitioner received a denial for a determinate sidewalk variance for 140 feet of the required facilities along the N Walnut Street frontage.

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. The Unified Development Ordinance (UDO) requires that a site be brought into full compliance with any petition for the demolition of existing and construction of new buildings.

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 Street, so pedestrian facilities are required along that frontage. The Transportation Plan calls for a multi-use path along N Walnut Street. The path is planned for the west side of N Walnut Street.

UDO Section 20.04.050(d)(4)(A) states:

*All developments shall integrate an interior and exterior pedestrian network comprised of concrete sidewalks or asphalt paths for pedestrian transportation and recreation. This network shall include*



*pedestrian facilities along street frontages, multiuse trails where indicated on the Transportation Plan, and pedestrian connector paths between developments and public destinations (e.g., schools, parks, hospitals), nearby trails, other developments, and vacant land.*

The UDO contains guiding language for the Board of Zoning Appeals for Determinate Sidewalk Variance requests.

***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.*

The petitioner is requesting a variance from installing the multi-use path within the southern 108' feet of street frontage along N Walnut, as seen in the petitioner exhibit.

---

**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.*

**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 construction of the southern portion could be forestalled until the connection to the south is planned and built by the City.

- 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.*

**PROPOSED FINDING:** The use and value of the area adjacent to the property will not be affected in a substantially adverse manner by the approval of this variance. There is no pedestrian facility currently provided in front of private property to the south. While it would be beneficial to community welfare to have a multi-use path along the entire length of this property's frontage, the construction of the southern portion could be forestalled until the connection to the south is planned and built by the City.

- 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.*

**PROPOSED FINDING:** The Department finds that the strict application of the terms of the UDO will result in practical difficulties in the use of the property. The petitioner is requesting a determinate sidewalk variance for 108 feet of the southernmost portion of the required multi-use path, and will be building the remainder of the path on the roughly 450 feet of additional frontage. While there is steep topography at the location called for in the Transportation Plan, a review of the proposed plans by Engineering Department and Planning & Transportation Department staff led to discussion of moving the path further east, allowing 7 feet between the edge of pavement and the path, alleviating the need for a variance. Staff sent that proposal to the petitioner for review on April 25, 2025. The petitioner's representative sent a response after the June 2025 Board of Zoning Appeals hearing date. Staff from the Planning & Transportation and Engineering Departments were able to review the plan and agree that steep slopes would still be impactful issue for the path in the last 108 feet. The scope of the work necessary to install this portion of the path exceeds the intensity of the site plan requested, and this portion of the path will best be designed and installed when the path is extended to the south by the City at an unknown future date.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve case **V-26-25/ ZR2025-06-0078** with the following condition:

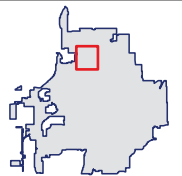
1. A zoning commitment for the determinate sidewalk variance must be recorded and submitted prior to approval of a building permit.





Map Legend

-  Parcels
-  Bloomington Municipal Boundary

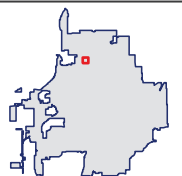






Map Legend

-  Parcels
-  Bloomington Municipal Boundary





Todd M. Borgman, P.L.S.  
Katherine E. Stein, P.E.  
Don J. Kocarek, R.L.A.  
Stephen L. Smith, Founder

To: Jackie Scanlan, Development Services Manager and City of Bloomington Board of Zoning Appeals

RE: Determinant sidewalk variance request

Dear Jackie and BZA Members,

We are requesting a determinant sidewalk variance for All American self-storage facility located at 2401 N. Walnut Street. The property consists of two parcels totaling 4.46 acres and is used as self-storage facility and office. The project includes the removal of one of the 11 existing buildings, replacing the one building with a new modern 3-story self-storage and office building.

Approximately 45% of the property is already developed with self-storage buildings and pavement for access to those buildings. The remainder of the property has forested steep slopes, sloping down to Cascades Park to the west. To the south is right of way owned by the city which extends from the east side of Walnut Street down to Cascades Park. This is the area where the sidewalk variance is being requested. To the north is a Hotel/bar. To the east across Walnut Street is single family residences.

The transportation plan suggests a 12' wide path and an 8' tree plot along Walnut Street Road. On the south side of the property, there are steep slopes and rocky terrain on the west side of Walnut Street. This is the area where the variance is being requested. The total path length required by planning is 581' and we are requesting the variance for only 108' of this length. There is an area behind the guardrail where the slopes become steep and rocky making the path impractical to build in this area shown in the exhibits

We appreciate the opportunity

Sincerely,

Don Kocarek  
Smith Design Group, Inc.  
[dkocarek@smithdginc.com](mailto:dkocarek@smithdginc.com)



Todd M. Borgman, P.L.S.  
Katherine E. Stein, P.E.  
Don J. Kocarek, R.L.A.  
Stephen L. Smith, Founder



Exhibit 1: Looking north along the guardrail. The proposed path would be on the back of the guardrail. Big Red Liquors is at the top of the photo for reference



Todd M. Borgman, P.L.S.  
Katherine E. Stein, P.E.  
Don J. Kocarek, R.L.A.  
Stephen L. Smith, Founder



Exhibit 2: Looking east from Old SR 37 Cascades Park area. The telephone pole in the picture is at the start of where the path area we are seeking a variance for.



Todd M. Borgman, P.L.S.  
Katherine E. Stein, P.E.  
Don J. Kocarek, R.L.A.  
Stephen L. Smith, Founder



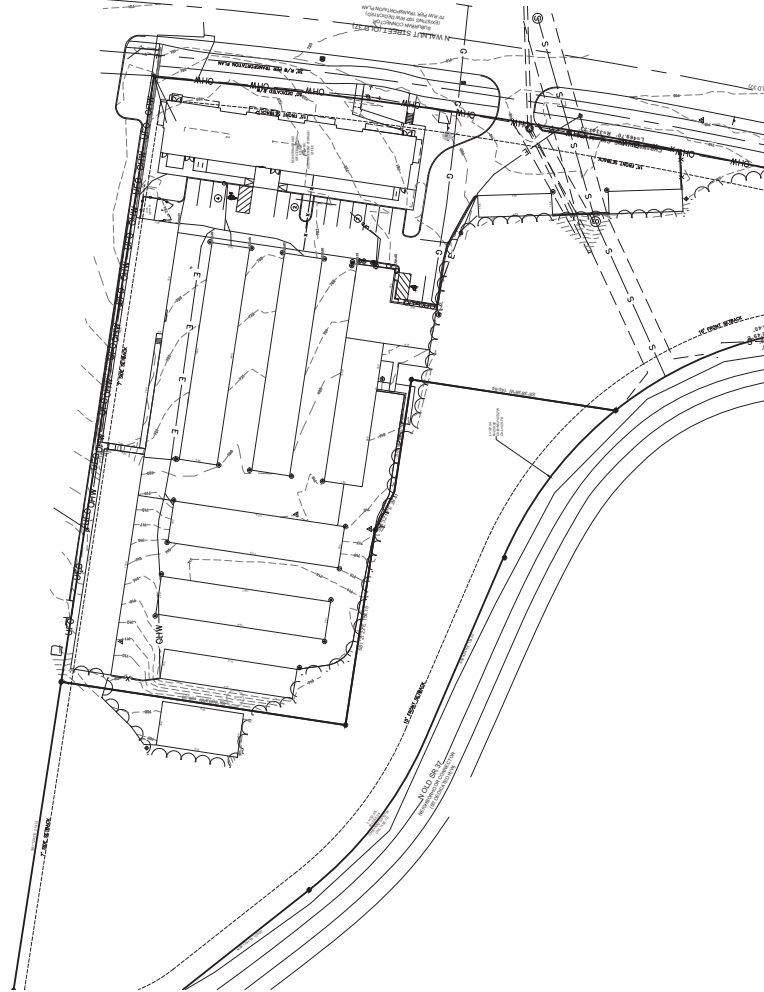
Exhibit 3: Looking east at the slope and rock outcroppings. Note the telephone pole next to where the path variance is requested.



# V-26-25 Site Plan



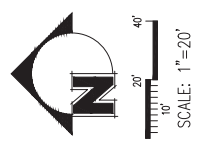
**N**  
**SITE MAP**  
**1" = 30'**



CERTIFICATION DATE  
10/20/2022

[illegible]

27









4	CONCRETE SIDEWALK (SEE DETAIL ON DETAILS SHEET)
5	4" X 8" SPACED CONCRETE JOIST (SEE DETAIL ON DETAILS SHEET)
6	6" STANDING CONCRETE CURB (SEE DETAIL ON DETAILS SHEET)
7	CONCRETE PAVEMENT
8	8" INDOT 803 COMPACTED AGGREGATE BASE
9	CONCRETE STEPS WITH HANDRAIL
10	CONCRETE RAMP WITH HANDRAILS
11	PARALLEL CURB/RAMP (SEE DETAIL ON DETAILS SHEET)
12	ASPHALT PAVEMENT
13	2.5" HMA BASE COURSE ON
14	2.5" HMA BASE COURSE ON
15	8" INDOT 803 COMPACTED AGGREGATE BASE
16	SYMBOL, PAINT, BLUE, INTERNATIONAL SYMBOL OF ACCESSIBILITY (SEE DETAIL ON DETAILS SHEET)
17	LINE, PAINT, SOLID, 4" BLUE CROSSHATCH (SEE DETAIL ON DETAILS SHEET)
18	LINE, PAINT, SOLID, 4" BLUE
19	LINE, PAINT, SOLID, 4" WHITE
20	BARRIER FREE WALK ACCESSIBLE SIGN
21	WOOD CHIMNEY ENCLOSURE WITH WOOD CATES. SEE DETAIL ON DETAILS SHEET
22	6" PAINT, COATED BLACK CHAIN LINK FENCE, 9 GAUGE WITH OPAQUE PRIVACY SCREEN, COLOR PER OWNER
23	GATE
24	BOLLARD

NOT FOR  
CONSTRUCTION

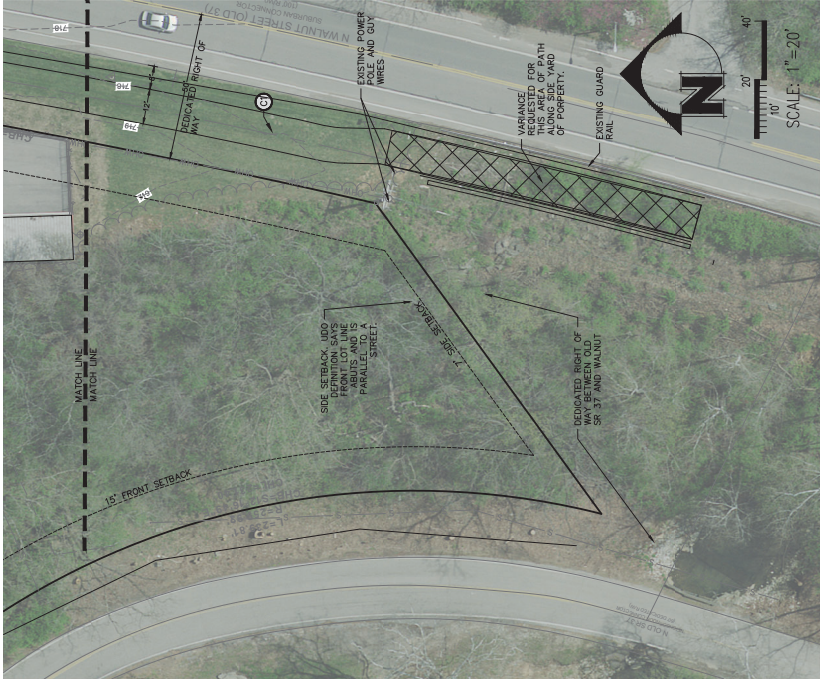
XX/XX/20XX

ALL AMERICAN STORAGE  
2401 N. WALNUT STREET  
BLOOMINGTON, IN

[illegible]

DISCONTINUED	DK	EMERGENCY	DK	CHARGE/RECEIPT	DATE
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6617  
SHEET  
C202  
DATE 06/10/2005  
30  
SITE PLAN

















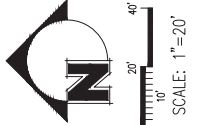
## WATER LINE NOTES (W)

- SANITARY SEWER NOTES (S)**

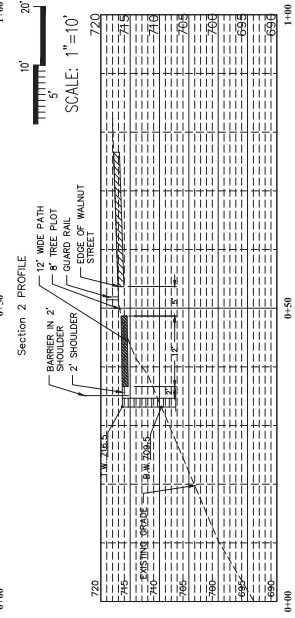
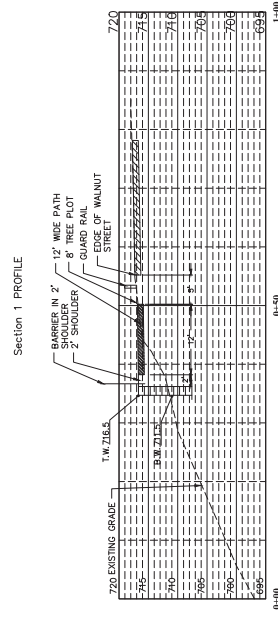
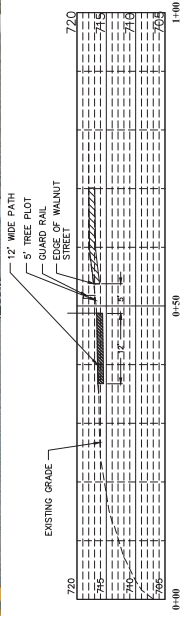
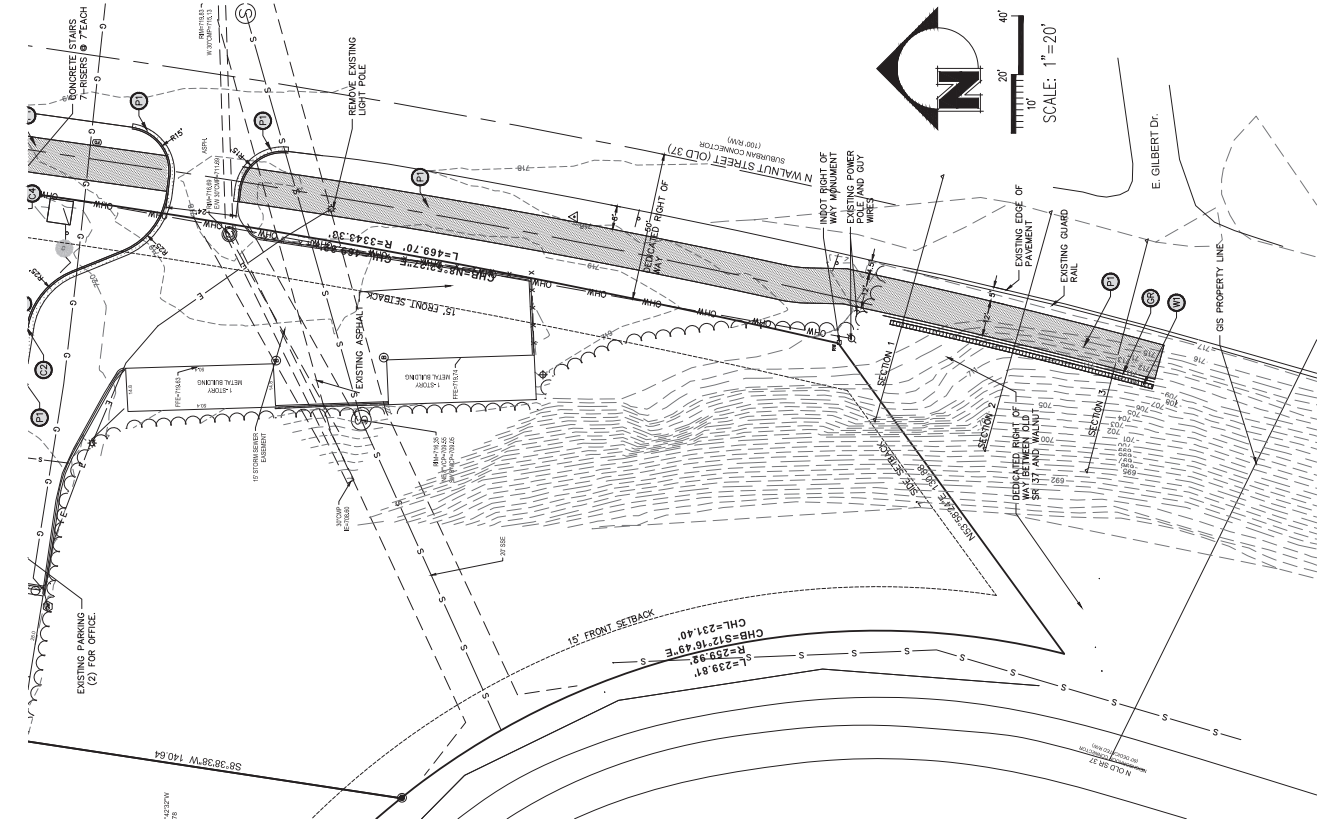
- STORM SEWER NOTES (D)

- ELECTRIC NOTES (E)

1. 4" SCH-40 PVC CONDUIT BY CONTRACTOR
2. EXISTING POWER POLE AND GUY WIRE.
3. TRANSFORMER PAD LOCATION







### SITE MATERIALS

- CONCRETE SIDEWALK (SEE DETAIL ON DETAILS SHEET)
- 4" COMPACTED AGGREGATE BASE #3
- 6" STANDING CONCRETE CURB (SEE DETAIL ON DETAILS SHEET)
- CONCRETE PAVEMENT
- 8" THICK CONCRETE, 4000 PSI
- 8" ROOT #30 COMPACTED AGGREGATE BASE
- CONCRETE STEPS WITH HANDRAIL
- PARALLEL CURB RAMP (SEE DETAIL ON DETAILS SHEET)
- ASPHALT PAVEMENT
- 2.5" HMA SURFACE COURSE ON
- 2.5" HMA BASE COURSE ON
- 8" ROOT #30 COMPACTED AGGREGATE BASE
- SYMBOL, PAINT, BLUE, INTERNATIONAL SYMBOL OF ACCESSIBILITY (SEE DETAIL ON DETAILS SHEET)
- LINE, PAINT, SOLID, 4", BLUE, CROSSHATCH (SEE DETAIL ON DETAILS SHEET)
- LINE, PAINT, SOLID, 4", BLUE
- LINE, PAINT, SOLID, 4", WHITE
- ADA VAN ACCESSIBLE SIGN
- WOOD DUMPER ENCLOSURE WITH WOOD GATES, SEE DETAIL ON DETAIL SHEET
- 6" VINYL COATED BLACK CHAIN LINK FENCE, 8 GAUGE WITH OPAQUE PRIVACY SCREEN, COLOR PER OWNER
- GATE
- BOLLARD
- RETAINING WALL
- GUARD RAIL



NOT FOR  
CONSTRUCTION

ALL AMERICAN STORAGE  
2401 N. WALNUT STREET  
BLOOMINGTON, IN

REVISIONS	BY	DATE

REVISIONS	BY	DATE

6617	SHEET
C202	SHEET
06/10/25	DATE
85	SITE PLAN

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**Location: 1017 E Erin CT**

**CASE #: V-29-25**  
**ZR2025-06-0081**  
**DATE: July 24, 2025**

**PETITIONER/OWNER:** Valubuilt Inc  
 417 W 6<sup>th</sup> ST  
 Bloomington, IN 47403

**REQUEST:** Determinate sidewalk variance to allow for the construction of a single family dwelling unit (detached) in the Residential Medium Lot (R2) Zoning District.

**REPORT:** This 11,984 square foot property is located at the northeast corner of E Erin CT and E Azalea LN in the Walnut Creek Neighborhood. The property is located in the Residential Medium Lot (R2) zoning district. The adjacent properties are zoned Residential Medium Lot (R2) and have been developed with detached single family dwellings. The surrounding area includes lots zoned Parks and Open Space (PO) to the south, Residential High Density (RH) to the west, and Residential Small Lot (R3) to the southwest of the property.

The petitioner proposes to build a new detached single-family dwelling on this vacant lot. With the construction of a new single family residence on this lot, the UDO requires a sidewalk and tree plot consistent with the Transportation Plan be constructed along the property frontage. Azalea Lane is classified as a Neighborhood Connector and is required to have a 7' wide sidewalk with an 8' wide tree plot and street trees. Since there is an existing sidewalk along Azalea Lane, Section 20.04.050(d)(2) of the UDO also requires that a sidewalk be constructed on Erin Court. Street trees are also required along both frontages with the new construction. There is an existing 4' wide sidewalk and 5' wide tree plot along Azalea Lane. The proposed site plan includes a new sidewalk along Erin Court, however the petitioner is requesting to keep the existing 4' wide sidewalk and 5' wide tree plot along E Azalea LN.

The petitioner is requesting relief from the required 7' wide sidewalk and 8' tree plot as required by the City of Bloomington Transportation Plan and BMC 20.04.050(d) Pedestrian and Bicycle Circulation to allow the existing facilities to remain.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**20.06.080(b)(3)(E)(i) 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.*

**PROPOSED FINDING:** The approval of the requested variance is expected to be injurious to the general welfare of the neighborhood and community in that the proposed sidewalk is noncompliant with current standards and installing the required sidewalk with appropriate



width would increase public health and safety. Denial of the variance would provide for the appropriate pedestrian facilities to be included.

- 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.*

**PROPOSED FINDING:** The granting of the variance is not expected to impact the use and value of the area adjacent to the property in a substantially adverse manner.

- 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.*

**PROPOSED FINDING:** The strict application of the terms of the Unified Development Ordinance will not result in practical difficulties in the use of the property in that the property can be used as a single family residence with the required pedestrian facilities installed as required. No peculiar condition are found on this lot, as there is sufficient space to construct the required 7' wide sidewalk and 8' wide tree plot along the E Azalea LN frontage.

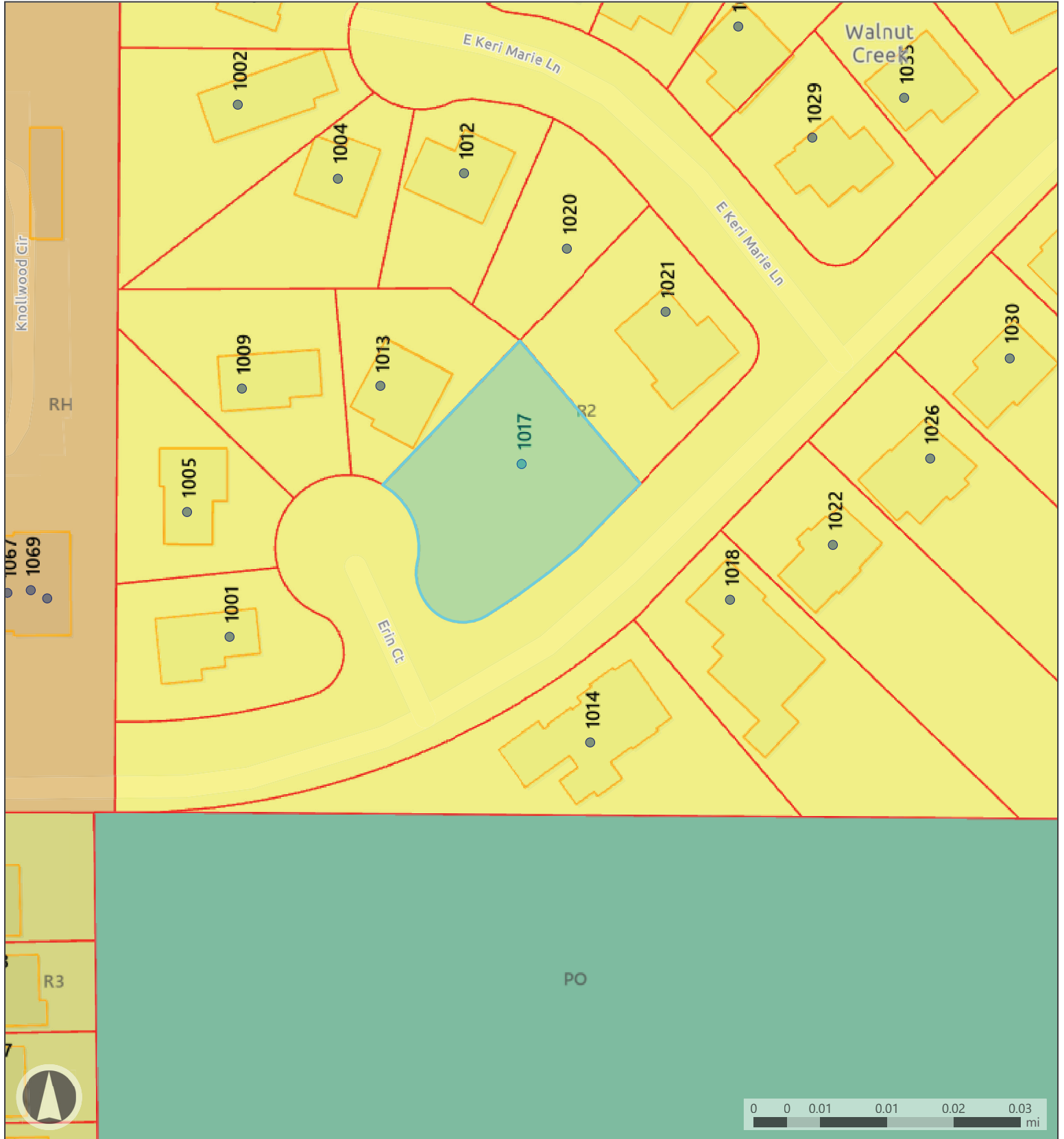
#### **20.06.080(b)(3)(E)(i)(3) Determinate Sidewalk Variance Approval Criteria:**

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.*

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**RECOMMENDATION:** Based upon the written findings above, the Department recommends that the Board of Zoning Appeals adopt the proposed findings for V-29-25 / ZR2025-06-0081 and deny the requested variance.

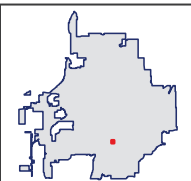


**Map Legend**

- Addresses
- ▭ Parcels
- ▭ Buildings

- ▭ Bloomington Municipal Boundary
- ▭ Parks and Open Space
- ▭ Residential Medium Lot

- ▭ Residential Small Lot
- ▭ Residential High-Density Multifamily

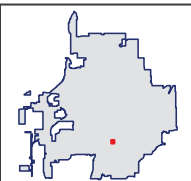






#### Map Legend

- Addresses
- Parcels
- Bloomington Municipal Boundary





# VARIANCE PETITION

## AZALEA LANE TREE PLOT & SIDEWALK EXPANSION

### Petitioner's Statement

Regarding the requirement to increase the width of the tree plot from 5ft to 8ft and increase the sidewalk width from 4ft to 7ft along the Azalea Lane frontage of the lot located at 107 E Erin Court (015-70005-17 Walnut Creek Phase 2 Lot 17):

Valu-built Construction LLC petitions the Board of Zoning Appeals of the Bloomington Planning and Transportation Department to rescind the requirement for them to demolish the existing 4ft wide sidewalk along the Azalea Lane frontage of the above identified lot and lay a new 7ft wide sidewalk that is an additional 3ft from the existing curb for the following reasons:

- Presently there are 23 homes that have frontage along Azalea Lane that have tree plot areas of 5ft widths and sidewalks of 4ft widths. These tree plots and sidewalks have existed in this neighborhood since this subdivision was developed in the late 1990s. Consideration should be made for the existing sidewalk on this property to be grandfathered in place since it met the original city planning ordinance when it was first constructed.
- The practical use and aesthetics of this portion of the sidewalk along Azalea Lane will be impractical and an “eyesore” to the neighborhood (see attached drawing).
- **The approval of this variance will not be injurious to the public health, safety, morals and general welfare of the community and this neighborhood** in particular since the sidewalk that currently exists serves the neighborhood equally as well as a new 130 ft one that requires a jog to connect.
- **The use and value of the neighboring properties will not be affected in a substantially adverse manner by this variance.** A variance from a new sidewalk will leave the existing sidewalk alone and will not impact the value of their current property.
- The added expenditure needed for this petitioner to comply with this requirement is excessive and will drastically limit the marketability of the home they desire to build on this parcel. Valu-built Construction LLC has developed a reputation for building high quality homes at affordable prices. They intend to build a 1,400sqft. ranch home over an unfinished walk-out basement at \$350,000. They estimate that compliance with this tree plot/sidewalk requirement will cost an additional \$20,000 for demolition and cleanup of existing sidewalk and construction of the new sidewalk – a cost that will ultimately have to be borne by the new homeowner. **The strict application of the terms of this UDO will result in practical difficulties in the use of the property as described above. A development standards variance will relieve the practical difficulties.**

Respectfully Submitted,

Ernest Xi, Member

Valu-built Construction LLC

Notes:


- 1). Basis of bearing (State Plane-Indiana West)
- 2). Fieldwork performed - May 2025
- 3). Source of title - New or formerly owned by Valu-built Construction LLC as found in Instrument Number 2025004198 in the Office of the Monroe County recorder.
- 4). Zoning Classification of Subject Property - R2
- 5). Subject Property Legal Description - Reference Instrument Number 2025004198
- 6). Proposed 1st floor elevation of residence shall be 794.0'
- 7). The proposed finish floor and finish grade elevations shown are minimum elevations in order to provide positive surface drainage away from the proposed residence. The finish grade elevations shall not in any way shed surface storm water flow onto the adjoining properties unless provisions have been made with the adjoining property owners and the governing jurisdiction. Shallow flow lines shall be made by the finish grade subcontractor along the common lines with adjoining property owners to direct the storm water flow as shown on this plot plan. The builder shall notify this firm if field adjustments are made lowering than the elevations shown or redirecting the surface storm water flows.
- 8). The dimensions shown on the proposed residence are based upon plans provided by the builder. Prior to construction the builder shall verify no changes have been made from those shown herein.
- 9). The plot plan has been prepared for use in obtaining a building permit and is not intended to identify lot or property lines. The dimensions shown to lot lines or lines representing property lines are shown based upon limited field evidence of said lines and the dimensions are subject to the same limitations which might affect the accuracy of the dimensions.
- 10). No wetlands shall be disturbed during or after the construction of the site improvements.
- 11). Any subsurface drainage tiles encountered during the construction of the site improvements shall be protected from damage and if necessary restored with the drainage flow within perpetuated. If said tile is damaged, repairs shall be made immediately to restore the tile to its original condition.
- 12). The builder and/or any underground site contractor shall call Indiana 811 to verify the location of the underground utilities on this site and report any conflicts to Deckard Land Surveying prior to commencing work.
- 13). Construction drive: Temporary construction drive to comply with City of Bloomington ordinances.
- 14). Gentle swale statement: Gentle swale required to be constructed (or be protected if existing along side lot line) during construction and to remain post-construction to direct sheet drained watershed towards the front and back of lot and not towards existing or proposed residence.
- 15). Erosion control measure must be functional and maintained through construction.
- 16). Sediment Discharge and tracking from lot shall be minimized.
- 17). Adjacent lots disturbed by an individual lot operator must be repaired and stabilized.
- 18). Concrete and Cementitious Washwater: Include location of concrete washout and building materials area on site plan. All concrete and cementitious washwater is required to be captured in a leak-proof concrete washout container.
- 19). Ingress/Egress: Equipment is only allowed to access the site through the approved driveway with a Driveway Permit. Maintain the driveway as a stabilized construction ingress/egress. If alternate access is required, please apply for another Driveway Permit with the Highway Department.
- 20). Tracking and Off-Site Discharges: Any sediment tracked off site, must be swept (not flushed) off the road by the end of the business day. Off-site discharges of sediment must be remediated by the end of the business day.
- 21). Spill Response: No vehicle fueling, storage of fuel, or repair of equipment is allowed on site. All spills must be cleaned up immediately and reported according to local, state, and federal regulations. Contact the MS4 Coordinator immediately for any reportable spills or discharge to storm sewers or waterbodies.
- 22). Karst: New sinkholes that develop as a result of construction must be reported to the MS4 Coordinator within 24 hours of discovery. Immediately protect the sinkhole with erosion control measures. Filling of new sinkholes requires MS4 Coordinator approval.
- 23). Stabilization: Permanently stabilize areas at final grade within 7 days. Temporary stabilization is required for disturbed areas left inactive for more than 7 days. Any disturbance caused on adjacent lots must be repaired or stabilized.
- 24). Changes or deviations to this plan shall be submitted to Bloomington City Planning Department for approval.
- 25). The individual lot operator is responsible for installation and maintenance of all erosion and sediment control measure until the lot is stabilized. The operator must comply with all the requirements of the zoning ordinance of Monroe County.
- 26). This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.
- 27). I affirm, under penalty for perjury, that I have taken responsible care to redact each Social Security Number in this document, unless required by law.  
-ERIC L. DECKARD

CERTIFICATION:

This drawing was prepared in the office without the benefit of a field survey and examination of adjoining deeds. This certification does not take into consideration additional facts that an accurate and correct title search and/or examination of a field survey might disclose.

Certified this 26th day of June, 2025.

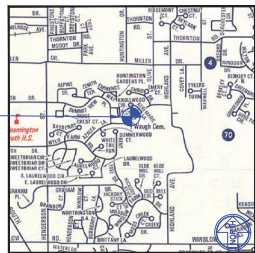
Eric L. Deckard  
Registered Surveyor LS29900012  
State of Indiana

VALU- BUILT - SITE PLAN  
LOT 17 WALNUT CREEK PHASE 2 FINAL PLAT  
MONROE COUNTY, INDIANA

PERRY TWP.  
TOWNSHIP 8 N  
RANGE 1 W  
SECTION 9  
DEVELOPER, APPLICANT &/OR OWNER  
VALU- BUILT  
2775 N THOMAS RD  
BLOOMINGTON, INDIANA 47404

PROJECT LOCATION



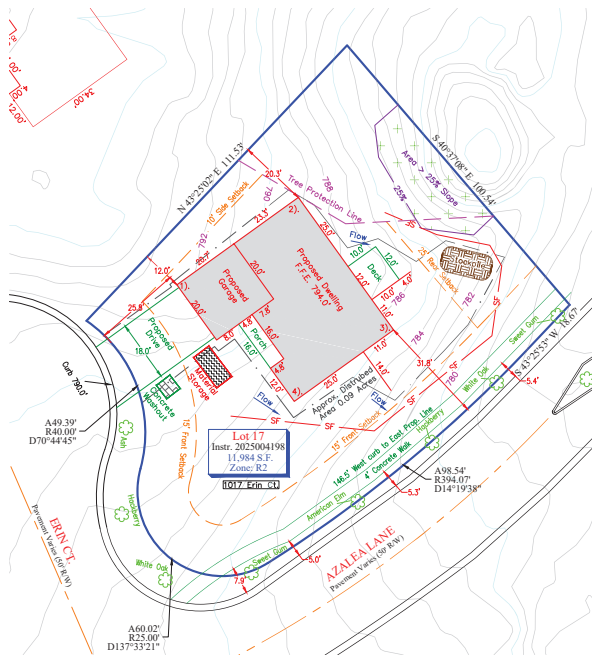
LOCATION MAP

Water Line Notes(W):

- 1). Tap existing water main per CBU requirements. Contractor to provide all necessary excavation, shoring, backfill, surface repair, tap saddle, and tap valve for the tap. CBU personnel must perform the tap and will provide the necessary tapping equipment and labor for the tap. Schedule the tap with the CBU inspector that is assigned to this job.
- 2). 2" domestic water service shall be either type "K" copper in conformance with ASTM B88 or blue polyethylene AWWA 901 PE4710, ASTM D2737, CTS SDR9 PC250 (NSF 61). Backfill per CBU detail 11. 48" of cover min.
- 3). Domestic meter, final size and location to be determined by CBU.
- 4). Connect to building, see architectural/plumbing plans.
- 5). All utilities have been located per the GIS and should be field verified before construction.

Sanitary Sewer Notes(S):

- 1). 6" SDR-35 PVC sanitary sewer lateral (slope @ 1.00% min). Backfill per CBU detail 11.
- 2). Sanitary cleanout per CBU standard detail 19.
- 3). Connect to building sanitary waste line (see plumbing plans), sanitary sewer pipe to be 6" minimum diameter outside of building.
- 4). Existing sewer lateral connection point needs to be cut out and replaced. Connection is located approximately 8' east of MH in intersection of Grimes and Stall.



Impervious Surface  
Coverage Calculations:

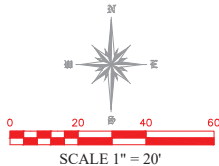
Total Lot Area: 11,984 Sq Ft  
Proposed Impervious Surface: 2,193 Sq. Ft.  
Proposed Coverage 18%

Approx. Disturbed  
Area Calculations:

Acres 0.09

SETBACK TABLE

Front - 15'  
Side - 10'  
Rear - 25'  
ZONE: R2



LEGEND	
	STORM DRAIN PROTECTION
	UTILITY POLE
	REBAR FOUND
	REBAR SET
	NAIL FOUND
	REBAR FOUND
	FIRE HYDRANT
	WATER VALVE
	WATER METER
	SANITARY MANHOLE
	CATCH BASIN
	TEMPORARY SEEDING
	PERMANENT SEEDING
	UNDISTURBED AREA
	CONSTRUCTION ENTRANCE
	MATERIALS STORAGE AREA
	CONCRETE WASTE MANAGEMENT
	STAGING AREA
	STOCKPILE LOCATION
	SANITARY INFRASTRUCTURE
	SILT FENCE
	WATER INFRASTRUCTURE
	OVERHEAD POWER LINE
	STORMWATER INFRASTRUCTURE
	STORMWATER FLOW DIRECTION
	DISTURBED AREA

Elevations:

Proposed F.F.E. 794.0'

Existing Adjacent Grades

- 1). Existing Elevation: 792.5'
- 2). Existing Elevation: 789.2'
- 3). Existing Elevation: 785.1'
- 4). Existing Elevation: 786.5'

DECKARD  
LAND SURVEYING  
1000 N. WASHINGTON ST.  
BLOOMINGTON, IN 47404  
PHONE: 317.346.1000  
FAX: 317.346.1001  
WWW.DLSDSURV.COM



VALU- BUILT  
SITE PLAN  
A PART OF SECTION 9, T8N, R1W

DATE	25-65
BY	1
CHECKED	2
DATE	6/26/25
BY	BNDY.SHT





**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**LOCATION: 1004 S Palmer Ave**

**CASE#: CU-30-25 /**  
**ZR2025-06-0082**  
**DATE: July 24, 2025**

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**PETITIONER:** Matt Ellenwood  
 2021 E Wexley Rd  
 Bloomington, IN 47401

**OWNER:** Steve & Sue McCracken  
 1004 S Palmer Ave  
 Bloomington, IN 47401

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

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**REPORT:** This 0.19 acre property is located on South Palmer Avenue just south of East Allen Street. This site and all surrounding properties are zoned Residential Small Lot (R3) and contain single family residences within the Bryan Park Neighborhood Association area. There are no known environmental features on this site.

The petitioner is proposing to create a duplex through an addition to the existing home which will also feature an integrated carport between the two sides of the duplex. While the owner is wanting to implement solar and battery storage within the additional unit as well, and is working to identify the feasibility for how that could be used to supply both sides of the duplex, a connection to the electric grid will still occur. Other utilities are sufficient to support the addition and will be reviewed again upon application for a Building Permit. The duplex addition has been designed for a carport and a residence entrance facing the alley side of the property on the south. The existing dwelling, to become the other half of the duplex, has an entrance that faces South Palmer Avenue. The existing residence would maintain the existing bedroom, while the proposed addition for the other half of the duplex would have two bedrooms. The existing parking area off of South Palmer Avenue would be removed while the proposed carport addition accessible from the alley would provide parking between the two sides of the duplex. There is no sidewalk along South Palmer Avenue and no sidewalk would be required with this request. Total proposed impervious surface coverage is approximately 2655 square feet which is less the maximum 45% allowance for R3 District Dimensional Standards. No conditional uses for a duplex have been approved within 200ft of this property in the past two years.

The petitioner contacted the Bryan Park Neighborhood Association regarding their proposed duplex and held a neighborhood meeting on June 2, 2025 which received generally positive feedback from those in attendance.

The petitioner is requesting conditional use approval to allow for 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. In accordance with those standards, each unit has its own separate exterior entrance as required and the design of the addition incorporates many elements similar to the existing and surrounding residences on this block face including- roof pitch design, front porch width and depth, front building setback, and vehicle parking access. The duplex will not exceed the six bedroom maximum allowance. The property owner does not have any notices of violation on file. There are no other applicable regulations or 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:** The Comprehensive Plan identifies this area as “Mixed Urban Residential” for future land use and that this use is largely in older neighborhoods and redevelopment should be compatible with surroundings. The Comprehensive Plan further states for Land Use Approvals within Mixed Urban Residential (Page 84), it should “Allow context sensitive multifamily redevelopment along higher volume roads, along district edges, and near major destinations when appropriately integrated with adjacent uses and styles.” 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 proposal is congruent with the goals of 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:** Adequate public service capacity exists. The existing residence has water and sewer connections and no issues are anticipated for utilities with the addition of the other half of the duplex, but will nonetheless be reviewed by City of Bloomington Utilities upon application for the Building Permit.

**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 property 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. As mentioned previously, those in attendance at the neighborhood meeting gave overall positive feedback for the proposed duplex.

**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.*

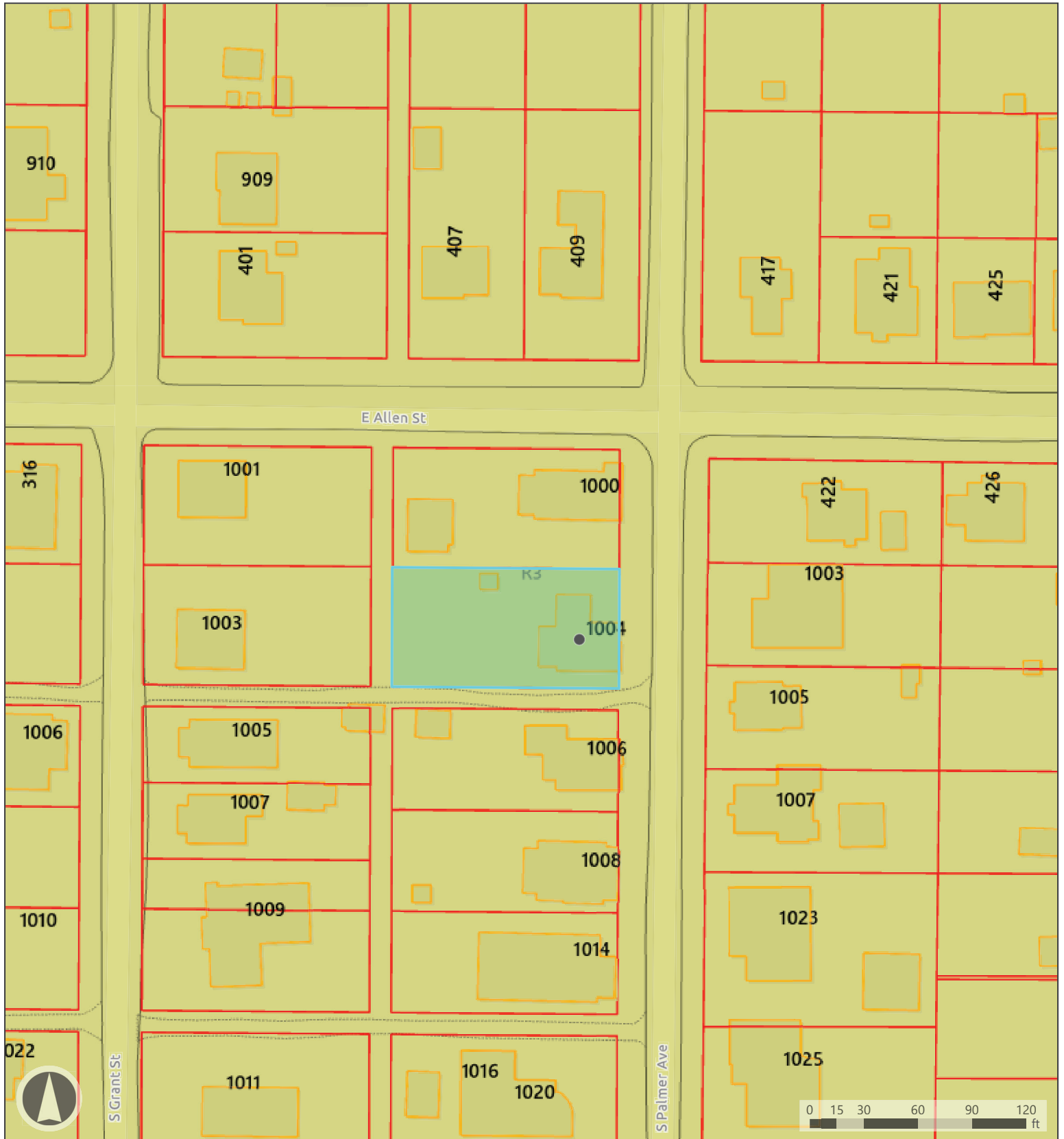
**PROPOSED FINDING:** No phasing is proposed with this plan.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve CU-30-25/ZR2025-06-0082 with the following conditions:

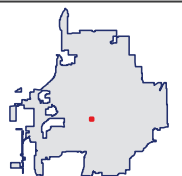
1. This conditional use approval is limited to the design shown and discussed in the packet.
2. This conditional use approval requires the petitioner to pass a rental inspection from HAND and procure a rental permit for any units that will be rented.
3. The existing parking and drive on Palmer must be completely removed and the area seeded.

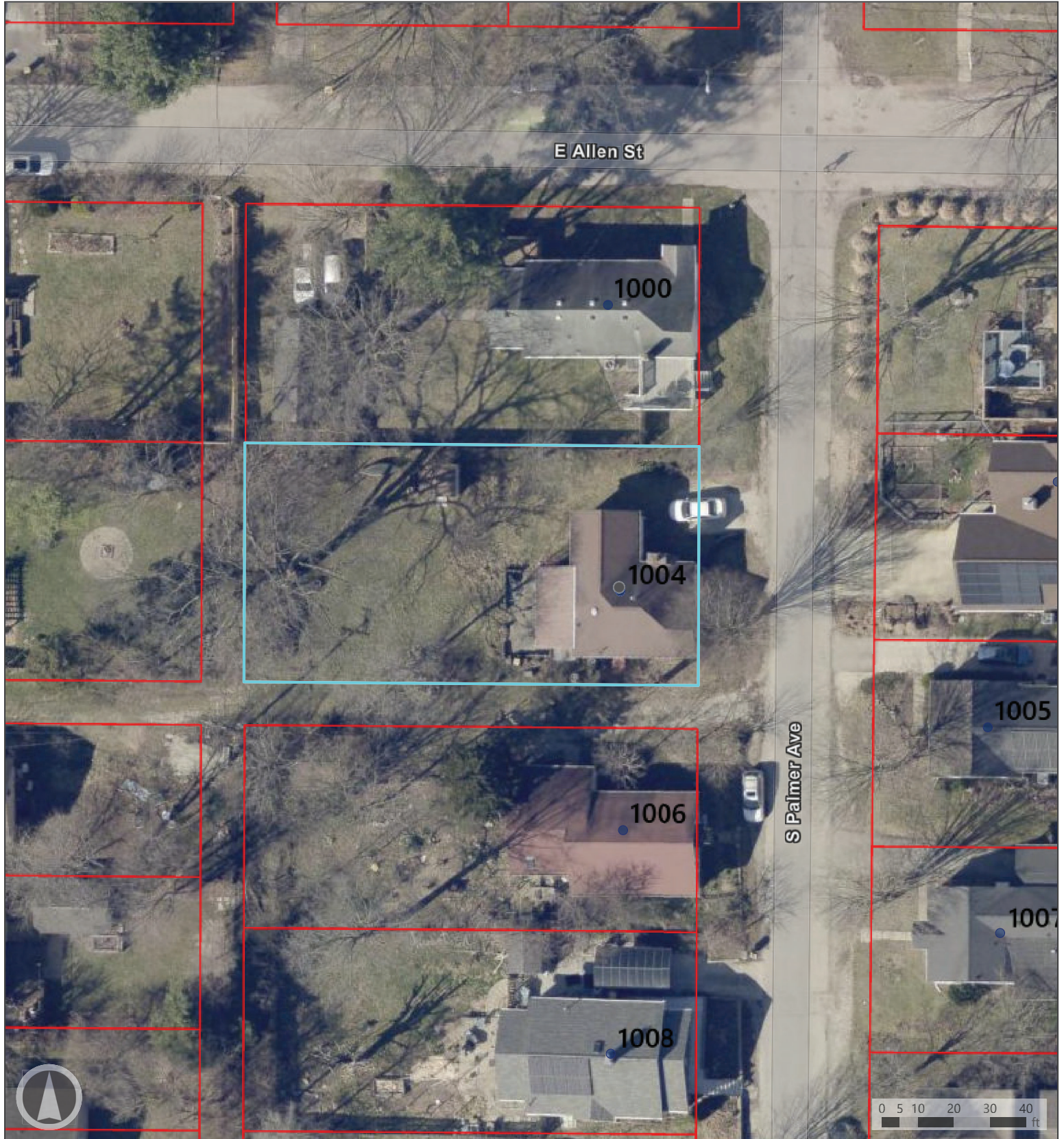




Map Legend

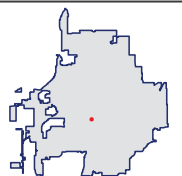
- |                         |           |                                |
|-------------------------|-----------|--------------------------------|
| Board of Zoning Appeals | Buildings | Alley                          |
| Parcels                 | Pavement  | Bloomington Municipal Boundary |
|                         |           | Residential Small Lot          |





Map Legend

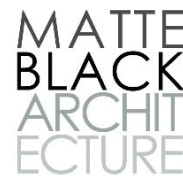
- Addresses
- ▭ Parcels
- ▭ Bloomington Municipal Boundary





# Petitioner's Statement

## 1004 S PALMER AVE DUPLEX



Attention: City of Bloomington Board of Zoning Appeals  
 Petitioner: Steve & Sue McCracken, Property Owners

### Property Description

The **.19 acre (approx. 8,316 sf)** property at 1004 S Palmer Ave currently has a small 1 story 1170 SF single-family structure that is being renovated and will remain. It is bounded by Palmer Ave to the east, an alley to the south, an unimproved alley to the west and an existing single-family structure to the north. It is designated **R3 (Residential)** under the current (2025) UDO.

### Project Description

The petitioner is proposing a new **1.5-story addition to create a duplex** that will include **2 bedrooms & 2 baths along with a carport**. The gable roof design addresses the requirements of the Duplex section of the UDO (20.03.030.b.3.C) by incorporating a separate exterior entrance that faces the alley and generally matches the roof pitch, porch size and vehicle parking access of surrounding properties.

### Variance Request

The petitioner is filing for a **Conditional Use Variance** per the UDO requirements for duplexes in an R zone and hopes to begin construction in late summer/early fall of 2025 with completion by 2026.

### Relevant Criteria

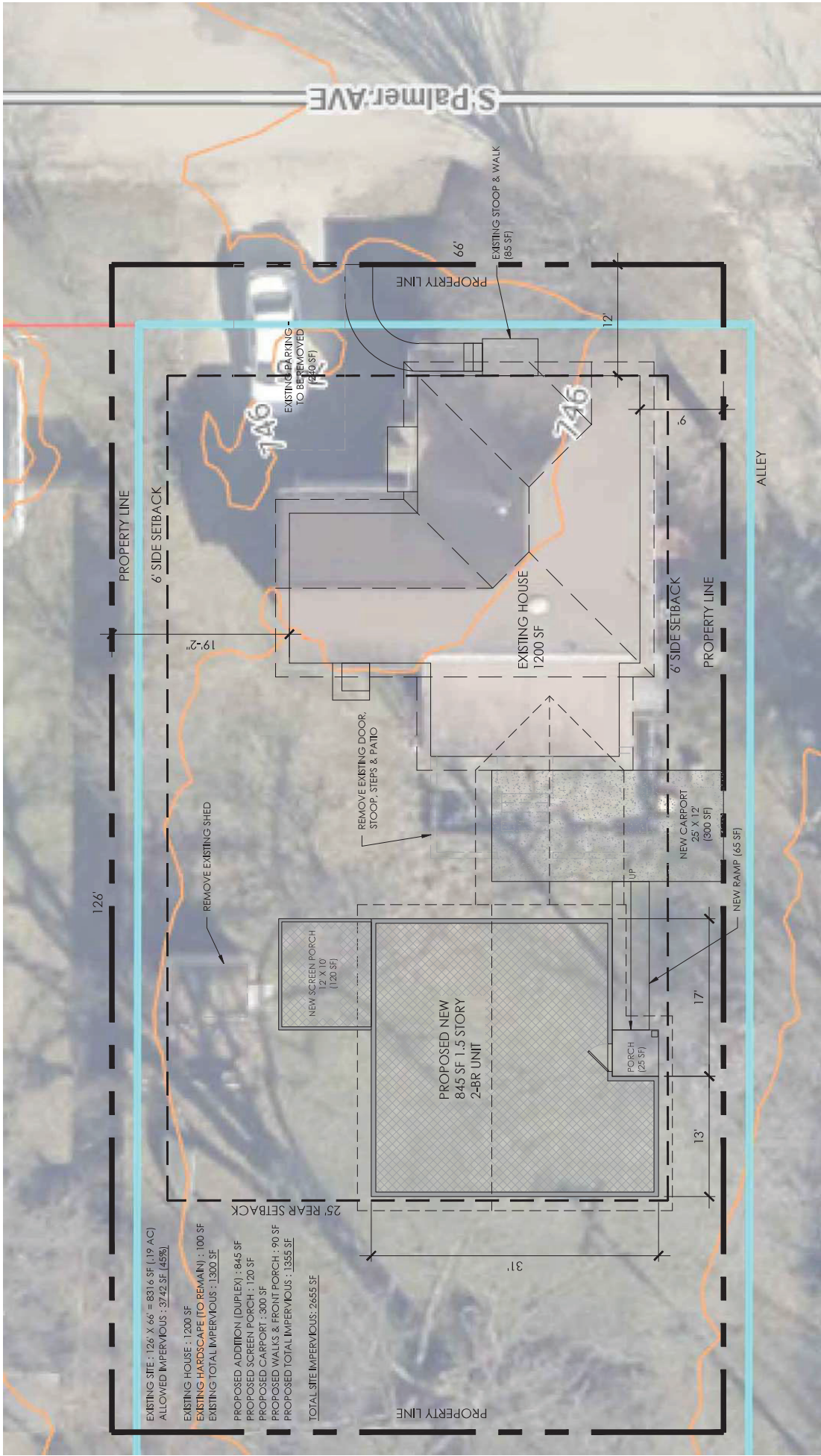
The proposed development is consistent with the goals and objectives of the Comprehensive Plan in that the additional housing unit will add density without negatively impacting the overall character of the surrounding neighborhood. The addition will not create a nuisance of noise, smoke, odors, vibrations or objectionable lights beyond what is typical during construction. The development will not cause any undue adverse impacts on the adjacent property, character of the area, public health, safety or general welfare. The development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures and other services. The development will not cause undue traffic congestion or draw significant amounts of traffic through residential streets. The development will not result in excessive destruction, loss or damage of any natural, scenic or historic features of significant importance. The hours of operation, outside lighting, and trash and waste collection will not pose a hazard, hardship or nuisance to the neighborhood. There will be no signage. The development will comply with any additional standards imposed upon the particular use by Chapter 20.03.030.

Thank you for your consideration of this petition.

A handwritten signature in black ink, appearing to read "Matt Ellenwood".

Matt Ellenwood, AIA (on behalf of the petitioner)

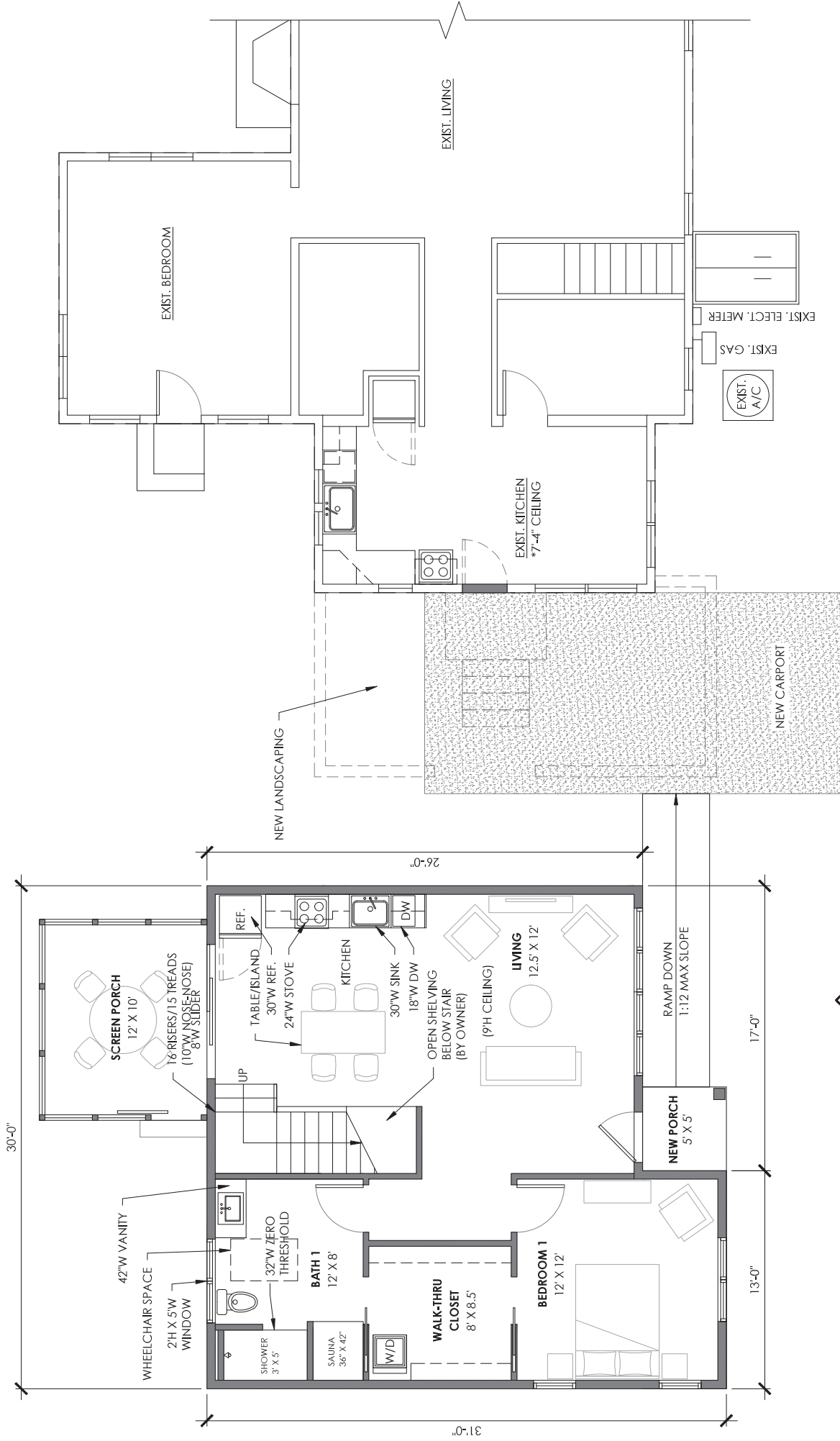




PROPOSED SITE PLAN  
SCALE: 1" = 10'

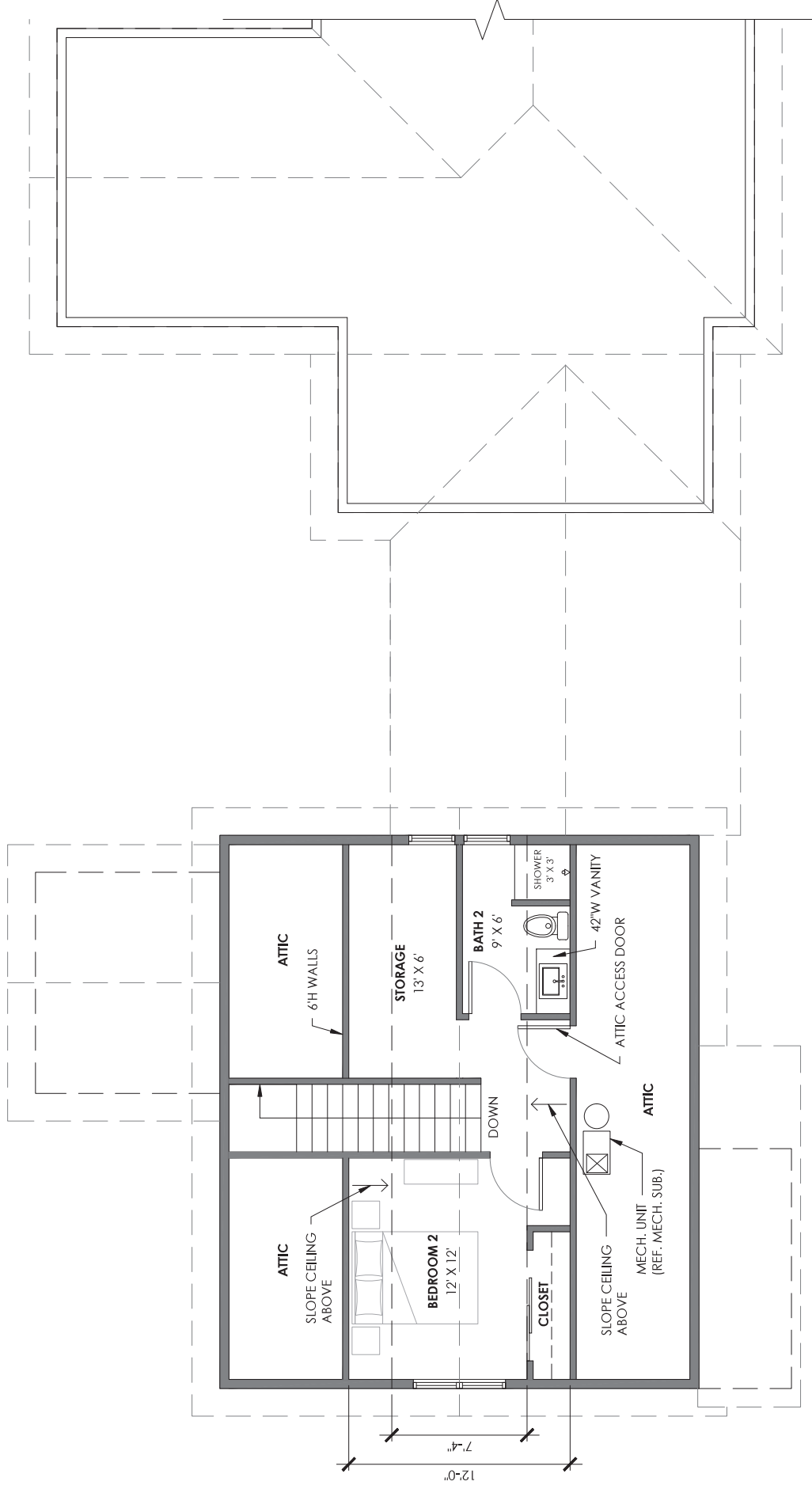


# 1004 S PALMER AVE. DUPLEX ADDITION



PROPOSED FLOOR PLAN  
SCALE: 3/16" = 1'-0"

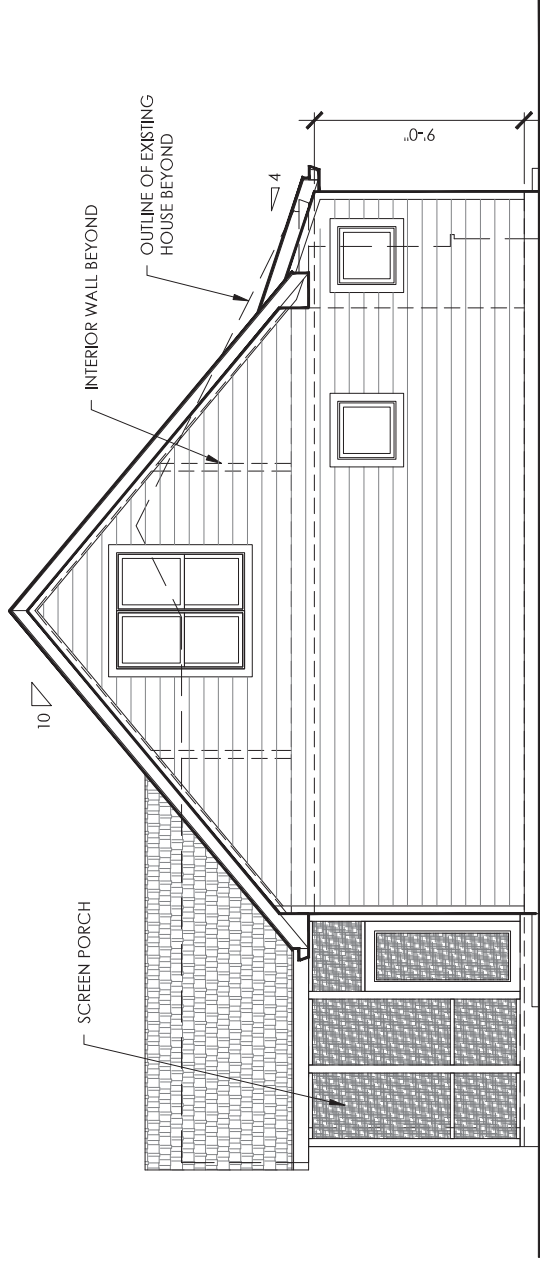
# 1004 S PALMER AVE. DUPLEX ADDITION



PROPOSED SECOND FLOOR PLAN   
SCALE: 3/16" = 1'-0"

# 1004 S PALMER AVE. DUPLEX ADDITION





PROPOSED WEST ELEVATION

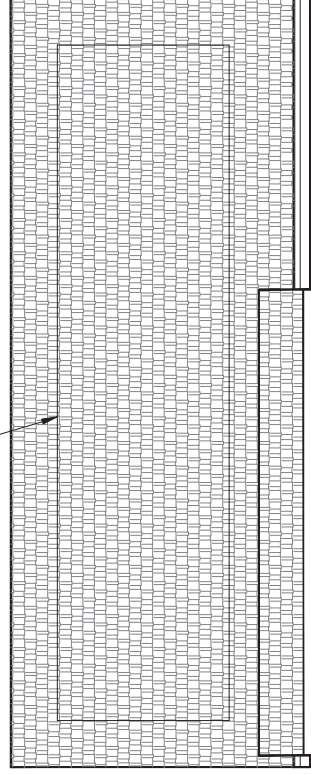
SCALE: 3/16" = 1'-0"

REBUILD EXISTING ROOF OVER KITCHEN WITH 3:12 MIN. ROOF SLOPE

SUPPORT FOR CARPORT ROOF, PER STRUCT.

EXISTING ROOF LINE OVER KITCHEN TO BE REMOVED

FUTURE SOLAR PV ARRAY



PROPOSED SOUTH ELEVATION

SCALE: 3/16" = 1'-0"

NEW ADDITION

EXISTING HOUSE TO REMAIN

12'-0"

NEW CARPORT

# 1004 S PALMER AVE. DUPLEX ADDITION