

Board of Zoning Appeals (BZA)

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The Board of Zoning Appeals (BZA) met on August 27, 2026 at 5:30 pm; a hybrid meeting was held in Council Chamber, located in Room 115, at 401 N. Morton Street, City Hall – Bloomington, IN 47404 and remotely via Zoom. Members present in Council Chambers: Flavia Burrell, Ryne Shadday, Chris Smith, and Jo Throckmorton.

Approval of Minutes

February 26, 2026

March 26, 2026

May 28, 2026

June 25, 2026

July 23, 2026

Burrell made a motion to approve the meeting minutes. Kutsenkow seconded.
Motion passes by roll call – 3:1. (Smith Abstained)

Reports, Resolutions, and Communications

None

Petitions Continued to September 24, 2026

None

Petitions

ZR2026-05-0022 and ZR2026-07-0035

A request at 412 E. Wylie Street for Conditional Use approval to allow for the use "Dwelling, Duplex" in the Residential Small Lot (R3) zoning district by Kevin Spicer. Also requested are variances from maximum vehicle parking allowance number and the vehicle parking location and design standards. (Case Manager: Jamie Kreindler)

Jamie Kreindler, case manager, presented ZR2026-05-0022 and ZR2026-07-0035. See meeting packet for more detail. The Department recommends that the BZA adopt the Proposed Findings of Fact and approve the Conditional Use request and deny the variance requests for case ZR2026-05-0022 with the following conditions:

1. The conditional use approval is limited to the design shown and discussed in the packet.
2. A right-of-way use permit is required prior to any work in the public right-of-way.
3. Per the submitted site plan, a 6' tall opaque fence is required along the east property line.

Kevin Spicer, petitioner, presented the variance and conditional use request.

Public Comment

Julie Vonderschmidt spoke.

Jon Lawrence spoke.

Cory Geurhart

Tatiana Moir spoke.

Eric Ost spoke.

Jeff Vonderschmidt spoke.

Dave Rollo spoke.

Jan Sorby spoke.

Jane St. John spoke.

Kim Vint spoke.

Marcus Moyer spoke.

Susan Bright spoke.

Andy Ruff spoke.

Isabel Piedmont-Smith spoke.

Alan Schertz spoke.

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*Due to a conflict of interest, Shadday recused himself from this petition.

Smith made a motion to adopt the Proposed Findings of Fact referenced in the staff report and approve the requested conditional use and deny the requested variance with the following amended conditions of approval:

1. The conditional use approval is limited to the design shown and discussed in the packet.
2. A right-of-way use permit is required prior to any work in the public right-of-way.
3. Per the submitted site plan, a 6' tall opaque fence is required along the east property line.
4. Petitioner can install the drivecut, driveway, and rear parking off of Wylie Street, in lieu of the alley parking.

Burrell seconded. Motion fails by roll call - 2:1. (Throckmorton).

Burrell made a motion to adopt the Proposed Findings of Fact referenced in the staff report and approve the conditional use request and deny the requested variances with the following amended conditions of approval:

1. The conditional use approval is limited to the design shown and discussed in the packet.
2. A right-of-way use permit is required prior to any work in the public right-of-way.
3. Per the submitted site plan, a 6' tall opaque fence is required along the east property line.
4. Petitioner will work with the city to add parking spaces in the front as fit by code.

Smith seconded.

Burrell withdrew the motion.

Burrell made a motion to continue this petition to the September 24, 2026 meeting. Smith seconded. Motion passes by roll call - 4:0.

ZR2026-06-0031

A request at 210 S. Westplex Avenue for a variance from minimum required sidewalk width for the use "supportive housing, large" in the Mixed-Use Medium Scale (MM) zoning district by Wheeler Mission. (Case Manager: Eric Greulich)

Greulich presented ZR2026-06-0031. See meeting packet for more detail. The Department recommends that the Board of Zoning Appeals adopt the Proposed Findings of Fact and deny the variance request.

Aj Willis, consultant, presented the variance request on behalf of the petitioner.

Public Comment

Mary Sutherland spoke.

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Smith made a motion to approve the variance request per the adopted Amended Findings of Fact referenced below. Shaddy seconded. Motion passes by roll call - 4:0.

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*
 - Amended Findings: Most of the sidewalks in the community are five feet. The city routinely replaces sidewalks with five feet sidewalks. The ADA code is five feet. Six feet is to expand width.

2. *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.*

- Amended Findings: The practical difficulty is the existing situation with existing cross-sections, existing sidewalks, difficult topography, and a low traffic area.

ZR2026-07-0033

A request at 530 South Washington Street for an administrative appeal of a Notice of Violation warning letter for a sign in the public right-of-way, a prohibited sign location by Joseph Davis. (Case Manager: Gabriel Holbrow)

Gabriel Holbrow, case manager, presented ZR2026-07-0033. See meeting packet for more detail. In accordance with UDO Section 20.06.080(d)(3)(B)(ii), because this petition is an administrative appeal, the staff report shall not make a formal recommendation.

Joe Davis, petitioner, requested a continuance.

Throckmorton made a motion to deny the requested continuance. Shadday seconded. Motion fails by roll call - 2:2. (Shadday and Burrell dissented).

Smith made a motion to continue ZR2026-07-0033 to the September 24, 2026 meeting. Shadday seconded. Motion passes by roll call - 3:1. (Throckmorton dissented).

Burrell made a motion to suspend the rules. Shadday seconded. Motion passes by roll call - 4:0.

ZR2026-07-0034

A request at 712 W. 3rd Street for Conditional Use approval to allow the use "dwelling, duplex" in the Residential Small Lot (R3) zoning district by Dennis Burch of MCA architects + urbanists. (Case Manager: Joe Patterson)

Joe Patterson, case manager, presented ZR2026-07-0034. See meeting packet for more detail. The Department recommends that the Board of Zoning Appeals adopt the Proposed Findings of Fact and approve the Conditional Use request, with the following condition(s):

1. Any units to be rented must be registered and inspected by HAND prior to occupancy.

Dennis Burch, petitioner, presented his request for conditional use approval.

Public Comment

Richard Lewis spoke.

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Shadday made a motion to adopt the Proposed Findings of Fact outlined in the staff report. Smith seconded. Motion passes by roll call - 4:0.

Adjournment

Meeting Adjourned at 8:42 p.m.