

CITY OF BLOOMINGTON



BOARD OF ZONING APPEALS

November 14, 2024 @ 5:30 p.m.
City Hall, 401 N. Morton Street
Common Council Chambers, Room #115

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDlnWGROTU43dEpXdz09>

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

November 14, 2024 at 5:30 p.m.

❖ **Virtual Meeting:**

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Meeting ID: 824 4898 3657

Passcode: 319455

Petition Map: <https://arcg.is/19PGjH0>

ROLL CALL

APPROVAL OF MINUTES: October 17, 2024

PETITIONS CONTINUED TO: December 19, 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
- CU-31-24 **Tim Henke**
915 & 927 E Miller Drive
Parcel(s): 53-08-09-104-124.000-009, 53-08-09-104-120.000-009
Request: Conditional use approval to allow a "Dwelling, cottage development" in
the Residential Medium Lot (R2) zoning district.
Case Manager: Eric Greulich

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or
E-mail 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 and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

PETITIONS:

V-26-24

Elisha Spier

2110 E. Covenanter 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**

**CASE #: CU/V-26-24
USE2024-07-0056
VAR2024-07-0043**

DATE: November 14, 2024

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

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

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. *The petitioner has since requested to remove the on-site sales request.

REPORT: This roughly 1.65 acre property is located at 2110 E Covenant Drive and is zoned Residential Medium Lot (R2). The property is located at the southwest corner of E Covenant 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 10 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 and parking vehicles on the premises. Variances are required and have been requested related to the number of on-site employees.

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 no longer 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 to 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.

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.

- (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*

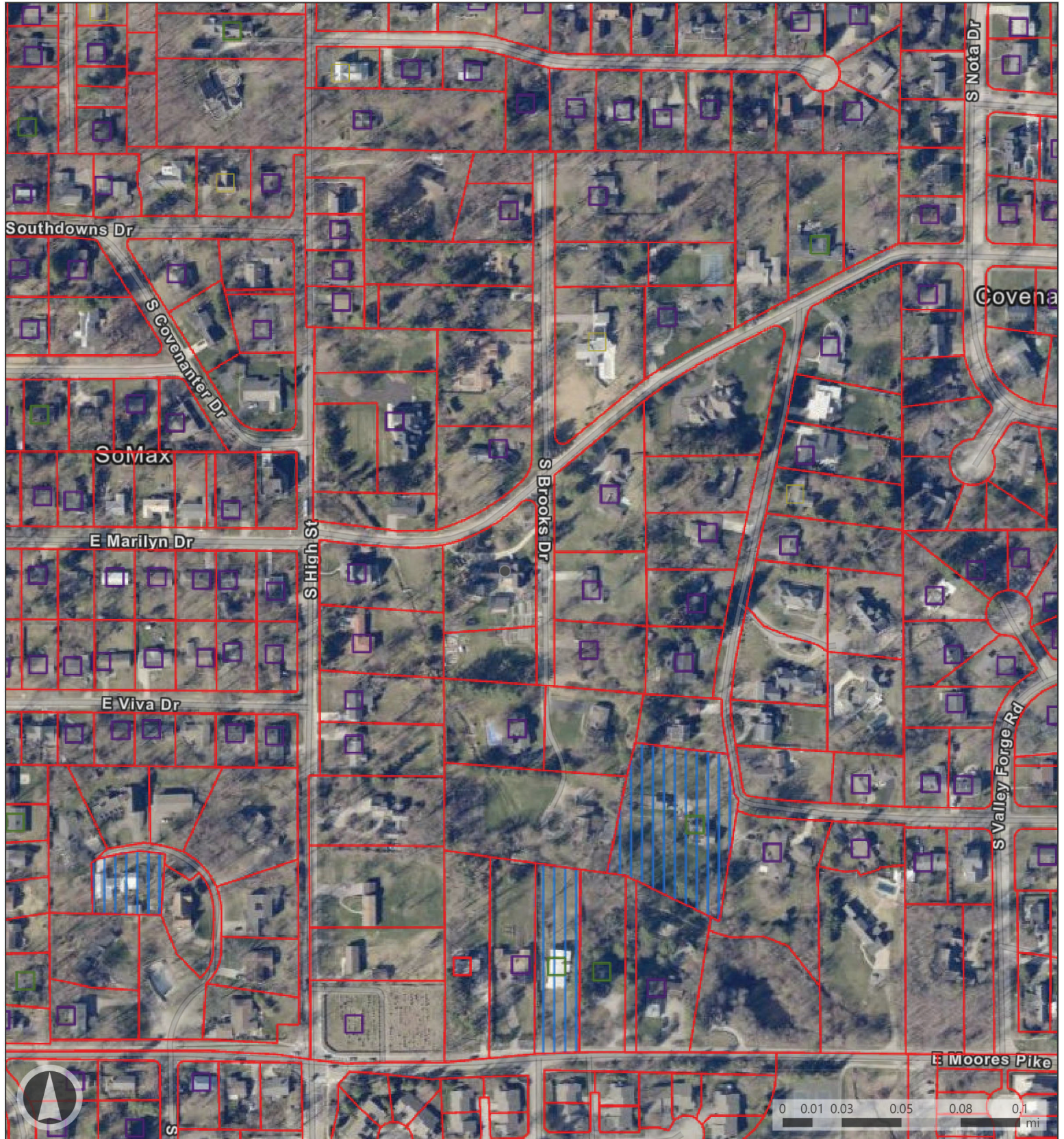
Employees PROPOSED FINDING: The granting of the variance to allow volunteers and interns to assist in the educational offerings at the site will not be injurious to the public health, safety, morals, or general welfare of the community. There is plenty of room for on-site parking and all operations done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

- (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.

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 variance request 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

Rating

Outstanding

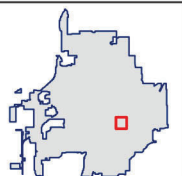
Notable

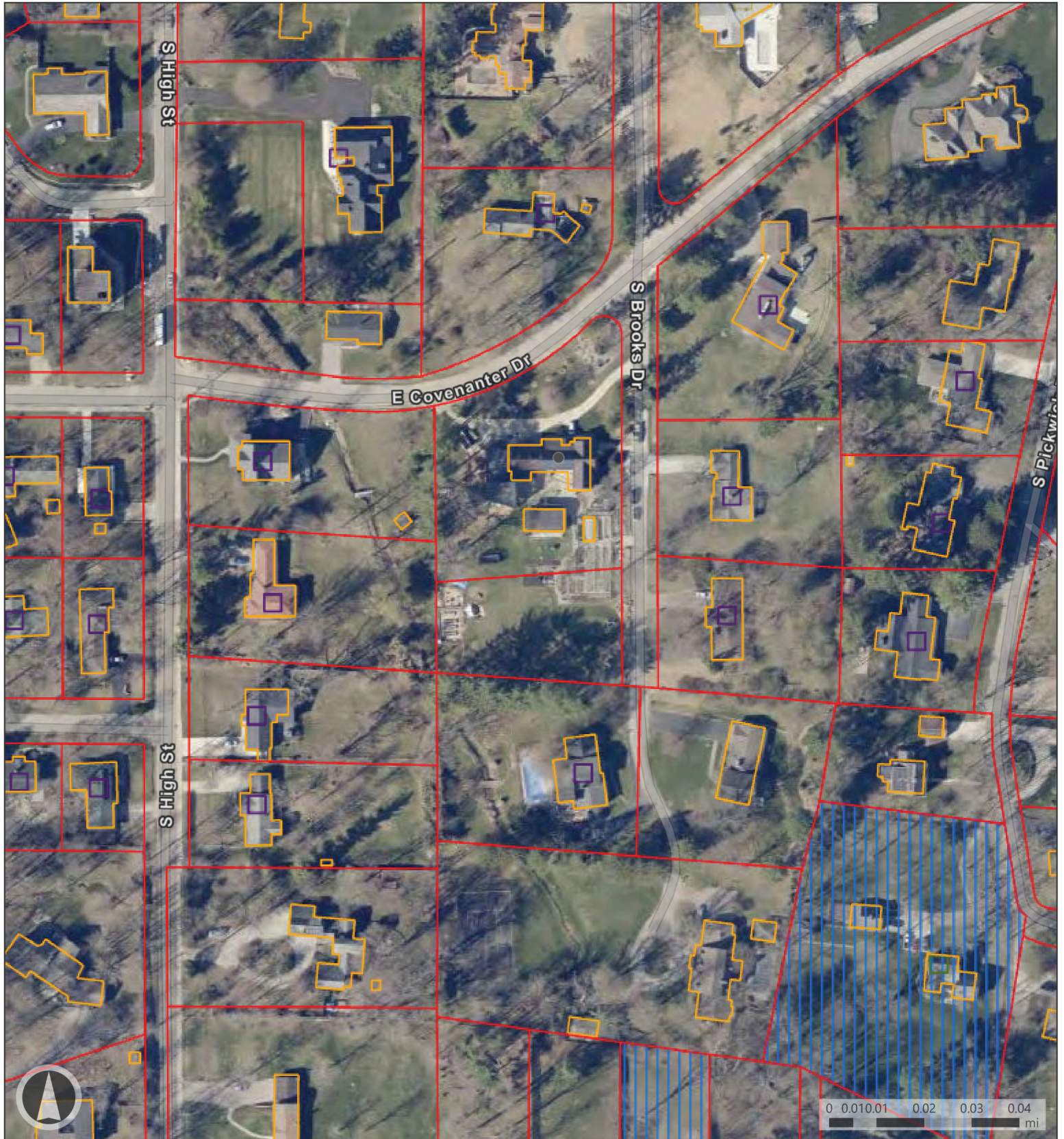
Contributing

Non-Contributing

Local Historic Districts

Bloomington Municipal Boundary





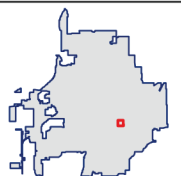
Map Legend

- Parcels
- Buildings

Rating

- Notable
- Contributing

- Non-Contributing
- Local Historic Districts
- Bloomington Municipal Boundary





Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Fwd: UDO Clarification Request

Heather Lacy <heather.lacy@bloomington.in.gov>
To: Ellee Spier <gardenquest.org@gmail.com>
Bcc: scanlanj@bloomington.in.gov

Fri, Nov 8, 2024 at 2:20 PM

**Legal Department Response to
Email Mentioned in
Petitioner's Statement**

Ms. Spier,

As a preliminary matter I think it's important to note that I represent the City of Bloomington and as such, nothing in this communication should be construed as legal advice to you. Should you require legal assistance or advice, you would need to retain legal counsel. I have responded to your questions in blue below.

Sincerely,

HL

From: **Ellee Spier** <gardenquest.org@gmail.com>
Date: Fri, Oct 25, 2024 at 2:22 PM
Subject: UDO Clarification Request
To: heather.lacy@bloomington.in.gov <heather.lacy@bloomington.in.gov>

Dear Ms. Lacy,

My name is Elisha Spier, and I am a resident of [2110 E Covenant Drive](#) (zoned R2). I am writing to you and the rest of the City of Bloomington's legal team today because I have tried for months to get answers from Bloomington's Planning and Transportation Department regarding the definitions of certain phrases and words used in the Unified Development Ordinance. Unfortunately, P&T has been unable to provide me the clarity that I need to truly understand the UDO, and thus, what the city is expecting of me as a community member.

At P&T's request, since it appears that the zoning code does not currently offer me any way to teach anyone on my urban farm outdoors, I have instead only applied for a conditional use permit for a home business to allow me to teach about urban agriculture inside and a variance to allow me to have more than one intern/volunteer. My BZA hearing for my nonprofit GardenQuest, is November 14, 2024. Could you or one of your colleagues, please provide clarification on the questions below, before the hearing? I want to make sure that we are all defining words and phrases in the same, exact way so that my petitioner's statement is easy to understand and we don't waste time at the BZA meeting debating the definition of word that evening.

- My understanding is that the City of Bloomington does not allow any home occupation to have activities outside even with conditional use approval. That means I will not be able to teach people about farming outside. Is that correct? [Yes](#).
- I want to be able to regularly teach students outside on my property for free. My understanding of the City's position is that there is no way for me to ask for permission to do this because this would be a home occupation occurring outdoors and the code does not allow for home occupations to occur outdoors. If I am incorrect about that, please advise why. [Correct. A home occupation is "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." \(BMC 20.07.010\).](#)
- If I am correct that I am prohibited from regularly teaching about farming outside even with a home occupation permit, are there any alternative permits or permissions I can seek to be able to teach outside? [No](#).

- My understanding of the City's position is that, just by regularly teaching students for free, GardenQuest would be categorized as a home business, even though we are a nonprofit, and I do not take a salary, and we do not have employees. If I am incorrect about that, please advise why. [Correct.](#)
- Likewise, I understand the City's position to be that, even if I regularly taught students at my property for free with no help from an intern or volunteers, GardenQuest would still be a home business, even though all the same things from the previous bullet apply. If I am incorrect about that, please advise why. [Correct.](#)
- Similarly, my understanding of the City's position is that, even if I alone (without GardenQuest being involved in any way) regularly taught students at my property for free with no intern or volunteer help, I'd still be a home business. If I am incorrect about that, please advise why. [Correct](#)
- My understanding of the City's position is that my farm by itself is not a home occupation. If I am incorrect about that, please advise why. [Using the generally accepted definition of the words - that a garden's produce is grown primarily for personal consumption and a farm's produce is primarily sold - I understand what is occurring on your property to be a garden, not a farm. Gardens are permitted and are not a home occupation in and of themselves.](#)
- The P&T staff report on our CUP application (#CU/V-26-24) recommends that we "may not have more than 15 people on site for educational programming." I am beginning to work on an instructional game plan for 2025 in case the BZA likes the staff recommendation to approve our application and was hoping you could clarify the City's position about whether the following people would count toward that 15-person limit?

1. Employee(s) [Yes.](#)
2. Student(s) (e.g., someone making an appointment to take a single tour of the farm for free, a small group of Girl Scouts working on a badge for free) [Yes.](#)
3. Volunteer(s) (e.g., an unpaid neighbor helping me teach once a month, an unpaid friend helping me teach a large class once a year) [Yes.](#)
4. Intern(s) (e.g., an unpaid high-school or college student who helps me teach from time to time) [Yes.](#)
5. Parent(s)/required student staff member(s)/organizational leader(s) (e.g., a parent chaperone with elementary school students, or an elementary school teacher with their students). [Yes.](#)

- My understanding of the City's position is that my participation in the TerraCycle project pilot program is separate from my CUP application. In other words, my neighbors and I are allowed to continue doing TerraCycling outdoors, regardless of how the BZA resolves my CUP application or my request to teach about urban farming outside. If I am incorrect about that, please advise why. [I am not familiar with the details or intricacies of your participation in the TerraCycle program and cannot comment without more information. If it is a home occupation, the provisions of the UDO related to home occupation would apply.](#)
- I also understand that under the current zoning code I am allowed to do other activities on the farm outdoors, such as hosting social events? Can I have social events that are totally personal in nature, and not related to my farm, like a birthday party for family? What about social events that are related to my farm/home occupation, like a birthday party for a Girl Scout and her troop? [Events that are personal in nature, such as a birthday party for a friend or family member, are not regulated by the UDO.](#)

I would appreciate clarification on these questions, so we are not moving forward based on misunderstandings. Thank you so much for your time and consideration.

Sincerely,
Elisha Spier

On Fri, Oct 25, 2024 at 2:22 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

Dear Ms. Lacy,

My name is Elisha Spier, and I am a resident of [2110 E Covenant Drive](#) (zoned R2). I am writing to you and the rest of the City of Bloomington's legal team today because I have tried for months to get answers from Bloomington's Planning and Transportation Department regarding the definitions of certain phrases and words used in the Unified Development Ordinance. Unfortunately, P&T has been unable to provide me the clarity that I need to truly understand the UDO, and thus, what the city is expecting of me as a community member.

At P&T's request, since it appears that the zoning code does not currently offer me any way to teach anyone on my urban farm outdoors, I have instead only applied for a conditional use permit for a home business to allow me to teach about urban agriculture inside and a variance to allow me to have more than one intern/volunteer. My BZA hearing for my nonprofit GardenQuest, is November 14, 2024. Could you or one of your colleagues, please provide clarification on the questions below, before the hearing? I want to make sure that we are all defining words and phrases in the same, exact way so that my petitioner's statement is easy to understand and we don't waste time at the BZA meeting debating the definition of word that evening.

- My understanding is that the City of Bloomington does not allow any home occupation to have activities outside even with conditional use approval. That means I will not be able to teach people about farming outside. Is that correct?
- I want to be able to regularly teach students outside on my property for free. My understanding of the City's position is that there is no way for me to ask for permission to do this because this would be a home occupation occurring outdoors and the code does not allow for home occupations to occur outdoors. If I am incorrect about that, please advise why.
 - If I am correct that I am prohibited from regularly teaching about farming outside even with a home occupation permit, are there any alternative permits or permissions I can seek to be able to teach outside?
- My understanding of the City's position is that, just by regularly teaching students for free, GardenQuest would be categorized as a home business, even though we are a nonprofit, and I do not take a salary, and we do not have employees. If I am incorrect about that, please advise why.
- Likewise, I understand the City's position to be that, even if I regularly taught students at my property for free with no help from an intern or volunteers, GardenQuest would still be a home business, even though all the same things from the previous bullet apply. If I am incorrect about that, please advise why.
- Similarly, my understanding of the City's position is that, even if I alone (without GardenQuest being involved in any way) regularly taught students at my property for free with no intern or volunteer help, I'd still be a home business. If I am incorrect about that, please advise why.
- My understanding of the City's position is that my farm by itself is not a home occupation. If I am incorrect about that, please advise why.
- The P&T staff report on our CUP application (#CU/V-26-24) recommends that we "may not have more than 15 people on site for educational programming." I am beginning to work on an instructional game plan for 2025 in case the BZA likes the staff recommendation to approve our application and was hoping you could clarify the City's position about whether the following people would count toward that 15-person limit?

1. Employee(s)
2. Student(s) (e.g., someone making an appointment to take a single tour of the farm for free, a small group of Girl Scouts working on a badge for free)
3. Volunteer(s) (e.g., an unpaid neighbor helping me teach once a month, an unpaid friend helping me teach a large class once a year)
4. Intern(s) (e.g., an unpaid high-school or college student who helps me teach from time to time)
5. Parent(s)/required student staff member(s)/organizational leader(s) (e.g., a parent chaperone with elementary school students, or an elementary school teacher with their students).

- My understanding of the City's position is that my participation in the TerraCycle project pilot program is separate from my CUP application. In other words, my neighbors and I are allowed to continuing doing TerraCycling outdoors, regardless of how the BZA resolves my CUP application or my request to teach about urban farming outside. If I am incorrect about that, please advise why.
- I also understand that under the current zoning code I am allowed to do other activities on the farm outdoors, such as hosting social events? Can I have social events that are totally personal in nature, and not related to my farm, like a birthday party for family? What about social events that are related to my farm/home occupation, like a birthday party for a Girl Scout and her troop?

I would appreciate clarification on these questions, so we are not moving forward based on misunderstandings. Thank you so much for your time and consideration.

Sincerely,
Elisha Spier

[Quoted text hidden]

Petitioner's Statement**Petitioner's Statement**

Thank you all for hearing my petition. I understand that I am asking the BZA for permission, but with all due respect, I want to politely state that I don't believe that I should have to ask. I think the Constitution protects my right to be able to use my property as I see fit as long as the use is not harming the environment or the health, safety, and welfare of others.

I think I have 1st amendment free speech and association protections to invite people into my home and onto my property to teach them about residentially-relevant topics. And I believe that I have the support of the equal protection and due process clauses to be free from arbitrary restrictions and irrational decisions.

What harm am I causing by welcoming learners of any age onto my property to share with them our residentially-based approaches to reducing our environmental footprint and our techniques for growing and processing food? The restrictive, black & white wording in the UDO is making it impossible for me to do that, which I believe violates my constitutional rights.

What have I been given permission to ask of you today? As the co-owner (with my husband) of 2110 E. Covenant Drive, the manager of the urban farm GardenQ, and the director of the nonprofit

GardenQuest, I am requesting a conditional residential-use permit for indoor urban Farm-To-Table educational purposes.

We have almost finished a 4-season conservatory, with the approval of the Monroe County Building Department. It 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. While we would like to also use this space for teaching entrepreneurial farming skills and how to process excess produce for donation to others less fortunate, we have removed this variance request from our November 14th petition.

While the indoor teaching space we are requesting a permit for is new, we have been asking for assistance from Planning and Transportation since 2021 to figure out a way to align our mission to support the City's Climate Action Plan with the UDO. To date, the proposed use of the property is consistent with the Comprehensive Plan.

Noncommercial urban farms are allowed within the city and we worked with a senior planner to certify our farm in 2021, which included extensive soil quality tests and learning the rules for signage and the selling of produce. In addition, we worked with the Monroe

County Soil and Water District and the US Farm Agency to certify our farm on the national level.

Once our farm was certified, we followed the UDO's definition of non-commercial urban agriculture, which is: *Noncommercial agriculture may be divided into separate plots by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, rooftop gardens, berry patches, vegetable gardens and other similar activities.*

Based on the aforementioned definition, might this board rule that indoor and outdoor urban agriculture educational activities are in fact exempt from needing a home occupation permit?

This is what we hoped would happen when when were verbally told in 2021 by a P&T senior planner that we could offer small group educational opportunities for free or on a non-suggested donation-basis while the department worked on developing its next suggestions for the UDO to improve its clarity and better align the document with the city's sustainability initiatives.

So, when asked by neighbors, community members, out-of-town

guests, school teachers, and student organizations to share our knowledge about the outdoor usage of our property, we did so with the understanding that while we did not fit into the Home Occupation box, we did fit into the non-commercial urban agriculture box.

Nonetheless, in January of 2024 as we started to explore the Home Occupation permitting process for our indoor space (*see attached*), we were surprised when told by another planner that nothing had changed in the UDO since 2021, regarding the right to request a permit to allow for both indoor and outdoor education to occur even though the department agreed that our use aligned with the city's climate action goals. Not understanding how we were doing through one lens, but not another, we started to reach out to other departments, city officials, and commissions in the city for clarity. We continued to offer educational opportunities until the end of May 2024 when we received a violation notice informing us to cease and desist with all educational initiatives plus fix several items that make sense with operating a farm but are zoning violations in the UDO.

Since the end of May, we no longer offer educational opportunities on our property and believe that we have fixed all or have an agreed upon solution that will resolve all zoning violations. With that said, what we are asking in our request to you today is our best attempt at understanding the wording nuances of the UDO. We have asked for clarification for months without success from Planning and

Transportation (*see attached*) and most recently from the City of Bloomington's legal department (*see attached*). We are trying to be compliant. We are trying to be an asset to the city and the community, but it is very difficult without clarity and support. Please help us.

Our 2nd official ask of you today is to be allowed to have more than one human (non-family/non-resident) on property that wants to learn about what we are doing to combat climate change. These humans are not employees and are not being paid. To be honest we are not sure what to call them because the UDO defines anyone that is not a family member as an employee. We classify them as students, volunteers, or interns. The UDO is concerned about usage of the property and how that can cause issues. How is a family coming over to use the neighbors pool any different than a family coming over to u-pick blueberries? Our ask is to be able to host more than 1 human at a time so that family units can learn together. We also use a method where we teach a student a skill and then empower that student to teach another student. We call it training the trainer and this is a main reason why we are requesting the right to have multiple humans on property at the same time.

As an example, here is what I want to be able to do: I want to be able to share with a learner, whether this person is defined as a student, a volunteer, or an intern, how to successfully start a sweet potato plant

inside their home, tend to that sweet potato plant inside their home until it is time to take it outside. Then I want to show that learner how to plant and care for sweet potatoes outside their home or in a pot on their property, so that in the fall that learner may dig in the ground and feel the joy and pride of harvesting sweet potatoes for their family, friends and/or the community. How do people learn best? By seeing, doing, and replicating. What is the easiest way to replicate? When it is apples to apples: my home, to their home; my home to their school.

I want to be able to offer these learning opportunities in three categories of property usage

1. One-time, small group experiences. This could be in the form of a tour to give learners inspiration and ideas or a hands-on workshop, pertaining to a specific topic, like the Bokashi Food Waste Fermentation workshop I held in May 2024 that was funded by a grant from the Indiana Dept. of Environmental Management. I would compare this usage of my property to that of a neighbor having friends over to hang out in their pool a few times per month.
2. Regular, recurring lessons with 1-2 students a few times per week for a couple hours a day. I am working with MCCSC Community Transition students, one of whom you might see

present at the hearing. I would compare this usage of my property to that of a neighbor having friends over to hang out weekly for dinner on the deck, a glass of wine on the front porch, or a pick-up basketball game.

3. Special, sporadic educational events: This would be affiliated with a school or a youth organization. In the Fall of 2023 we had 60 students from Marlin Elementary visit the property. All neighbors were informed of this, buses quickly dropped the students & parked elsewhere, and the 10 volunteers parked on property or walked from their homes. We are now very conscious of congestion in the neighborhood and will always work to keep it at a minimum or normal level. My ask would be for these to occur no more than a few times per year. I would compare this usage of my property to that of a neighbor having an annual 4th of July or Superbowl Party.

While the permit that I am asking for is not a party, basketball, or pool permit, the effects of the usage of my property while I share sustainability and gardening information and techniques are the same.

It seems like we are being held to a different standard just because we do not fit the current mold - the standard box of group activities that are allowed in a neighborhood. Is that right? Via the signatures and letters of several hundred City of Bloomington residents, this is absolutely absurd, especially with the goals the city of Bloomington has established for combating climate change.

Maybe you think that we are doing this to make money??

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, especially donations of my family's time and energy. We are not doing this to benefit ourselves; we want to open our home and our property to the community to inspire others to make the world a better place for the future of our children and grandchildren one household at a time.

If you allow us to have our constitutional rights to freedom of speech both indoor and outdoors on our property, here is how our usage activities will continue to follow the stated zoning rules of the UDO.

A. Our usage is in line with the Comprehensive Plan.

b. The indoor 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 would also not change. We would use our property the same way whether GardenQuest was in existence or not. We are a family that gardens; composts; collects rainwater, solar, & geothermal energy; recycles; cooks, and more. Based on climate change, we strongly believe that it is critical to share this knowledge with other residents that have asked us to teach them. We only started GardenQuest because of repeated requests we have received over the years - to teach what we are doing at our home both inside and outside. In fact in order to qualify for the IDEM grant that funded the Bokashi Food Waste Fermentation training, an IDEM Compliance Officer visited the property and conducted an inspection for safety, health, and environmental state standards*

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 number of students and caregivers allowed indoors at one time would be less than 10, with typical numbers being between

1-4 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 participating w/ educational learning 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. Learning opportunities would be scheduled between 8:00 AM - 8:00 PM, per the UDO.

h. Trash and recycling is hidden behind a half wall and cedar shrubs. Our neighborhood Terracycle recycling pilot program boxes (funded by a BCOS grant) are located within the carport on a paved slab, tucked up against the wall. They are kept orderly and within our 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 for no more than 180 days per the UDO.

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

As you ponder my petition, here are additional questions that I ask of you:

Would I be held to a different set of rules if it is just me, Elisha Joy Austin Spier, as a mother, as a neighbor, as a community member, not the director of GardenQuest, just wanting to share information with others. Would I be allowed to teach a bunch of neighborhood kids how to pick the ripest blueberries on my own, by myself, outdoors on my property?

Would I need a permit to share my knowledge about plants on property if it is once a week, versus once per month, versus

once per year?

Does it change your decision if I teach students versus interns versus volunteers?

In conclusion, I am not trying to harm or hurt anyone. I hope that our community does not consider outdoor education to be a crime. I am just trying to help, share and inspire others to take small steps on their own properties and living spaces to confidentially grow their own food and lessen their environmental footprint. What is wrong with using my own property, both indoors and outdoors and personal resources to do this?

Best Intentions,
Ellee Spier

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.

Attachments:

Parking Plan (originally submitted)

Information about GardenQuest (originally submitted)

Letters and Statements of Support (originally submitted)

Letter to City Legal

Planning and Transportation Emails



GardenQuest (Incorporated 2023)

<p>What: 501(c)3 urban agriculture education non-profit</p>	<p>Mission: To provide hands-on, sustainable urban gardening education in a residential setting to learners of all ages</p>
<p>Grant & In-Kind Support: 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>Groups Who Have Benefited Since 2023: Cub Scout & Boy Scouts Girl Scouts Marlin Elementary K&1st graders Childs Elementary Construction Club MCCSC Community Transition Students (Ages 19-21) MCCSC High School & 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

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

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

ACCESS TO HOME GARDENING RESOURCE STRATEGIES

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.

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

Date: Wed, Jul 31, 2024 at 8:09 AM

Subject: Re: On the agenda for August?

To: Ellee Spier <indianaspiersfamily@gmail.com>

Cc: <hopi.stosberg@bloomington.in.gov>, <matt.flaherty@bloomington.in.gov>, Jacqueline Scanlan <scanlanj@bloomington.in.gov>, <indiana.austin@gmail.com>, <sydney.zulich@bloomington.in.gov>, <isak.asare@bloomington.in.gov>, Isabel Piedmont-Smith <piedmonti@bloomington.in.gov>, <courtney.daily@bloomington.in.gov>

Ellee-

We're working on a UDO amendment right now. The matter will not be on the agenda for the August Plan Commission, nor for any August meeting of the Common Council. We'll be sure to let you know when the first public review of the matter is scheduled.

On Wed, Jul 31, 2024 at 7:46 AM Ellee Spier <indianaspiersfamily@gmail.com> wrote:

Hello Hopi, Matt, and Jackie.

With the month of August starting tomorrow, I am writing to find out at which meetings the Common Council and Plan Commission will begin to discuss how to realign UDO zoning ordinances to support:

1. Outdoor neighborhood-based gardening and sustainability education.
2. Neighborhood-based urban farms as part of the city's Climate Action Plan 'network' to promote, assist, and be part of Bloomington's climate resiliency solution.

Thank you for your time and attention!

Ellee Spier



David Hittle, AICP

Director

[Planning and Transportation](#)

City of Bloomington

From: **Jacqueline Scanlan** <scanlanj@bloomington.in.gov>
Date: Mon, Oct 7, 2024 at 3:35 PM
Subject: Re: Follow-up to 9/20 email
To: Ellee Spier <indianaspiersfamily@gmail.com>
Cc: David Hittle <david.hittle@bloomington.in.gov>

Hi Ellee,

As we've discussed before, the UDO does not specifically define those terms, so we would define it per 20.01.030(a)(8)(F) (see below). For impacts on a neighborhood for a business in a home, as we've discussed, I'm not sure that the UDO would see an employee and an intern as much different.

(F) Terms not defined herein shall have the meanings customarily assigned to them in common, ordinary usage, except that legal or technical terms shall be interpreted in their legal or technical sense.

Thanks,
Jackie Scanlan, AICP
Development Services Manager

On Mon, Oct 7, 2024 at 10:05 AM Ellee Spier <indianaspiersfamily@gmail.com> wrote:

Good morning Jackie and David.

I am following up on the email that I sent 9/20 regarding the definitions for student vs. intern vs. employee. I will need these definitions to accurately re-submit my petitioner's statement for the 11/14 BZA meeting.

Thank you,
Ellee

From: [Katie Gandhi](#)
To: [Ellee Spier](#)
Subject: Re: Conditional Use Permit for 2110 E Covenanter Dr
Date: Monday, March 4, 2024 8:13:16 AM
Attachments: [Screen Shot 2024-02-21 at 6.56.57 AM.png](#)

I'm not sure how or why you decided that withdrawing is the best decision...but, it's up to you.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Fri, Mar 1, 2024 at 6:05 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

Ok. It appears that the best decision is that I withdraw our application. I will just continue to do what I have been doing.

Thank you for your time,
 Ellee

On Fri, Mar 1, 2024 at 5:01 PM Katie Gandhi <katie.gandhi@bloomington.in.gov> wrote:
 Ellee,

I apologize for the delay; it's been an extremely busy day.

You will be on the Board of Zoning Appeals (BZA) agenda for the March 21 2024 meeting, provided that you complete the rest of the steps below. Here is a list next steps:

- 1. By March 3:** You need to pick up two (2) "Zoning Request" yard signs from the atrium of City Hall (401 N Morton, Bloomington IN) - ask for it at the front desk; it's in the small office behind the atrium desk. And, **by March 3**, place the yard sign in a location on the property (not in the right of way), in plain public view, along each road frontage of your property.
- 2. By March 7:** You pay the legal ad. You'll receive an email from Herald Times around this time asking you to pay for the Legal Ad. They will tell you the deadline for the payment in the email they send - you'll only have a day or two to pay it, so make sure you check your email these days and pay promptly.
- 3. By March 7:** You submit to me any final revisions you want to make to your application materials.
- 4. By March 11:** You need to mail the public meeting notice letter to the list of interested parties by this date (as shown on the attached map - for your reference only). To this email, I have attached a copy of the *public notice letter* and the list of *interested party addresses* you need to mail the letter to.
- 5. By March 14:** You need to return a signed and notarized "Affidavit of Notice to Interested Parties" to Katie (see blank Affidavit form attached to this email). There

are notaries available at City Hall, if needed.

6. March 21: You attend the [Board of Zoning Appeals](#) meeting, virtually or in-person, to represent and speak on behalf of your petition. (You'll have up to 20 minutes to talk, if desired).

Just as an FYI - when petitions are considered by the BZA at the meeting, the BZA takes my department's recommendations into consideration (although it's not the only thing they consider). I present the department's findings in a staff report to the BZA at the meeting, which assesses your proposal against the terms of Title 20 in the Bloomington Municipal Code (aka "planning/zoning code") and the report ends in my department either recommending denial or approval, which we determine based on how closely your request aligns with the code. I do want to give you a heads up that it's likely that my staff report will recommend denial. This recommendation has nothing to do with my personal opinion about what you do; this is strictly based on code interpretation. A home occupation permit is the closest thing that the code has, right now, for legally allowing what you are requesting to do at your property - there really isn't any other method for getting you what you want at this time - and unfortunately there's just no way to finagle your proposal to meet the terms of home occupation, so I will have to recommend denial. However, it's still possible that the BZA may support it - you can never know. Just wanted to give you a heads up about all of that. I suggest that you use your revision time to fine tune exactly what you want to propose; there is no way you can tweak this to make it compliant, so I recommend that you just propose exactly what you want/need and see what the BZA says.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Fri, Mar 1, 2024 at 12:10 PM Ellee Spier <gardenquest.org@gmail.com> wrote:
 Hello Katie.

When will be a good time to receive an update this afternoon?

I teach from 12:50-2:40pm and drive kids around from 4-4:25pm.

On Thu, Feb 29, 2024 at 7:22 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

Ah ha. Thank you for taking the time to explain! I understand where the confusion might be coming from. My previous request to your department was as a business owner. Now, I am applying as a 501c3 educational non-profit. Maybe there's no need to apply at all because conditional use is only intended for-profit entities???

I have interns, but the interns are not employees; Maybe I mis-titled them? They are students earning school credit by taking a hands-on urban ag class with me as their teacher.

Please let's talk about how GardenQuest can continue to promote, inspire, and teach about urban ag.

Thanks,
Ellee

On Thu, Feb 29, 2024 at 6:01 PM Katie Gandhi <katie.gandhi@bloomington.in.gov> wrote:

Ellee,

I'm concerned that this likely cannot meet Home Occupation standards because a [Home Occupation is defined as](#) "an activity or occupation carried on WITHIN a dwelling unit or approved residential accessory structure by members of the family occupying the dwelling." I did tell her that your petitioner statement articulates the indoor nature, but the reality is, you'll be taking your guests outdoors, because your home occupation is gardening and learning how to grow plants, and the outdoor garden spaces will inevitably be part of it - and more than just members of the family will be carrying on the activities of the business (interns).

We are well acquainted with what you are doing and we all think it's a wonderful thing - who wouldn't think urban ag and food education is important!? And you are right that it aligns with community goals. But our job is to uphold the legality of the words in the code, which include considering the impact of the home occupation on the neighbors and right now, the language in the code doesn't seem to support it. It was my mistake that I didn't look up the definition of Home Occupation from the start. From my understanding, you've asked about this in the past and have been told it doesn't meet code. Unfortunately, it likely still can't meet today's current code - however, we are going to double check that with our legal counsel tomorrow.

Perhaps applying for a variance would be a better path forward in the future. I will provide you with an update tomorrow.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
office: 812-349-3527

bloomington.in.gov

On Thu, Feb 29, 2024 at 4:49 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

You or anyone else are more than welcome to come check out what we are doing to clarify anything.

On Thu, Feb 29, 2024 at 4:40 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

I am not going to be able to sleep tonight. Could you tell me what the something

involves?

On Thu, Feb 29, 2024 at 4:38 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

It is something with the kitchen prep space portion?

On Thu, Feb 29, 2024 at 4:34 PM Katie Gandhi <katie.gandhi@bloomington.in.gov> wrote:

Ellee,

I spent a lot of time on your petition today, but just now, at 4pm, learned that there is a potential hang up about something - a hang up that may affect your ability to move forward with this petition. I won't have an answer until tomorrow. Look for my email or call tomorrow. Sorry!

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Thu, Feb 22, 2024 at 3:16 PM Ellee Spier <gardenquest.org@gmail.com> wrote:

On Thu, Feb 22, 2024 at 3:10 PM Katie Gandhi <katie.gandhi@bloomington.in.gov> wrote:

Here's the application to complete: https://bloomington.in.gov/sites/default/files/2022-09/Application%20form_REVISED%20%2809-08-2022%29%20fillable.pdf

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Wed, Feb 21, 2024 at 8:21 AM Katie Gandhi <katie.gandhi@bloomington.in.gov> wrote:

I think that should be fine. There is time after you file to gather more info if needed though.

I just sent a meeting invite for 3pm tomorrow.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
office: 812-349-3527

bloomington.in.gov

On Wed, Feb 21, 2024 at 7:38 AM Ellee Spier

<gardenquest.org@gmail.com> wrote:

How about Thursday at 3 PM? Over the phone is fine. Just let me know if I need to gather additional approval from CBU or if what I sent you from the Monroe County Building Department approval website works. If I do, then would 9AM on Friday work for you?

On Wed, Feb 21, 2024 at 7:01 AM Ellee Spier

<gardenquest.org@gmail.com> wrote:

I have attached the plans to show the location of the 3 compartment sink/grease-trap as well as the fridge/freezer. Do I need to go back and reconfirm with Tonia or someone else at CBU still or will this suffice?

Screen Shot 2024-02-21 at 6.56.57 AM.png



On Tue, Feb 20, 2024 at 5:01 PM Katie Gandhi

<katie.gandhi@bloomington.in.gov> wrote:

I won't review your statement until after you formally file. There will be time for adjustments later, as needed.

If you refer to my earlier email, I attached filing instructions that detail what materials are required for filing.

Also if you refer to an earlier email, I had said that we can do a filing meeting virtually (with you paying the filing fee over the phone), or we can meet in person. I'm busy Tues and Thurs morning this week, but everything else is flexible. Just let me know what works for you.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Tue, Feb 20, 2024 at 10:58 AM Ellee Spier

<gardenquest.org@gmail.com> wrote:

How does this look for my petitioner's statement? Suggestions? Additions? Deletions? Ignore the formatting please.

Petitioner's Statement

As the co-owner of [2110 E. Covenanter Drive](#), the manager of urban farm GardenQ, and the director of the nonprofit GardenQuest, I am requesting a conditional residential use permit for indoor urban Farm-To-Table educational purposes. The approved addition to our house contains a space for teaching students of all ages and abilities the process of germinating seeds and caring for edible and native plants.

In addition, there is a separate space where students will learn, based on Monroe County Department of Health standards, how to wash, chop, and freeze fruits and vegetables directly from the garden. This frozen produce will 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 will also be available for neighbors and community members to buy on a donation-basis as a fundraiser to support the educational programs 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 city's newly formed urban gardening task force as well as the city's climate action plan.
- b. The indoor 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 turned off by 10PM. The equipment will include a fridge/freezer, three compartment sink with grease trap and garbage disposal, a countertop, cutting boards, kitchen cutlery, and grow light shelving units.
- c. The proposed use of the property is providing an accessible, neighborhood space for

students of all ages to learn how to grow plants for their family's use. It is an asset to the neighborhood and surrounding community.

d. The addition complies with all city, county and state laws regarding public utilities and services.

e. Parking will be restricted to the driveway, 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 number of students allowed indoors at one time will be 12, with typical numbers being between 1-4 students at a time.

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.

g. Programming and educational internships will commence between the hours of 7:30 AM - 8:30 PM. Trash, recycling, and composting will follow R2 zoning rules and be kept orderly and within the private property lines.

h. The signage for GardenQ and GardenQuest is a small, temporary yard sign placed inside the property line installed in April and removed in December.

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

On Tue, Feb 20, 2024 at 8:28 AM Katie Gandhi

<katie.gandhi@bloomington.in.gov> wrote:

Ok great. We can do that virtually (with you paying over the phone), or we can meet in person.

I'm busy Tues and Thurs morning this week, but everything else is flexible. Just let me know what works for you.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Mon, Feb 19, 2024 at 3:46 PM Ellee Spier

<gardenquest.org@gmail.com> wrote:

I would like to schedule a filing meeting with you please.

On Thu, Feb 15, 2024 at 12:13 PM Katie Gandhi

<katie.gandhi@bloomington.in.gov> wrote:

Ellee,

Here are the first steps:

1. Read the section in code about [\(6\) Home Occupation, pages 111-113](#) and make sure you can agree to comply with all sections. This section describes the expectations

of Home Occupations and gives you an idea of the information I will need in order to evaluate your proposal to formally establish a Home Occupation. Also review the [Conditional Use Permit section of our Administrative Manual, page 41](#); and, review the [Conditional Use Permit section of the UDO, page 312-316](#).

2. Read over the filing instructions (attached to this email).

3. In order to be considered for the agenda for the Board of Zoning Appeals March 21, 2024 meeting, complete and submit the items listed under "Filing" (in the filing instructions packet attached to this email) by February 23rd. See [2024 P&T Meeting Schedule](#) for additional dates and deadlines.

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

On Wed, Feb 14, 2024 at 3:18 PM Katie Gandhi
 <katie.gandhi@bloomington.in.gov> wrote:

Ellee -

I'll send you paperwork first thing tomorrow morning!

Katie



Katie Gandhi

Zoning Planner & GIS Analyst
[Planning & Transportation Department](#)
 office: 812-349-3527

bloomington.in.gov

Subject: UDO Clarification Request



Ellee Spier <gardenquest.org@gmail.com>
to heather.lacy@bloomington.in.gov

Fri, Oct 25, 2:2

Dear Ms. Lacy,

My name is Elisha Spier, and I am a resident of 2110 E Covenant Drive (zoned R2). I am writing to you and the of the City of Bloomington's legal team today because I have tried for months to get answers from Bloomington's Planning and Transportation Department regarding the definitions of certain phrases and words used in the Unified Development Ordinance. Unfortunately, P&T has been unable to provide me the clarity that I need to truly understand the UDO, and thus what the city is expecting of me as a community member.

At P&T's request, since it appears that the zoning code does not currently offer me any way to teach anyone on my urban farm outdoors, I have instead only applied for a conditional use permit for a home business to allow me to teach about urban agriculture inside and a variance to allow me to have more than one intern/volunteer. My BZA hearing for my nonprofit GardenQuest, is November 14, 2024. Could you or one of your colleagues, please provide clarification on the questions below before the hearing? I want to make sure that we are all defining words and phrases in the same, exact way so that my petitioner's statement is easy to understand and we don't waste time at the BZA meeting debating the definition of words this evening.

- My understanding is that the City of Bloomington does not allow any home occupation to have activities occurring outside even with conditional use approval. That means I will not be able to teach people about farming outdoors. Is that correct?
- I want to be able to regularly teach students outside on my property for free. My understanding of the City's position is that there is no way for me to ask for permission to do this because this would be a home occupation occurring outdoors and the code does not allow for home occupations to occur outdoors. If I am incorrect about that, please advise why.
 - If I am correct that I am prohibited from regularly teaching about farming outside even with a home occupation permit, are there any alternative permits or permissions I can seek to be able to teach outside?
- My understanding of the City's position is that, just by regularly teaching students for free, GardenQuest would be categorized as a home business, even though we are a nonprofit, and I do not take a salary, and we do not have employees. If I am incorrect about that, please advise why.
- Likewise, I understand the City's position to be that, even if I regularly taught students at my property for free with no help from an intern or volunteers, GardenQuest would still be a home business, even though all the same things from the previous bullet apply. If I am incorrect about that, please advise why.
- Similarly, my understanding of the City's position is that, even if I alone (without GardenQuest being



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

Ipchurch, 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
jwalbridge@indiana.edu

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 <kajcynndij@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@wttsfm.com

From: Geoff@wttsfm.com

To: qmerzer@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@wttsfm.com

geoff@sarkestarzian.com

Rachel & Blake Mathias 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.

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-*

Inbox x



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

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.

Yes, I approve.

⑨



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



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

Inbox x



Kristen Tweedie
to me

To Whom It May Concern,

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

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,

Kristen and John Tweedie

Looks good to me.

Yes, I approve.

I approve this request.

Reply

Forward



 Stefanie WEINTRAUB
Re: Gan Shalom garden
To: Ellee Spier

 Inbox - iCloud Yesterday at 1:02 PM

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> 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 Ellee,

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 Ellee 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 mediated agriculture activities

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

Mon, Jun 24, 2024 at 5:00 PM

Congratulations on starting your petition!
Take steps to strengthen it.

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

June 13, 2024

Petition to

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.*



 Report a violation


Share this petition in person or use the QR code for your own material.

[Download QR Code](#)

Decision Makers



Bloomington's Unified Development Ordinance Committee

 Support now

Share this petition



petition_signatures_jobs_490100341_20240711145258



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

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

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

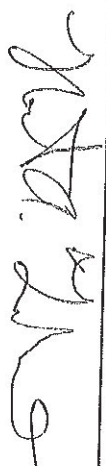

Dorene Sword	Raymond	OH	43067	US	2024-07-11
Jeffrey Rosales	Los Angeles	CA	90022	US	2024-07-11
Minnie mia	Staten Island	NY	10311	US	2024-07-11
Joanne Shead	Matteson	IL	60443	US	2024-07-11

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 BGTN, IN 47403			
Wendy Elliot	4331 Bill Mallory Bloomington IN 47401	Wendy Elliot	we	we
John Schell	4331 Bill Mallory Blvd. Bloomington, IN 47401	John Schell	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	GG	GG
ANNE M. CLARK	3016 E. Forest Ridge Dr Bloomington IN 47401	AM Clark	AC	AC
Martha Dogan	701 E. Trace Ct Blata IN 47401	Martha Dogan	MD	MD
Jennifer Waters	2910 STAPES TOWN Bloomington, IN 47401		JW	JW

6

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 TAMBORENO	3011 DAPPS TURN BL, IN, 47401		R.T.	R.T.
MURRAY TAMBORENO	3011 DAPPS TURN Bloomington, IN 47401		M.T.	M.T.



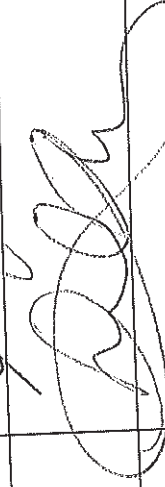





1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's 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
Linda Lightner	Guthrie Rd Helmville, IN	[Signature]	[Initials]	[Initials]
Rebecca Carter	2298 South Bullock Ave Bloomington	[Signature]	RLS	RLS
Steven Jack	Same	[Signature]	SL	SL
Feather Byche Suber	3122 N. Northwest Ave Bloomington 47404	[Signature]	FBS	FBS
Stephanie Lowinger	3031 E Tapps Turn Bloomington, IN 47401	[Signature]	SL	SL
Carrie McHaley	3026 E Tapps Turn Bloomington, IN 47401	[Signature]	cm	cm
James McHaley	3026 E Tapps Turn Bloomington, IN 47401	[Signature]	jm	jm

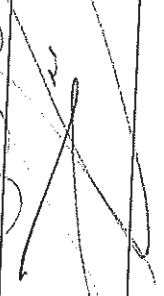




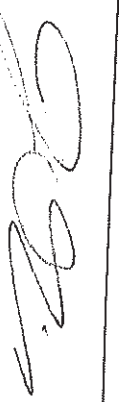


1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's 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
Martha Leathe	3210 E Tapps Turn Bloomington, IN	Martha Leathe	ML	ML
Carl Leathe	"	Carl Leathe	CL	CL
Dorees Duffey	1540 E Market Bloomington IN 47140	Dorees Duffey	DD	DD
Sharon Stoddard	3030 S, 3030 Highpoint Ln Bloomington IN 47140	Sharon Stoddard	SS	SS
Rory Stoddard	5. HIGHPOINT LN Bloomington IN 47140	Rory Stoddard	RS	RS
Jenna Fickle	3829 E. Regent St Bloomington IN 47401	Jenna Fickle	JF	JF
Charles Fickle	3829 E Regent St Bloomington IN 47401	Charles Fickle	CF	CF



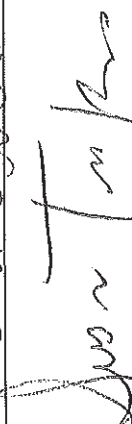
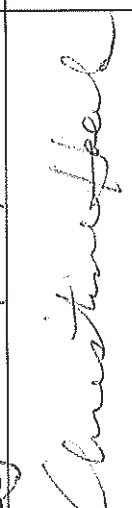
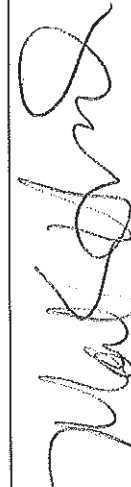
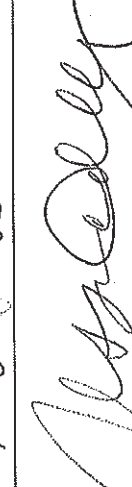
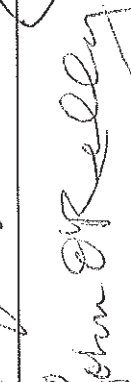
1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance for GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's Unified Development 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
David Maenner	1148 E. Cabernetfield Ct		✓	✓
Kate-Lyn Edwards	4001 N Dear Lake Dr		✓	✓
Lataja Chomitzky	407 S Madison St		✓	✓
Imygegers	S. Walnut St. #1		✓	✓
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. BLMWN. IN 47401		JD	JD
Bud Hooks two Bud Hooks two	1520 E University 47401		✓	✓

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.

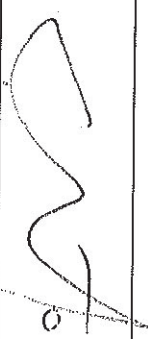






Name	Address	Signature	1. Yes Indoors Urban Ag Ed	2. Yes Outdoors Urban Ag Ed & Experiences
Isak Abene	3612 E. Tennessee N. Bloomington 47408		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
David J. J. J.	1120 E. Tennessee Dr Bloomington, IN 47410		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Andrew Creecher	416 E. 2nd Street, Apt 10 Bloomington, IN 47404		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Hannah Gregory	4701 N. Shelburne Dr. Bloomington, IN 47404		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Justin Vasei	407 S. Madison St Bloomington, IN 47403		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Jason Winters	1645 S. Syracuse Ct Bloomington, IN 47401		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
George Hegeman	2219 E. Rock Creek Bloomington, IN 47401		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	6020 N. Zethou Rd Bloomington, IN 47401	Jennifer Bland	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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 Helenville Rd E		RG	RG
Susan Tirikos	1832 G. Sanders 2nd Ave. Bloomington, IN 47401		ST	ST
Christine Haack	2420 E. Maxwell Ln Bloomington, IN 47407		CH	CH
MARK HOOD	2420 E. Maxwell Ln 47407		MH	MH
Jessica O'Reilly	1913 S. Sussex Pl. Bloomington, IN 47401		JO	JO
John O'Reilly	1913 S. Sussex Dr Bloomington IN 47401		JO	JO

1. I support City and District 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
Alberto Vaca	1214 S Pickwick Pl 47401		AV	AV
Shawn Ditts	2549 E Summer Creek Dr, Bluffs, 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
Emigina Long	924 S. Henderson St. 47401		EL	EL
Hunter Lynch	9128 S Henderson St, 47401		HL	HL

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
Lynn Wiley	3111 E Taps Turn	Lynn Wiley	HW	JK
Kathleen Bogess	3934 E Saratoga Drive	Kathleen Bogess	KB	KB
Robert Sherman	2129 Melville Circle	R. Sherman	RS	RS
Meredith Wilson	2608 S Trotters Run	Meredith Wilson	MW	MW
Vivian S. Simpson	904 S. Mendenhall	Vivian S. Simpson	VS	VS
ALMA TAUBENSEE	1302 S Heartstone	Alma Taubensee	AT	AT
KEVIN HALL	1302 S - HEARTHSTONE	Kevin Hall	KH	LH

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 V/H Ed	Initials 2. Yes <u>Outdoors</u> Urban Ag Ed & Experiences
Victoria Hlkevitch	1701 Circle Dr, Bloomington, IN 47401	Victoria Hlkevitch		
Monie Wath	1008 E. Jennifer Dr. Blgtn 47401	Monie Wath	MW	MW
KAREN COOPER SMITH	4025 E BLOOMINGTON DR 47401	Karen Cooper Smith	KCS	KCS
Danet Taylor	937 Steelecrest	Danet Taylor	DT	DT
NEVA Gildersleeve	1158 W Sugarberry Ct	Neva Gildersleeve	NG	NG
Lori Tender	1143 W Sugarberry Ct	Lori Tender	LT	LT
Julie Kamradt	2938 N. Randle Road East	Julie Kamradt	JK	JK
Kathleen Gilbert	1601 S. Nancy St. 47401	Kathleen Gilbert	KG	KG

1. I support Ellee and Bret Spier's request to receive a certificate of zoning compliance in a 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
Michelle House	2207 E Governor Dr.	[Signature]		
M. Michelle House	2207 E Governor Dr.	M. Michelle House	MH	MH
Laurel Adams	1400 S. Pickwick Pl.	Laurel Adams	LA	LA
Sarah Nincey	1215 S Pickwick Pl.	Sarah Nincey	SN	SN
Judith SanRector	1601 S. Pickwick Pl	J SanRector	JSR	JSR
Cheryl Stine	1212 S Pickwick Pl	Cheryl Stine	CS	CS
Todd Stine	1212 S Pickwick Pl	Todd Stine	TS	TS
Jane Phillips	1309 S Pickwick Pl	Jane Phillips	JP	JP

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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
Sharon Kelly	2172 E. Blue Road	Sharon Kelly	SKS	SKS
Sandra Stearns	2142 E. Condover Road	Sandra Stearns	SSS	SSS
Josh E. Stenzel	2222 E. Windermere Road	Josh E. Stenzel	JES	JES
Theresa E. Gennep	510 N. Gennep Rd	Theresa E. Gennep	TES	TES
James Craig	3010 E. Birchlin Ct.	James Craig	JCR	JCR
Theresa Johnson	3010 E. Birchlin Ct	Theresa Johnson	TJS	TJS
Quelby Dine	3010 E. Birchlin Ct	Quelby Dine	QD	QD
Cheryl Lovelace	3010 E. Birchlin Ct	Cheryl 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 Dewbrar	Rockport Rd Bloomington	Mary Dewbrar	MD	MD
Mark Kestner	Rockport Rd Bloomington	Mark Kestner	MK	MK
Kessler Prohl	532 N Kenny Dr Bloomington	Kessler Prohl	KP	KP
Brian Boyd	15 11	Brian Boyd	BB	BB
Thomas Youse	412 e 1st st	Thomas Youse	TY	TY
Jenni Putney	412 E 1 st st	Jenni 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
Maqueline Nen	400 West Grey Ave 47403	Maqueline Nen	JN	JN
Sami Blackwell 4659 N Shadow Wood Dr	4659 N Shadow Wood Dr	Sami Blackwell	SBL	SBL
Boda Singh	1803 E Tharston Dr 47401	Boda Singh	BS	BS
Zoya Ritzch	3612 E Post Rd	Zoya Ritzch	ZR	ZR
Jeff Hall	2200 W. Sudbury Dr Apt. B-4	Jeffrey J. Hall	JLH	JLH
Travis Kahlert	5891 Sison Rd	Travis Kahlert	TK	TK
Gerie Zhang	7507 E Rushridge Ln	Gerie Zhang	GZ	GZ

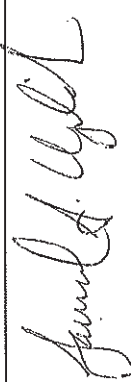

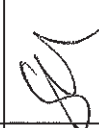
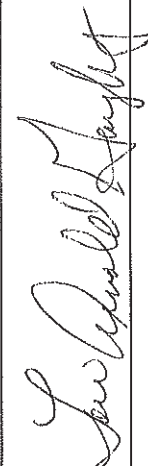
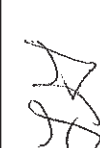

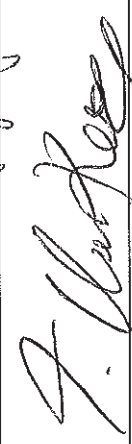














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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Erin Parker	Springville, IN 9812 Weaver Rd. 47462	Erin Parker	EP	EP
Jewel Evans	1415 W 11th St Bloomington, IN	Jewel Evans	JE	JE
Joey Trusler	5405 Lincoln St	Joey Trusler	JT	JT
Annabelle Fern	100 E. Miller Rd	Annabelle Fern	AF	AF
Seth Mroz	1639 S Dorchester Dr	Seth Mroz	SM	SM
Delaney Hupke	327 E 2nd St Bloomington, IN 47401	Delaney Hupke	DH	DH
Jeannette Little	3915 S. Nimitz Dr Bloomington, IN 47401	Jeannette Little	JL	JL


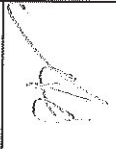








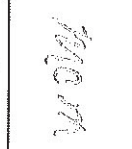
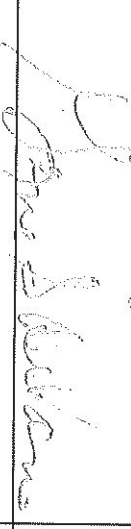
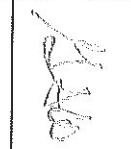
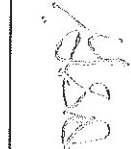

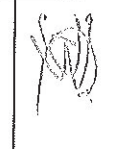

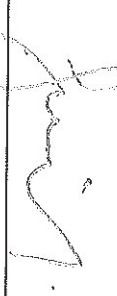


1. I support Elise and Bret Spier's request to receive a certificate of zoning compliance (CZC) to allow GardenQuest, an education non-profit, to provide small-scale urban agriculture education **indoors**, in a residentially-zoned neighborhood.
2. Furthermore, I support an amendment to Bloomington's 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
				
Benzing Dolinger	2301 E 2nd Street		GD	GD
Undram Cyungere	2301 E 2nd St		OU	OU
				
Robert Arrave	1038 E Wabash St. Bloomington, IL			
#elise Herron	1645 S. Wisconsin Ave Chicago, IL		EH	EH
Catherine Brennan	1917 E. Ruby Lane Chicago, IL		CB	CB

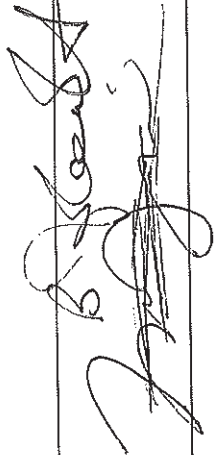
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Samuel Ujdale	1506 E. Hillside Pl. Bloomington, IN			
Lori Carraghty	510 N Gardner Dr Bloomington, IN 47408			
T. Claire Kost	3403 E BARRINGTON APT 103 BLOOMINGTON 47408			
RONALD BAELES	2803 S. THATCHER CT Bloomington, IN 47404			
BRENT THEEDER	5505 W. FRONT RD Bloomington, IN			
David Meyer	3001 E. Winston St Bloomington, IN			
Jeff Richardson	1126 E. First St Bloomington, IN			

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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
Jenny Esajima ↓	2810 S. Cleary St., Bloom 47403 ↓			
Tim Shea	4400 W. Hillwood Dr			
Jim Sims	602 S. Westwood Dr			
Mary Morgan	8116 E. Bealway 47401			
Joe Gene's Davis	3710 Exeter Lane 47408			
Debra Clark	1510 S. Fairbank Pl Bloomington, IN			
James Riley	2722 E. Briggs Blvd			






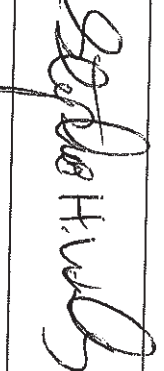
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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes <u>Indoors</u> Urban Ag Ed	Initials 2. Yes <u>Outdoors</u> Urban Ag Ed & Experiences
VADAN JONANONIC FRACI	1209 S Pickwick Bltn 47401		287	287







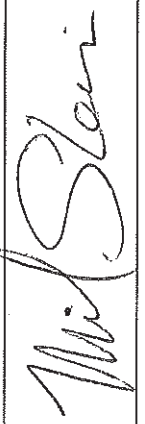
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2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

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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			
Lex Waters	236 S. Lake Creek Dr, Bloomington, IN	Alex Waters		
Carol Seaman	2415 S Coffeywood Cir Bloomington, IN		CS	CS
Rafaela Okun	3330 N. Rusture B-4740B		RO	RO
STEVE WIGLE	1115 S. Thompson	Steve Wigle	S	S
MARIA STEASOPO	1814 E Maple Grove Cir Bloomington, IN	Maria Steasopou	MS	MS
Steve Wickes	1155 South Westmoreland Bloomington, IN		SW	SW
Rayan Bengert	2222 E Carya Oak Dr. 49401	Rayan C Bengert	BCB	BCB

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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. 31st St Bloomington, IN 47403		vw	Vw
Liz Mitchell	421 S. Westwood Dr Bloomington, IN 47403		EM	EM
Connie Shakalis	1017 S. Hill St 47401		CS	CS
Michael Sherman	1117 W. 6th St 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	F. M. Shaker	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Paul Anderson	508 N. Walnut Lake	Paul Anderson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Maig Spencer	POB 51057	Maig Spencer	cs	cs
Art Oenman	3390 E. Laramie Rd. B11 47740	Art Oenman	G.O.	G.O.
Heath Walker	2000 E Rock Creek Dr	Heath Walker	HW	HW
Richard McKay	1102 E. Barkshire Court	Richard McKay	R.M.	R.M.
Heather Lee	1572 S. Andrew Cir	Heather Lee	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rex Hillery	1506 S. Woodhull	Rex Hillery	RH	RH

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 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.

[illegible]

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 LaMonte	820 W. Tower St	Joe LaMonte	AL	AL
Carol McGee	2407 S Childs Ct	Carol McGee	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.
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Bryan McPherson	2208 E. Cleveland	Bryan McPherson	SM	SM
Quinn Davis	2208 E. Cleveland	Quinn Davis	SM	SM
Fernando Davis	2208 E. Cleveland	Fernando Davis	SM	SM
Andrew T. Gysel	507 E. Audobon	Andrew T. Gysel	ATH	ATH
Sally Taylor Miles	1203 S. Pickwick	Sally Taylor Miles	SM	SM
Tom Miles	1203 S. Pickwick	Tom Miles	SM	SM
Noelle Zeichner	2222 E. Cleveland Dr	Noelle Zeichner	NY	NY

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.

[illegible]

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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
Brandy Beyers	609 W. Ryan Rd. Bloomington, IN 47403	Brandy Beyers	BB	BB
Gabe Beyers	609 Ryan Rd. Bloomington, IN 47403	Gabe Beyers	GB	GB
Caitlin Galligan	1701 E Canby Lane Bloomington, IN 47401	Caitlin Galligan	CG	CG
Shannon Goldman	6175 S. Issa Rd. Bloomington, IN 47403	Shannon Goldman	SG	SG
Andrea Blackwood	504 W. Lois Lane Bloomington, IN 47403	Andrea Blackwood	AB	AB
Meredith Zanzuchi	3720 N. Collins Drive Bloomington, IN 47404	Meredith Zanzuchi	MZ	MZ
Travis Tate	2763 White Rd. Spencer, IN 47460	Travis Tate	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 N. West Lakes Rd. Alton, 47408		cc	cc
Monica Allen	2716 S. Adams Street Apt 4 Bloomington 47403		mc	mc
Karl Jankowski	1707 River Rd Spencer IN 47460		kg	kg
Kaleb Mischak	454 N KINSER PIKE UNIT D3 BLOOMINGTON, IN 47404		km	km
Nick Schwerdt	1701 Cherry Ln BUSH, IN 47401		ns	ns
Dan Seho	7486 S. 2100th Rd Bloomington IN 47400		ds	ds
Nathan Nichols	728 E Sheldwood Hills Dr Bloomington IN 47401		nn	nn

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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
<i>[Signature]</i>				
Mandy Baker	2515 E. Canada Bloomington IN	<i>[Signature]</i>	MB	MB
Heather Abrams	800 W popcorn rd	<i>[Signature]</i>	HA	HA
Ireana Hill	116 S. Park Ridge Rd	<i>[Signature]</i>	TH	TH
ED GLENN	3525 P 1240 W	<i>[Signature]</i>	EG	EG
Christal Greene, MD	2477 Lanam Ridge Rd	<i>[Signature]</i>	CG	CG
Thomas Lu	1619 S. Benwick Blvd	<i>[Signature]</i>	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 Kieft	4444 S. Central	Mary Kieft	MK	MK
Edlyn Krapp	616 Sherwood Hill Dr.	Edlyn Krapp	EK	EK
Gene Hor	4167 W. Muddlet	Gene Hor	GH	GH
Linda Scott				
Frank Scott	404 E. Cardinal Hyden Dr.	Frank Scott	FS	FS
Alicia Cross	4816 W. Westfield #47404	Alicia Cross	AC	AC
Cindy Hensch	6846 W. Bon Blossoms 47403	Cindy Hensch	CH	CH
Cindy Stone	1755 S. Knightsbridge Rd	Cindy Stone	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	2824 E Eastgate Ln Bloomington, IN 47408	Jelene Campbell	JC	JC
Sharon Sheri	3625 E. Tamarind Dr Bloomington, IN 47408	Sharon Sheri	hm	hm
Linda Fariss	3161 E. Kensington Park Dr Bldg 47401	Linda Fariss	LF	LF
Debra Klosser	1919 E. 1st St. Bloomington, IN 47401	Debra Klosser	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

[illegible]

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
Donnell GARNER	2315 E. Winding Brook Ct. Bloomington, IL

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 Sherfick	2621 E 1st St W, Bloomington, IN 47401
Eli Wetzel	2417 E Canada Dr., Bloomington, IN 47401
Keira Christie	2535 E. Clay Ct. Bloomington, IN 47401
Rebecca Egger	1947 VFW Rd. Mitchell IN 47440
Marklyn Austin	2624 South Paces Way, Bloomington IN 47401
Hunter Tabor	809 W. Whitestone St.
Callum Miles	3314 East Rogers Rd.
Jessica May	390 East Cardinal Glen Dr.
Charles Day Smith	2714 W Tda 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!

Maira
(u)

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

MASON

Ken Claire

eth

Samet

Plum Ellie

Kelina

max

LUKE

Call Sawyer
iope

Aurora
Amelia

Brian Song 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
Finn

EZYL

Krpin

Madip

Autonq

sther
Wallz

VANCE

Kqih

Ava
James

Everley

Will

AafoEllis

Beatrice
Licini

Aly Deckard

Hannah
Knight

Yvonne
Drew

Hazel
Helmer


Conrad
Cundiff

Ava Russell

Garbie
Jack

Lon
Hoy

Mindy
Carlson

Thank You
for helping
us with our
outdoor garden!
Mrs. er's
Class

Johnny
Serac

JR = grr
Ish clarty

Lettica Gill
Daeagan

Lovelei Freehling

Byron Schiz

Lucas McCoy

Emmett
Arthur

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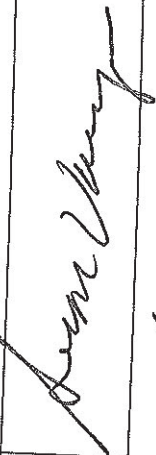

2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
DARRELL BOGGESS	3934 SARATOGA DR Bloomington 47408	DT Bogess	DTB	DTB
Ellen Mills	3405 E Longview Dr April	Ellen A. Mills	Em	Em
Regina Moore	923 S. Weststone 47401	Regina Moore	Re	Re
Eric Ogil	502 S. Main St Bloomington	Eric Ogil	EO	EO
Nancy Martin	401 N. Sheffield Dr Bloomington IN 47408	Nancy Martin	NM	NM
Shirley Minger	4997 E Cedar Crest Dr Bloomington 47401	Shirley Minger	Sh	Sh
Shirley Minger	3644 S. Kingsbury 47401	Shirley Minger	SM	SM
Brenda Minger Shirley C. Minger	305 W. Kierstead Ave	Shirley C. Minger	SM	SM

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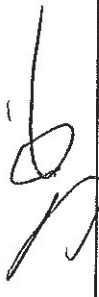



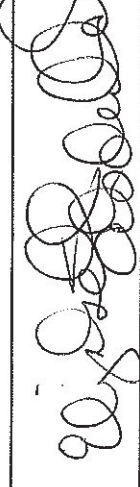

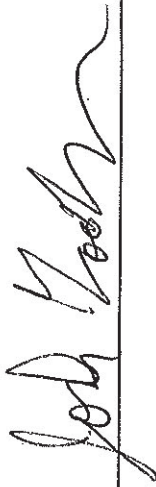
Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban-Ag Ed & Experiences
Barbara Johnson	4409 E. Sheffield Bloomington IN 47408	Barbara Johnson	BJ	BJ
Dennis Johnson	4409 E. Sheffield Bloomington IN 47408	Dennis Johnson	DJ	DJ
Kaye Hill	704 N. Park Road 47408	Kaye Hill	KH	KH
Charlene Braun	978 S. Baldwin Dr. Bloomington IN 47401	Charlene Braun	CB	CB
Jonathan Frank	3047 E. Amylin Bloomington, IN 47406	Jonathan Frank	JF	JF

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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







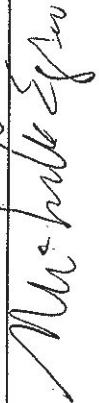
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Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
John Ginn	3100 E Tapps Turn 47401		JS	JS
Ben Motz	3021 E Tapps Turn 47401		BM	BM
Whitney Kalmon	2921 E Tapps Turn 47401		WK	WK
Cady Kalmon	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

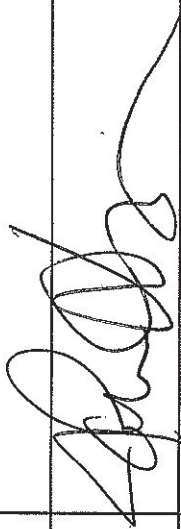

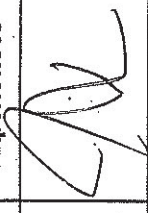
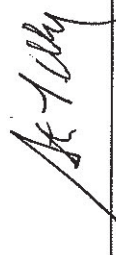





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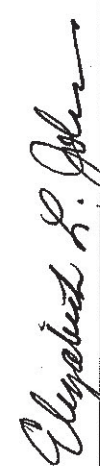
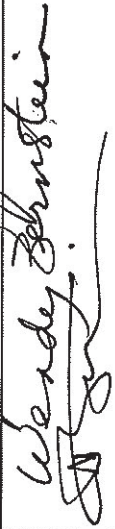
Name	Address	Signature	Initials 1. Yes Indoors Urban Ag Ed	Initials 2. Yes Outdoors Urban Ag Ed & Experiences
Fern Goodenow	2721 E Tapps Turn Bloomington, IN 47401		FG	FG
H. SAWHNEY	3201 E. TAPPS TURN BLOOMINGTON, IN		HS	HS
Heather Grarks	3211 E TAPPS TURN		HG	HG
KEEGAN GROVES	3211 E. TAPPS TURN 47401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

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.

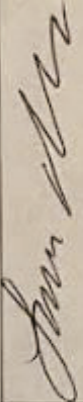

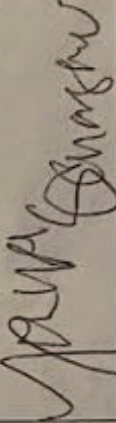
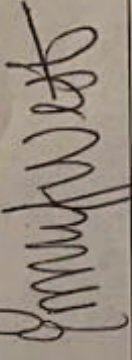
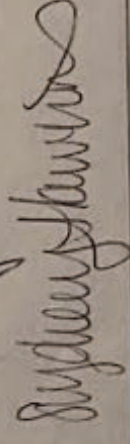
2. Furthermore, I support an amendment to Bloomington's Unified Development Ordinance (UDO) to allow for small-scale urban agriculture education & experiences **outdoors** in a residentially-zoned neighborhood.

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

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
Sherry Mitchell-Borden	1275 E. Longwood Dr		SMB	
Dave Borden	1275 S. Longwood Dr		D.B.	D.B.
Susan Bright	721 S Lincoln St		SB	SB
Julie Roberts	1545 Maxwell St		JR	JR
Beth Friedman Kirk	2510 S. Roundwill Ct.		BFK	BFK
Elizabeth Johnson	4408 E. Stephens Drive		ELJ	ELJ
Wendy Bernstein Ed Bernstein	1326 E. Maxwell Lane " " "		WB WB	WB WB

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
Lance da Silva	3512 S Bainbridge Dr. Bloomington, IN 47401		LS	LS
ANIELA HASCHU	1454 N KINSEY PIKE UNIT D3 BLOOMINGTON, IN 47404		AH	AH
Carrington Sillis	5915 E. Brighton Crest Rd Bloomington IN 47401	Carrington Sillis	CS	CS
Michaela Beasley	4826 N Love Lane Bloomington, IN 47404	Michaela Beasley	MB	MB
Jayce Schaschke	2387 E Winding Brook Circle Bloomington IN 47404		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>

Elle Spier

Janet Barrows <barrowsjanet@icloud.com>

Mon, Jul 15, 2024 at 1:59 PM

To: scanlanj@bloomington.in.gov

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>

Neighborhood Response to Spiers' Requests; Meeting Postponement

Jeannie Bower <supermom4365@att.net>

Fri, Jul 19, 2024 at 12:44 AM

To: "Gass, Glenn" <gass@iu.edu>

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, ahennessy@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 <scanlanj@bloomington.in.gov>

Signatures in support of GardenQuest (Ellee Spier)

Congregation Beth Shalom <bethshalombloomington@gmail.com>

Tue, Jul 16, 2024 at 1:47 PM

To: scanlanj@bloomington.in.gov

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



GardenQuest Signatures.pdf

78K

petition_signatures_jobs_490100341_20240716171013

Joanne Shead	Matteson	IL	60443	US	2024-07-11
Aaron Hoffman	Savannah	GA	31405	US	2024-07-11
Sam Clemetsen	Greenville	SC	29601	US	2024-07-11
Sarah Portwood	Bloomington	IN	47403	US	2024-07-11
Bruce David	Heltonville	IN	47436	US	2024-07-11
Madeline Hirschland	Bloomington	IN	47401	US	2024-07-11
Jerry Myerson	Bloomington	IN	47403	US	2024-07-11
Andrew Floyd				US	2024-07-11
juelci klotz	Bloomington	IN	47401	US	2024-07-11
Larry Moss	Albany	CA	94706	US	2024-07-12
Katie Webber	Bloomington	IN	47401	US	2024-07-12
Precilla Aviles	New Britain	CT	6051	US	2024-07-12
Daphne Richards	Bloomington	IN	47401	US	2024-07-12
Angela Aneiros	Bloomington	IN	47401	US	2024-07-12
Sara Friedman	Bloomington	IN	47401	US	2024-07-12
danery cervantes	San Jose	CA	95132	US	2024-07-12
Layla Wood	Apex	NC	27502	US	2024-07-12
Natasha Coles	Anchorage	AK	99501	US	2024-07-13
Diane Legomsky	Bloomington	IN	47401	US	2024-07-13
gisselle garcia	greenwood	IN	46143	US	2024-07-13
Joseph Kreft	Oceanside	CA	92057	US	2024-07-13
Heather Isaac	Vista		92084	US	2024-07-13
Harmony Rucker	Monticello	GA	31064	US	2024-07-13
Bonnie Gordon-Lucas	Glen Mills	PA	19342	US	2024-07-14
LA Fitzgerald	Winchester	TN	37398	US	2024-07-14
Lynsey Bartholomew	Justin	TX	76247	US	2024-07-14
Alexys Martinez	Dallas	TX	75270	US	2024-07-14
James Collins	New Orleans	LA	70114	US	2024-07-14
Tyler Walker	San Antonio	TX	78254	US	2024-07-14
Vita Washington	Fort Washington	MD	20744	US	2024-07-14
Ralphie Beam	Cumberland	MD	21502	US	2024-07-15
Kelly Chapman	Boca Raton	FL	33433	US	2024-07-15
Nicole Collings	Sebring	FL	33870	US	2024-07-15
Alana Preziosi	Swedesboro	NJ	8085	US	2024-07-15
Lilly Hupke	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.



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

[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 <scanlanj@bloomington.in.gov>, "planning@bloomington.in.gov" <planning@bloomington.in.gov>, City Council <council@bloomington.in.gov>, Dave Rollo <rollod@bloomington.in.gov>

Cc: "mayor@bloomington.in.gov" <mayor@bloomington.in.gov>, "gretchen.knapp@bloomington.in.gov" <gretchen.knapp@bloomington.in.gov>, Debbi Conkle <debbiconkle@gmail.com>, Constance Cook Glen <constancecookglen@gmail.com>, 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>, James Glen <jglenin@gmail.com>, Mather-Boehm Deborah <dmbarch02@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>, Julie Gass <jma6385@yahoo.com>

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 Covenanter 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 <scanlanj@bloomington.in.gov>

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 <scanlanj@bloomington.in.gov>, City Council <council@bloomington.in.gov>

Cc: 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>, Hadar Karmazyn <hadar.karmazyn@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: 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 Covenanter. 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.

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>

Environmental Commission Support of GardenQuest

Carrie Albright <carrie.a.albright@gmail.com>

Tue, Jul 16, 2024 at 8:45 PM

To: scanlanj@bloomington.in.gov

Cc: Rachael Sargent <rachael.sargent@bloomington.in.gov>

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>

Neighborhood Response to Spiers' Requests; Meeting Postponement

Gass, Glenn <gass@iu.edu>

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 Covenanter? 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 Covenanter 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

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



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Re: One further comment re: Spier petitions

constancecookglen@gmail.com <constancecookglen@gmail.com>

Fri, Jul 19, 2024 at 4:24 PM

To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>, planning@bloomington.in.gov

Cc: Debbi Conkle <debbiconkle@gmail.com>, Glenn Gass <gass@indiana.edu>, Indermohan Virk <indermohanvirk@gmail.com>, Sarah Jane Hughes <sjhughes@indiana.edu>, Hadar Karmazyn <hadar.karmazyn@gmail.com>, Mather-Boehm Deborah <dmbarch02@gmail.com>, Chizuko Johnson <chizukojohnson@gmail.com>, Sarah Wyatt Swanson <sarah.wyatt.swanson@gmail.com>, James Glen <jglenin@gmail.com>, A James Barnes <barnesaj@indiana.edu>, Boaz Raz <raz.boaz@gmail.com>, Daniel Conkle <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> 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> 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> 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> 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 <scanlanj@bloomington.in.gov>

Letter of Support for GardenQuest

Nancy Goswami <nancygoswami@yahoo.com>

Tue, Jul 16, 2024 at 8:57 PM

To: "scanlanj@bloomington.in.gov" <scanlanj@bloomington.in.gov>

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

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; council@bloomington.in.gov;
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 the 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 13th 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 13th 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 13th 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/variances 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

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>

Attention: Neighborhood Response to Spiers' Requests

Hadar Karmazyn <hadar.karmazyn@gmail.com>

Thu, Jul 18, 2024 at 12:19 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, ewyatt@mccsc.edu, ahennessy@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 <scanlanj@bloomington.in.gov>

South Brooks Drive resident Diamond Mather Strong objection to proposed special use permit

Mather-Boehm Deborah <dmbarch02@gmail.com>

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>

Support for 2110 E Covenant 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 Covenant 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>

Letter of support

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



Melissa Hirtzel <hirtzelm@bloomington.in.gov>

[Planning] 2110 E. Covenant Drive Petition

1 message

Robinson, James Nelson <jarobins@iu.edu>

Sun, Aug 11, 2024 at 6:07 PM

Reply-To: jarobins@iu.edu

To: "planning@bloomington.in.gov" <planning@bloomington.in.gov>

Hello,

I am writing as a Covenant Drive neighborhood resident to support Ms. Elisha Spier's petition for use of her property to further educational opportunities for young people in our community. I have lived in the neighborhood for over four years, have watched her farm grow and seen the improvements she has made. At no point have I found anything offensive or harmful. That her house will be opened for short periods to help young people learn and grow seems to fit perfectly with our community—a college town and a place where sustainable farming and ecology have long been values.

Please approve her petition.

Sincerely,

James Robinson
1312 South Rechter Court

NOTE: Beginning 2025, my email will change to jarobins@iu.edu. Please make changes in your contacts.

James Robinson, Ed.D.
Assistant Research Scientist
Indiana Institute on Disability and Community
Indiana University Bloomington
[2810 East Discovery Parkway](#)
Bloomington, IN 47408-9801
www.iidc.indiana.edu/cell
812.219.0140
jarobins@iu.edu



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Letter in support of Ellee Spier/Garden Quest

Karen Sprague <eurypterus7@gmail.com>

Wed, Jul 17, 2024 at 7:58 AM

To: scanlanj@bloomington.in.gov

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 <scanlanj@bloomington.in.gov>

Attention: Neighborhood Response to Spiers' Requests

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]

Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Fwd: The Spiers proposed plan and permits

Jeannie Bower <supermom4365@att.net>
To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Wed, Aug 14, 2024 at 4:07 PM

Jean T. Bower

Begin forwarded message:

From: Jeannie Bower <supermom4365@att.net>
Date: August 14, 2024 at 3:12:43 PM EDT
To: City Council <council@bloomington.in.gov>
Subject: Re: The Spiers proposed plan and permits

Thank you I just wanted to make sure you felt like it was okay .I will send her a copy as well .We are leaving Early tomorrow for a wedding in CO.so I'm trying to get much done before I leave .(the letter being one priority) When you mentioned Kajal (I just met her a few weeks ago but it turns out she knows our oldest son Mark) We have 3 boys and one daughter all whom went to Rogers /Binford / Jackson Creek and South .Small world . I feel for them with that sidewalk and the proposed dwelling at the end of their house ?! It's crazy how people cannot just be kind and respectful.
Jean T. Bower

On Aug 14, 2024, at 2:04 PM, City Council <council@bloomington.in.gov> wrote:

Good afternoon Ms. Bower,

Thank you for your email. I will file it with our records if this ever comes before the Council.

I did want to let you know, however, that there is nothing before the Council regarding this issue at this time. The last I heard, the Spiers request will go before the [Board of Zoning Appeals](#), perhaps in their September meeting. They make the final decision on zoning variance requests and these types of conditional use permit requests.

If you would like more information, I would suggest reaching out to Jackie Scanlan in our Planning and Transportation Department. Her email is scanlanj@bloomington.in.gov. She will know more about the process, when it may go before the Board of Zoning Appeals, and she may be able to add your comments to their records for review.

Best regards,
Colleen Williamson

Office of the Common Council
City of Bloomington
401 N. Morton, P.O. Box 100
Bloomington, Indiana 47404
(v:) 812.349.3409 (f:) 812.349.3570 (e:)council@bloomington.in.gov
www.bloomington.in.gov/council

On Wed, Aug 14, 2024 at 12:52 PM Jeannie Bower <supermom4365@att.net> wrote:

As I sit down to write this letter I want to begin by saying we have lived on S Brooks drive almost 40 years .In the many years our neighbors remained the same and sadly some have passed .We have been very fortunate to gain new neighbors in the past few years .We have always had a wonderful street and neighborhood.We all respected each other and if anything made sure our communication lines were always open .Unfortunately this new project that Ellie Spiers is pushing is not the first time we have found out after the fact she / they applied for zoning and permits in regard to their personal agenda! The first time it was their bike path stop and now the bees and city farming education intentions .I attended the neighborhood meeting we had last week and as I stated there I have an Elementary and Special education degree so I have the upmost respect for learning and opportunities.It was apparent from the number of people there were not aware (myself included) until thankfully a neighbor found out about it all yet the Spiers did not relay the information to us . I admire the passion for a learning environment and understand the first phase will allow them to have a minimal number of students inside their house only .I am perplexed if the intention is to teach agricultural,farming techniques and the bee hive how that will happen .It is inevitable that the project will eventually warrant itself to move outdoors and bring larger numbers.It is their property but if any of you lived on our street you would understand our concerns .There is not ample room for parking and it takes up the whole side of their side of the road .I know when Mr.Biggs was alive and current elderly neighbor across the street now it felt like no respect to them .I sincerely hope when you read this and there are several neighbors that feel the same way you will consider we all have appreciated the value and cohesion we have had for years .It seems like for one person to make decisions for only themselves is a contradiction to all the years we have enjoyed a wonderful location .It would be a a well suited project on a farm or a huge lot that is not surrounded by neighbors and a often busy Covenanter drive .Thank you for your time .Jeannie Bower
Jean T. Bower



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

August 22 meeting

James Glen <jglenin@gmail.com>
To: scanlanj@bloomington.in.gov

TO: Jackie Scanlan, Planning Department, Bloomington Zoning Board of Appeals.

As I will be unable to attend the meeting on August 22, I am sending this note asking the Board to carefully consider the immediate neighbors point of view. I am a lifelong high school s for providing learning opportunities, but a quiet, residential neighborhood is not the appropriate venue. Seemingly, the Spiers' pattern is to violate city ordinances and then ask for accor when their activities are discovered. Apparently, without checking to see if it was legal, they built a large addition to their house with the express purpose of teaching their farming techni They are now scrambling to get permission.

It is important for the board to be aware that the projects on the Spiers property are ever-growing. From the time we moved into our home in 2021, our street has had to live with the bike project plan, the addition of three beehives, a bee wall mural, a variety of small to large educational activities with interns, children, and adults, the petition at hand, and, as Ellee Spier alluded to in her informational meeting on August 8, the inevitable future request for outdoor instruction on their property. While Ellee Spier noted that this is not what they are asking for at the time, they are throwing it out "for discussion." The unending advancement of their registered non-profit is not what immediate neighbors should have to endure. Please look at this issue from the point of view of someone living right next door (as we are).

--
Jim Glen

"Keep a clean nose, watch the plain clothes.
You don't need a weatherman to know which way the wind blows."



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Gardenquest zoning compliance

Didi Kerler <didikerler@gmail.com>

Tue, Aug 13, 2024 at 9:04 AM

To: scanlanj@bloomington.in.gov

Dear Ms Scanlan,

I am writing in support of Ellee and Brett Spier's zoning compliance request to allow a small urban educational set-up on their property.

I live at 1030 S. High St and have known the Spiers for over 15 years, even before they built their home on Covenanter as a model for environmental friendliness. Everything they have created is done with forethought and care on how to help with urban sustainability.

Garden Q has been my own personal CSA and I walk to pick up the produce. I have learned so much about nutrition just from chatting with Ellee about the parts of the plant that are edible and their nutrients. It has been a really wonderful and actually inspirational experience for us to see how and what can be grown in our neighborhood.

The property is beautifully landscaped with lots of room for guests and with the garden in the back of the house (although if you approach the porch, there are beautiful plants that are in fact crops!)

It would be so beneficial and such an inspiration for the community -- children and adults -- to be able to learn from Ellee about urban farming which includes lessons on nutrition, biology, and botany.

I urge the commission to allow this to happen.

Best,

Didi (Roberta) Kerler

1030 S. High St



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

[Planning] 2110 E. Covenanter Drive Petition

Robinson, James Nelson <jarobins@iu.edu>

Sun, Aug 11, 2024 at 6:07 PM

Reply-To: jarobins@iu.edu

To: "planning@bloomington.in.gov" <planning@bloomington.in.gov>

Hello,

I am writing as a Covenanter Drive neighborhood resident to support Ms. Elisha Spier's petition for use of her property to further educational opportunities for young people in our community. I have lived in the neighborhood for over four years, have watched her farm grow and seen the improvements she has made. At no point have I found anything offensive or harmful. That her house will be opened for short periods to help young people learn and grow seems to fit perfectly with our community—a college town and a place where sustainable farming and ecology have long been values.

Please approve her petition.

Sincerely,

James Robinson
1312 South Rechter Court

NOTE: Beginning 2025, my email will change to jarobins@iu.edu. Please make changes in your contacts.

James Robinson, Ed.D.
Assistant Research Scientist
Indiana Institute on Disability and Community
Indiana University Bloomington
[2810 East Discovery Parkway](#)
Bloomington, IN 47408-9801
www.iidc.indiana.edu/cell
812.219.0140
jarobins@iu.edu



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Ellee Spier petition

Indermohan Virk <indermohanvirk@gmail.com>

Fri, Aug 9, 2024 at 12:51 PM

To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>, planning@bloomington.in.gov

Dear Members of the Bloomington Zoning Appeals,

I attended the informational session on the Spiers' petition held in the Covenanter neighborhood on August 8 and I write with some thoughts regarding this issue.

I want to begin by saying quite clearly that I respect the right of the Spiers as Bloomington residents to make this petition to advance their interests. It is now in the hands of the City to adjudicate their request. However, I hope that the City will keep something in mind that I have no doubt they are well aware of: individual rights have to be balanced with communal rights. I would argue that communal rights ought to be looked at concentrically. Those closest to the request of any household are the ones most affected. As such, I hope that you will give due consideration to how the Spiers' petition affects neighbors on S. Brooks Drive, in particular.

I am not going to make a case for the City to approve or deny the Spiers' request. However, I am most certainly going to question their claim of asking for an "indoor" exception. In this case, the indoor/outdoor distinction they are making is entirely artificial. Take, for instance, someone teaching piano lessons indoors. The activity is located inside the house. Sure, there might be piano notes flowing out through the windows, but the student(s), instructor, and more importantly, the piano are all inside the house. This is not the case with Ellee Spier's request to teach about various aspects of gardening, creating products out of garden produce, and the showcasing of various agricultural practices and products. The indoor instruction is very much dependent on everything that is happening on their farm. In that way, as I said above, the indoor activities are integrally based on what occurs outside.

Moreover, the Spiers are not simply running a household vegetable garden, the harvest and lessons of which they would like to share with their neighbors and beyond. It is a formal enterprise, with formal names and registered non-profit status—Garden Q and Garden Quest. Ellee Spier's informational session stated it as such. In light of this admittedly formal enterprise, they are understandably ambitious about its success and promotion. I give them credit for their ambition and gardening skills. Yet, the desire for them to promote their farm and its affiliated projects is antithetical to what the rest of us on the street expect from our lives in the neighborhood. As any one of us can testify, life is busy in our modern world and, without getting political on any one side, we are living in a politically charged environment. Most of us are seeking refuge and solace in our private lives. This is what is at the heart of my letter today. The peace on our street—the exact reason we picked this location—has been disrupted with the ongoing projects on the Spiers' property, starting with their bike project in 2020 to the current petition, drawing us all into neighborhood politics we did not bargain for. It has affected the peace and neighborliness on our street. Most of our neighbors want to live quiet, harmonious lives with each other. The exact opposite is the case at present, in light of the events on our street.

What is the solution, then, given what the Spiers have the right to ask for and what the rest of us hope for? I am not going to oppose their request to have students and what-not if they are willing to put up a fence on our street side of their property. In this way, we would not have to witness the ever-busy farm activities and projects. It would have a calming effect on our street. I have no doubt that Ellee will not be in favor of this idea, as she has said to me and others that they have their projects sited on the street so that people can learn from them. But, this lies at the crux of this request: the rest of us don't want to be surrounded by the noise (read: not literal noise) of their enterprise and its overt publicity. A fence is the solution I suggest. If the City were to approve their petition, a protection like this should be required for immediate neighbors. It will allow us all to achieve the lives we aspire to.

Thank you for your consideration.

Best,

Indermohan Virk

(1301 S. Brooks Drive)

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Indermohan



October 29, 2024

Re: Zoning-

Attn: Jackie Scalan, Planning Department scanlanj@bloomington.in.gov ,
esd@bloomington.in.gov , jane.kupersmith@bloomington.in.gov

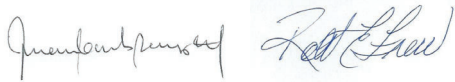
We wish to offer support for GardenQuest to be able to teach about gardening, urban farming and sustainability, outdoors in a residentially-zoned neighborhood allowing city residents to use both their home and their outdoor property for educational purposes and for more than one student at a time. Being able to host educational events with a focus on sustainability for small groups within the city allows for more access to the citizenry to attend trainings where on-site, hands-on opportunities, enhance the classroom setting. We applaud GardenQuest for providing the infrastructure for urban trainings that support Bloomington's sustainability goals.

In addition, the USDA currently supports small scale growing operations through LFPA funds held by the State of Indiana and its cohorts to provide contracts to marginalized growers in both urban and rural settings to purchase, at market price, their excess produce which is delivered to local pantries. This supports inclusive employment opportunities for urban marginalized growers, further supports local pantries and the sustainability goals put forth by the City of Bloomington.

Urban growers/farms are key players in climate resiliency which is part of the overall sustainability focus of cities nationwide and of Bloomington. On the Economic & Sustainable Development government webpage for Bloomington it states:
 "The mission of the City of Bloomington's Department of Economic & Sustainable Development is to cultivate a resilient community built on shared prosperity, inclusive economic opportunity, environmental stewardship, and a thriving arts and culture ecosystem." Encouraging urban farms and their contribution to climate mitigation would assist Bloomington in meeting its own climate initiatives and thereby qualify for more federal funding.

We believe Urban farming and its educational opportunities to be a great advantage to those struggling with food and employment insecurity locally. It allows for producing/growing locally, delivering locally and keeping the dollars local.

Yours,

Two handwritten signatures in black ink. The first signature on the left is 'Juan Carlos Arango' and the second signature on the right is 'Robert Frew'.

Juan Carlos Arango and Robert Frew
Sobremesa Farm, Bloomington, Indiana