



MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, NOVEMBER 15, 2023, 4:00 PM

The Zoning Board of Appeals convened in regular session at 4:02 PM, November 15, 2023. Chair Straza called the meeting to order.

Roll Call

Attendee Name	Title	Status
Terry Ballantini	Vice Board Chair	Present
Michael Straza	Board Chair	Present
Ross Webb	Board Member	Present
Tim Foley	Board Member	Absent
Zachary Zwaga	Board Member	Absent
Nikki Williams	Board Member	Present
Victoria Harris	Board Member	Present

City Staff present included Jon Branham, City Planner; Alissa Pemberton, City Planner; John Myers, Assistant City Planner; and George Boyle, Assistant Corporation Counsel.

Public Comment

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at cityblm.org/register at least 5 minutes before the start of the meeting.

No public comment was provided.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Vice Board Chair Ballantini made a motion, seconded by Board Member Harris, to approve the consent agenda as presented.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion carried (viva voce).

Item 4.A. Review and approval of the minutes of the August 16, 2023, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Session

The following item was presented:

Item 5.A. V-15-23 - Public hearing, review, and action on a request submitted by Josh Levin for approval of a **Variance** to increase the allowable fence height in the Front Yard from four feet to five feet, in the R-1B (Single Family Residence) District for the property located at 8 Pendleton Way (PIN: 21-11-426-030).

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted key property conditions, including the curvilinear nature of the east property line and qualities of the corner-side yard. He noted that the proposed fence would not be solid and would be set back from the property line. He also identified surrounding properties and uses.

Board Chair Straza opened the public hearing.

Jessica Levin (8 Pendleton Way), Co-Applicant, provided further background on the request. She noted the specifics of the proposed fence and stated the fence would help prevent their large dog from leaving the property.

Board Vice Chair Ballantini inquired about the type of dog and the length of time the owners had lived at the property. Ms. Levin stated it was a beagle-boxer mix. She stated she did not want the dog to become an issue for the public by being able to jump over the fence. She stated they have lived at the property for just over one year.

Josh Levin (8 Pendleton Way), Co-Applicant, added that they chose this type of fence rather than a solid privacy fence so they would not impact the view for vehicles turning the corner and to not ruin the character of the neighborhood.

Greg Finley (2 London Court), stated he was the Brook Ridge Homeowner's Association President. He stated he was not opposed to the request but wanted to better understand. He was pleased they had chosen a fence-type consistent with the neighborhood. He inquired about the four-foot maximum in Front Yards. Mr. Branham stated it was common primarily for sight purposes.

Douglas Lamb (17 Pendleton Way), stated he lived across the street from the subject property. He stated he was not opposed to the proposed fence but would appreciate the applicants' consideration of modifying the fence location further toward the middle of the property and away from the sidewalk.

Janelle O'Connor (11 Pendleton Way), expressed concern regarding other properties with dogs who only have four-foot fences and whether this would become a standard.

Board Member Webb explained this request was for the specific property and not for the entire neighborhood. Chair Straza clarified that any additional properties in the

neighborhood that wanted to seek an increased height would need to have a Variance approved by the Zoning Board of Appeals.

Jessica Levin (8 Pendleton Way), stated that a previous owner had a dog who constantly was off the property and presented problems to the neighborhood, which they wanted to avoid. She reiterated the curvilinear nature of the east side of the property and the proposed fence location being several feet from the sidewalk.

Josh Levin (8 Pendleton Way), stated the original plan was to locate the fence four to five feet from the property line, but they decided to move it further inward and will also landscape the base of the fence to maintain aesthetics.

Board Member Harris stated the proposed fence was not going to impact visibility.

Board Vice Chair Ballantini inquired about other taller fences that may exist in the neighborhood. Mr. Branham stated staff could not confirm the overall number.

Board Chair Straza closed the public hearing.

Vice Board Chair Ballantini made a motion, seconded by Board Member Harris, to establish findings of fact that all standards for approval of a Variance are met, and to approve the request.

Roll call.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion passed.

New Business

There was no new business to report.

Adjournment

Board Member Williams made a motion, seconded by Vice Board Chair Ballantini, to adjourn.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion carried (viva voce).

The Meeting Adjourned at 4:28 p.m.

CITY OF BLOOMINGTON

Michael Straza
Chair Michael Straza

Jon Branham
Jon Branham Staff Liaison

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DRAFT MEETING MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, JULY 19, 2023, 4:00 PM