

STATE OF INDIANA ) IN THE MONROE CIRCUIT COURT  
 ) SS:  
COUNTY OF MONROE ) CAUSE NO. 53C06-2211-MI-002400

CUTTERS KIRKWOOD 123, LLC )  
 )  
 *Petitioner,* )  
 )  
 v. )  
 )  
CITY OF BLOOMINGTON BOARD OF ZONING )  
APPEALS, )  
 )  
 *Respondent.* )

**ORDER**

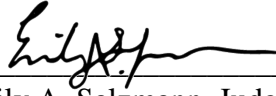
Respondent, City of Bloomington Board of Zoning Appeals, having filed its Motion for Clarification, or in the Alternative, Motion to Stay, and the Court having considered the matter, now finds:

1. On November 14, 2023, the Court issued its Order on Verified Petition for Judicial Review, finding that there was clear error in the standard of law applied by the Board of Zoning Appeals (“BZA”), reversing the BZA’s denial of the proposed variance and remanding back the matter to the BZA to be heard at their *next* meeting and decided on at that meeting (emphasis in the original).

2. The Court orders that the BZA hear the matter on remand at the next regularly scheduled meeting in which this matter could be properly noticed and included in the agenda, or a later meeting upon mutual agreement of the parties.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the BZA’s denial of proposed variance is reversed. This matter is hereby remanded back to the BZA to be heard at their December 2023, or a later meeting upon mutual agreement of the parties.

SO ORDERED this 16th day of November 2023.



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Emily A. Salzmänn, Judge  
Monroe Circuit Court VIII