

# CITY OF BLOOMINGTON



AUGUST 21, 2013 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON  
HEARING OFFICER  
August 21, 2013 at 2:00 p.m.

\*Kelly Conference Room #155

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**Petitions continued to the September 4, 2013 meeting**

- V-40-13      **Rebecca Dilger**  
802 E. Maxwell Lane  
Request: Variance from maximum driveway width standards to allow a 24-foot width driveway  
*Case Manager: Eric Greulich*

**PETITIONS:**

- V-38-13      **Big Red Liquors**  
2205 N. Walnut St.  
Request: Variance from sign standards to allow a roof sign.  
*Case Manager: Eric Greulich*
- V-39-13      **Ryan Tschetter**  
1900 E. Atwater Ave.  
Request: Variance from driveway width requirements.  
*Case Manager: Jim Roach*

**BLOOMINGTON HEARING OFFICER  
STAFF REPORT  
LOCATION: 2205 N. Walnut St.**

**CASE #: V-38-13  
DATE: August 21, 2013**

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**PETITIONER:** Big Red Liquors  
116 E. 3<sup>rd</sup> Street, Bloomington

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**REQUEST:** The petitioner is requesting a variance from sign standards to allow a roof sign.

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**Report Summary:** This property is located at the northwest corner of N. Walnut and SR45/46 Bypass and is zoned Commercial Arterial (CA). Surrounding properties are all commercial uses with a quarry to the west.

This building was previously used by Bloomington Liquors and has recently been remodeled for a Big Red Liquors store. The previous business had signs located on the north and south sides of the mansard roof of the building which would be removed. The petitioner would like to construct a new canopy on the north and south sides of the building. The new canopy is proposed to have signage on only the north side of the building. Since the canopy is attached to the roof and extends above the bottom eave of the roof, it is considered a roof sign and requires a variance.

The new sign would be 32" by 30' with a 3'x10' changeable copy sign and would be approximately 110 square feet. A variance from sign standards is required to place the new sign on the mansard roof since roof signs are prohibited.

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## **CRITERIA AND FINDINGS**

**20.09.130 e) Standards for Granting Variances from Development Standards:** A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

**STAFF FINDING:** Staff finds that the sign location will not negatively affect the public health, safety, morals, or general welfare of the community. There were two previous roof signs with no known safety issues.

- 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.*

**STAFF FINDING:** Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. The proposed sign will be in the same location as of the previous signs and includes a greatly reduced overall

sign package. Although the proposed canopy will extend above the existing eave for the roof, it will appear on a vertical surface and function more as a traditional parapet type wall sign.

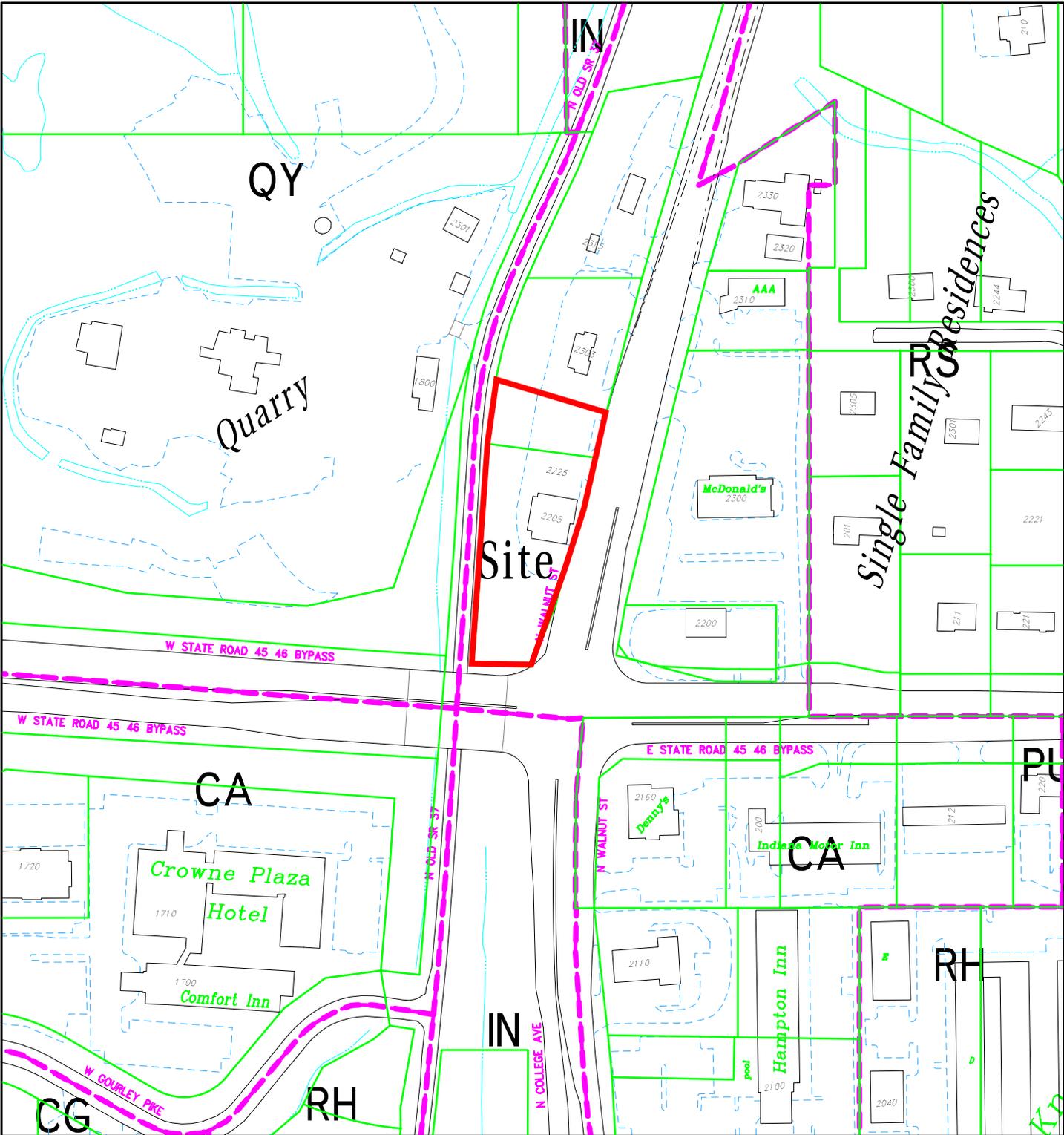
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**STAFF FINDING:** Staff finds peculiar condition in the design of the north side of the building with a large roof that covers most of the entire north side of the building and which does not provide a practical location for a wall sign. The design of the existing building and location of entry doors creates practical difficulty in placing signage that is visible from the public right-of-way on the north side. The sign design has been designed to have as minimal visual impact as possible and placing the sign on a vertical surface will appear more as a wall sign than a roof sign.

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**RECOMMENDATION:** Based upon the written findings above, staff recommends approval of this petition with the following conditions of approval:

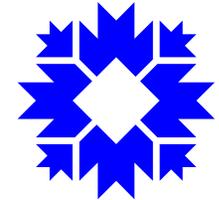
1. A sign permit is required prior to installation of the sign.



V-38-13 Big Red Liquors  
 2205 N Walnut Street  
 Hearing Officer  
 Site Location, Zoning, Land Use Parcels

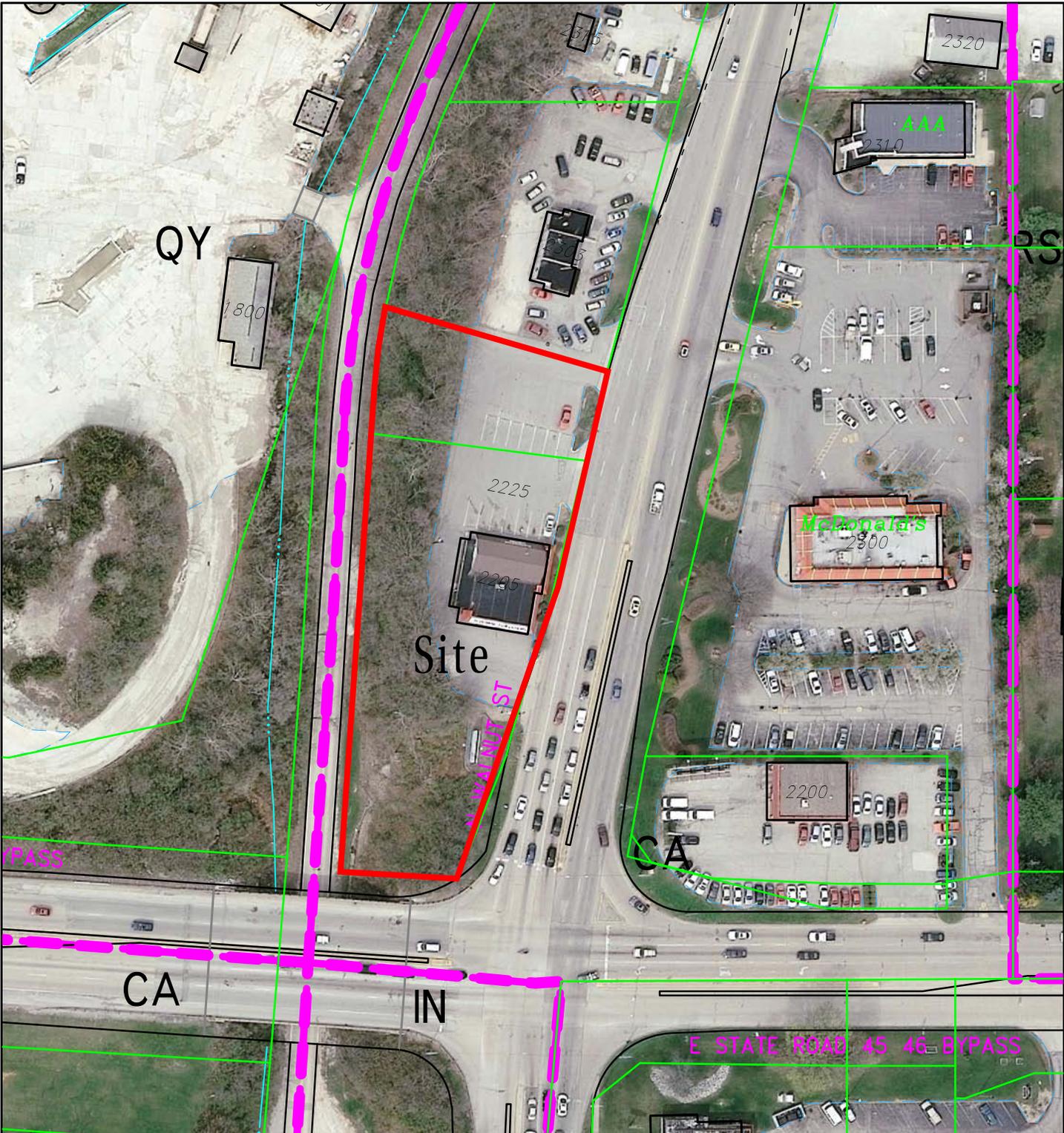
By: greulice  
 15 Aug 13

City of Bloomington  
 Planning



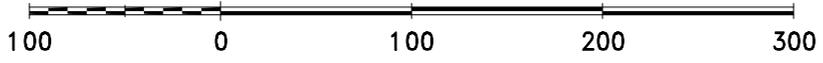
Scale: 1" = 200'

For reference only; map information NOT warranted.



V-38-13 Big Red Liquors  
 2205 N Walnut Street  
 Hearing Officer  
 2010 Aerial Photograph

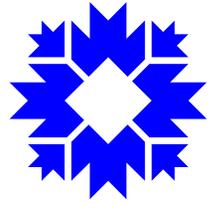
By: greulice  
 15 Aug 13



For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 100'



City of Bloomington Planning Dept.,

Big Red Liquors, Inc. is petitioning to place an awning on the north side roof of our 2205 N. Walnut St. retail location. As the roof exists now, we lost our large format sign area when we painted over the former occupant's "Bloomington Liquors" sign. That roof sign allowed potential customers to be able to see our location well before they had already driven past the sign. With only a small ground level marquee and window signs, we believe the total signage area would not be enough to attract customers as the old sign had done. Therefore, we would like to petition to create an additional awning, much like a wall, rising up from the bottom edge of the roof. The total square footage of our name, logo, requested marquee, as well as building logos shall not exceed 180 sq feet allotted to us by our street frontage.

If you require additional information, or plans, we would be happy to provide those.

Sincerely,

  
 Matthew S. Colglazier  
 Big Red Liquors, Inc.

V-38-13  
 Petitioner's Statement



"Big Red Liquors" on awning 32"x30" = 80 sq ft -  
 3' x 10' marquee = 30 sq ft  
 2ct 3'x5' logos for wall 30 sq ft  
 140 sq ft used - allowed 188  
 48 sq ft left



V-38-13  
 Site Elevations

**BLOOMINGTON HEARING OFFICER  
STAFF REPORT  
LOCATION: 1900 E. Atwater Ave.**

**CASE #: V-39-13  
DATE: August 21, 2013**

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**PETITIONER: Ryan Tschetter  
1900 E. Atwater Ave., Bloomington**

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**REQUEST:** The petitioners are requesting a variance from maximum driveway width standards.

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**REPORT SUMMARY:** This approximately 0.48 acre lot is located at the southeast corner of E. Atwater Ave. and S. Rose Ave. in the Eastside Neighborhood and is zoned Residential Core (RC). It is surrounded by single family homes and vacant lots. The property has been developed with a single family house.

In 2008, the petitioner received a permit and built an attached garage on the south side of the house. The garage includes two 10 foot wide garage doors separated by 2 feet. At the time of the release of the permit, the petitioner had not yet determined how the driveway would be handled and designed. The permit was released with a condition that the driveway would be addressed later. The RC zoning district permits a maximum driveway width of 18 feet regardless of the presence or size of a garage door. The petitioner proposes a 23 foot wide driveway that would allow access to the garage doors and have a 6 inch overhang on each of the doors. A variance is required from the maximum driveway width requirements for a 23 foot wide driveway.

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## **CRITERIA AND FINDINGS**

### **20.09.130 (e) Standards for Granting Variances from Development Standards:**

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

**Staff's Finding:** Staff finds no injury to the general welfare of the community. The proposed concrete driveway is located along the lower classified Rose Ave. and will replace a much wider gravel driveway.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

**Staff's Finding:** Staff finds the use and value of the area adjacent to the property will not be negatively impacted. This property will be used as a single family house. The driveway will not be wide enough to allow three cars to be parked side by side. The driveway will be less wide than the driveway of the house immediately to the south.

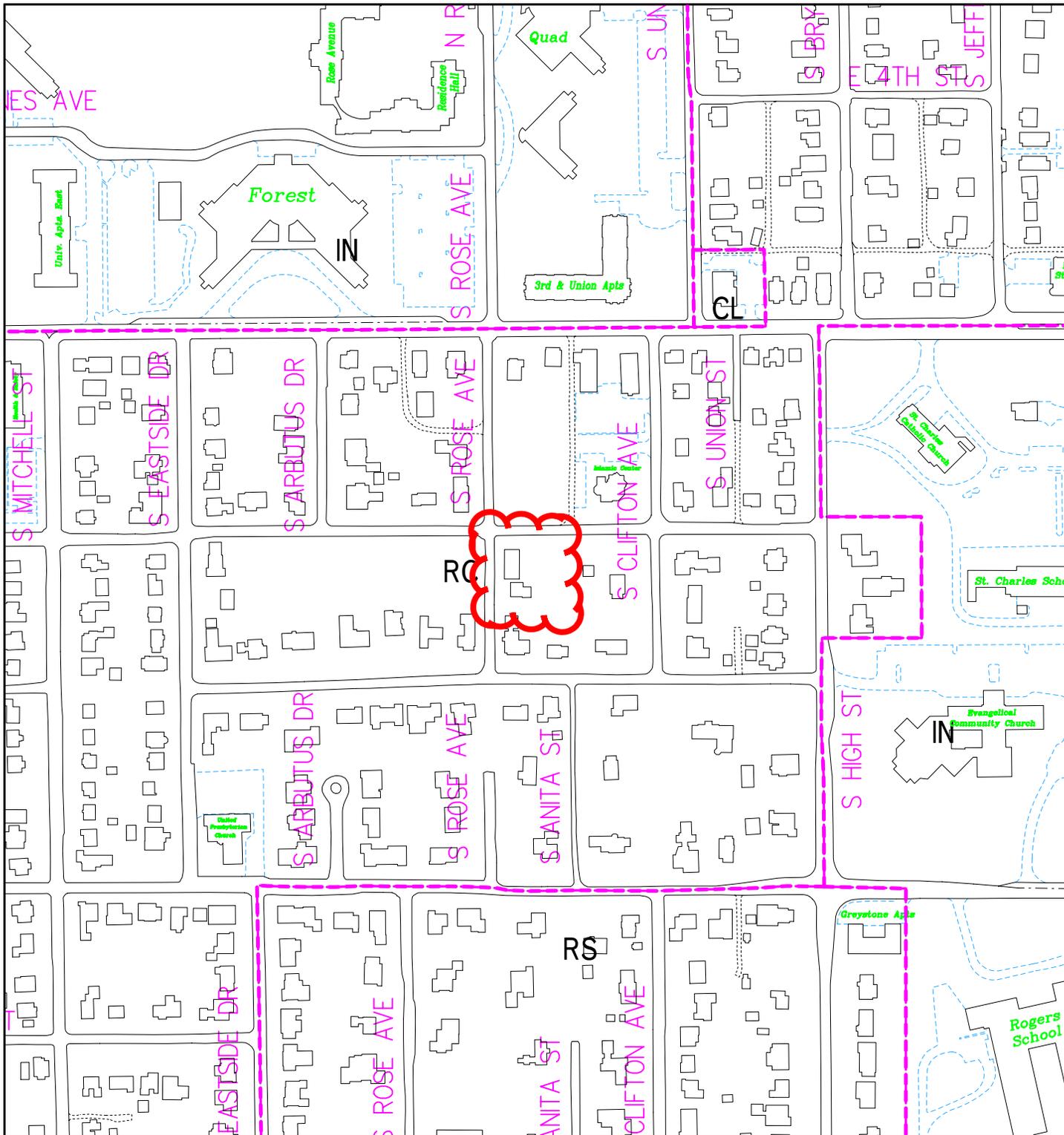
3. *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the variance will relieve practical difficulties.*

**Staff's Finding:** Strict application of the UDO would not allow a driveway wide enough to enter the already built garage that otherwise meets all standards of the UDO. Practical difficulty is found in that while a larger 16 or 18 foot wide two-car garage door could have been built, the petitioner instead built two 10-foot wide separated single car doors which increased the aesthetic appeal of the house. Peculiar condition is found in that this property consists of two platted lots, which if they had been developed separately would have a higher impact on the surrounding street system. Peculiar condition is found in that this part of the RC zoning district, which is 1 ½ blocks from the RS district, was developed without alleys for access to rear garages. Peculiar condition is also found in that prior to construction of the garage, this property had a 41 foot wide open gravel driveway cut. This driveway is being shifted to the south and reduced in size from 41 feet to 23 feet.

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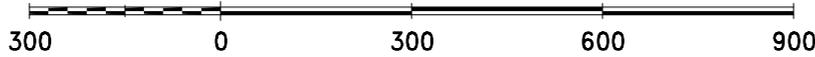
**RECOMMENDATION:** Based on the written findings, staff recommends approval of the variance with the following condition:

1. Prior to construction of the driveway, a right-of-way excavation permit is required from the City Engineering Department.

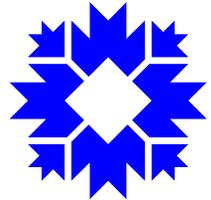


V-39-13  
Location Map

By: roachja  
15 Aug 13



City of Bloomington  
Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.

## Petitioner's Statement

I live at the home located at 1900 E Atwater with my wife and three children. Our home is on a corner lot which measures 140' by 150' and is .48 acres. When my wife and I purchased the property in 2005, there was no garage. We built a garage in 2008 and are planning on having a cement driveway placed to provide clean access to the garage from the street. The garage was constructed with two 10 foot doors with 2 feet in between the doors. Our planned driveway is 23 feet wide from the garage to the street with a radius outlet. Our plan would reduce the present parking/drive width from 45ft to 23ft. We will be removing the old cement driveway.

A handwritten signature in blue ink, appearing to read "Ry D. Iselle". The signature is written in a cursive style with a horizontal line extending to the right.



LOT 18

1900

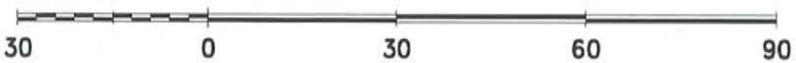
23'

35'

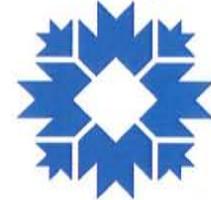
V-38-13  
Aerial Photo

*Handwritten signature*

By: roachja  
31 Jul 13



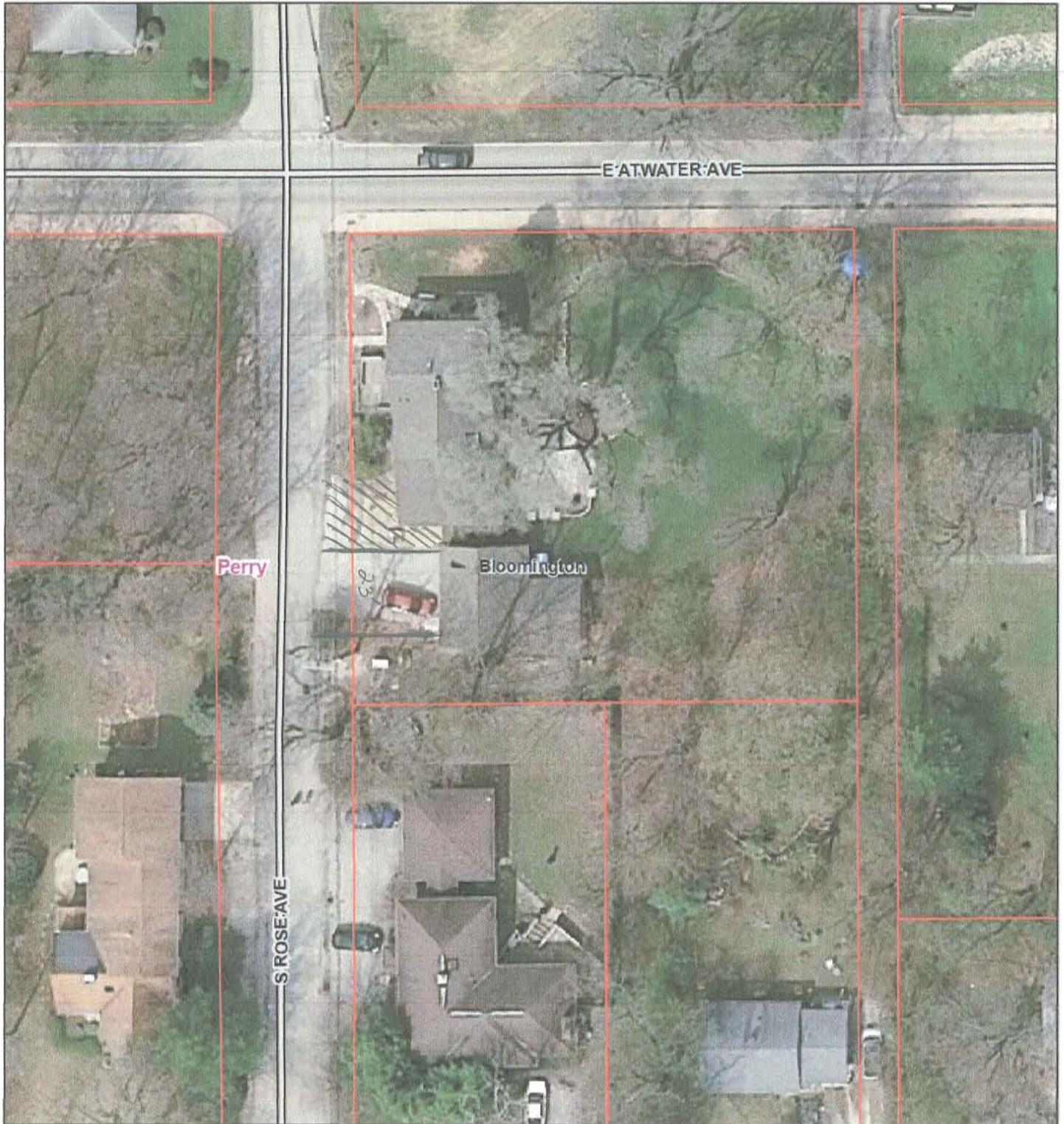
City of Bloomington  
Planning



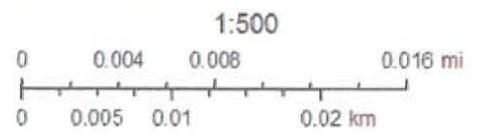
Scale: 1" = 30'

For reference only; map information NOT warranted.

# Monroe County, IN



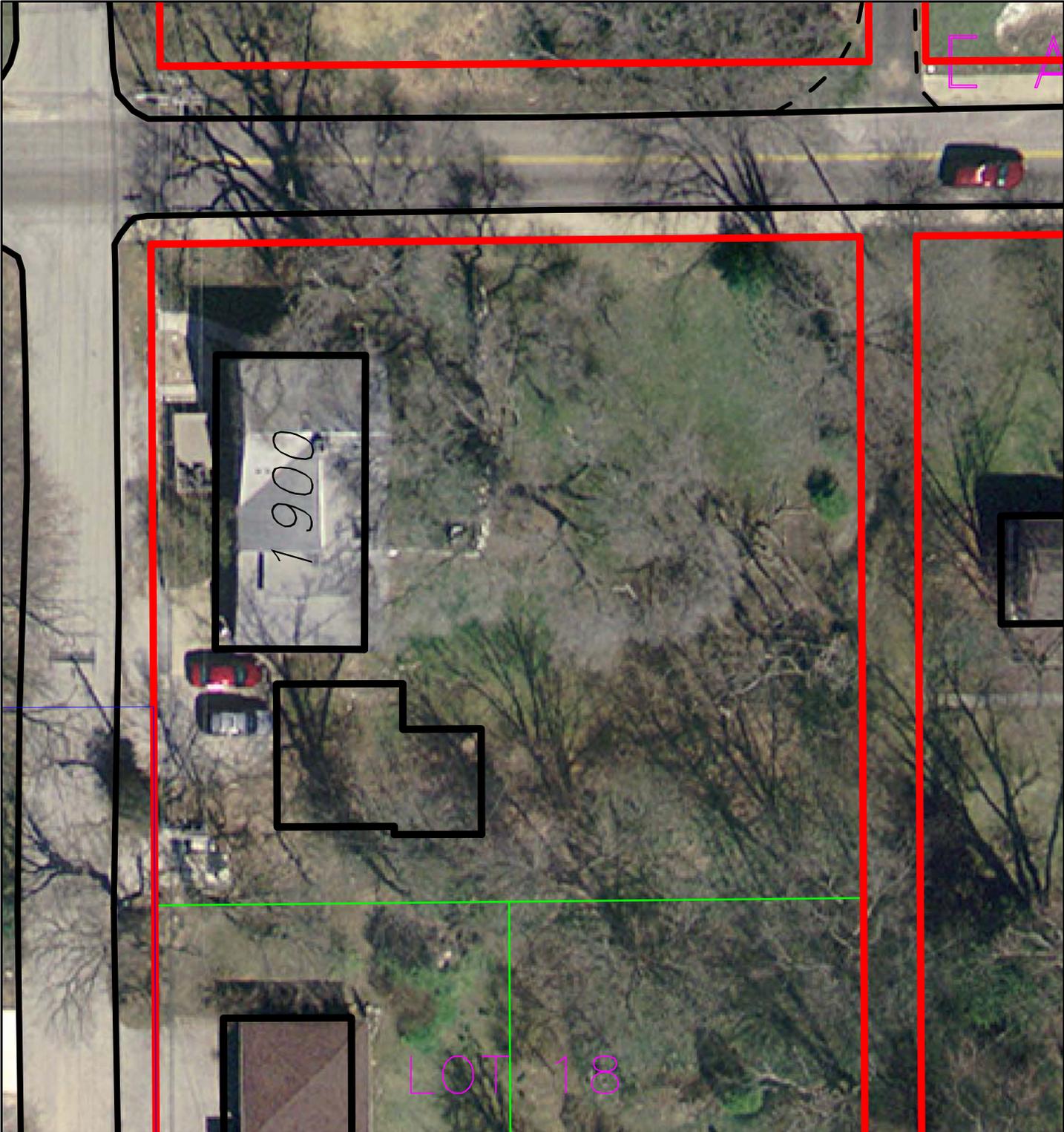
August 4, 2013



V-39-13  
Aerial Photo/Site plan

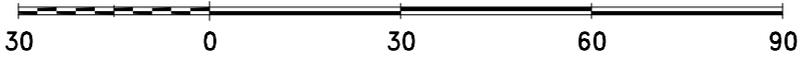


V-39-13  
Site Photo

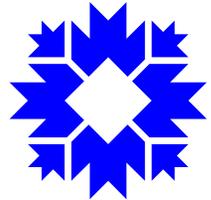


V-39-13  
 2006 Aerial Photo prior to garage construction

By: roachja  
 15 Aug 13



City of Bloomington  
 Planning



Scale: 1" = 30'

For reference only; map information NOT warranted.