

CITY OF BLOOMINGTON



September 21, 2011 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

PETITIONS:

- V-38-11 **Ben and Sarah Swanson**
1321 E. Hunter Ave.
Request: Variance from side yard set back requirement to allow addition to existing house.
Case Manager: Jim Roach

- CU-39-11 **Margaret Fette**
559 S. Lincoln St.
Request: Conditional use approval to allow a home occupation.
Case Manager: Eric Greulich

PETITIONER: Ben and Sarah Swanson
1321 E. Hunter Ave., Bloomington

CONSULTANT: Kirkwood Design Studio
113 E. 6th Street, Bloomington

REQUEST: The petitioner is requesting a variance from sideyard setback standards to allow an addition to an existing house.

Report Summary: This property is located at the north side of E. Hunter Ave. between S. Highland Ave. and S. Jordan Ave. and is zoned Residential Core (RC). The property contains by a single family house and is surrounded on all four sides by single family houses.

The petitioners are proposing to add a 2-story addition to the north side of the house. The existing house is approximately 6'8" from the east (side) property line and the proposed addition would match the existing side yard setback.

The petitioners are requesting a variance from the required 10-foot sideyard setback requirement to allow the proposed addition to maintain the existing 6'8" setback. This project was reviewed by the Historic Preservation Commission under the Demolition Delay provisions of the UDO. On September 8th the HPC voted to not pursue historic designation on the property, based on the elevations presented, which are the same as what is presented with this petition.

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 addition will not negatively affect the public health, safety, morals, or general welfare of the community. There are several residential buildings constructed on adjacent properties in the same manner with no known negative impacts. The proposed setback is consistent with the existing 2-story 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.*

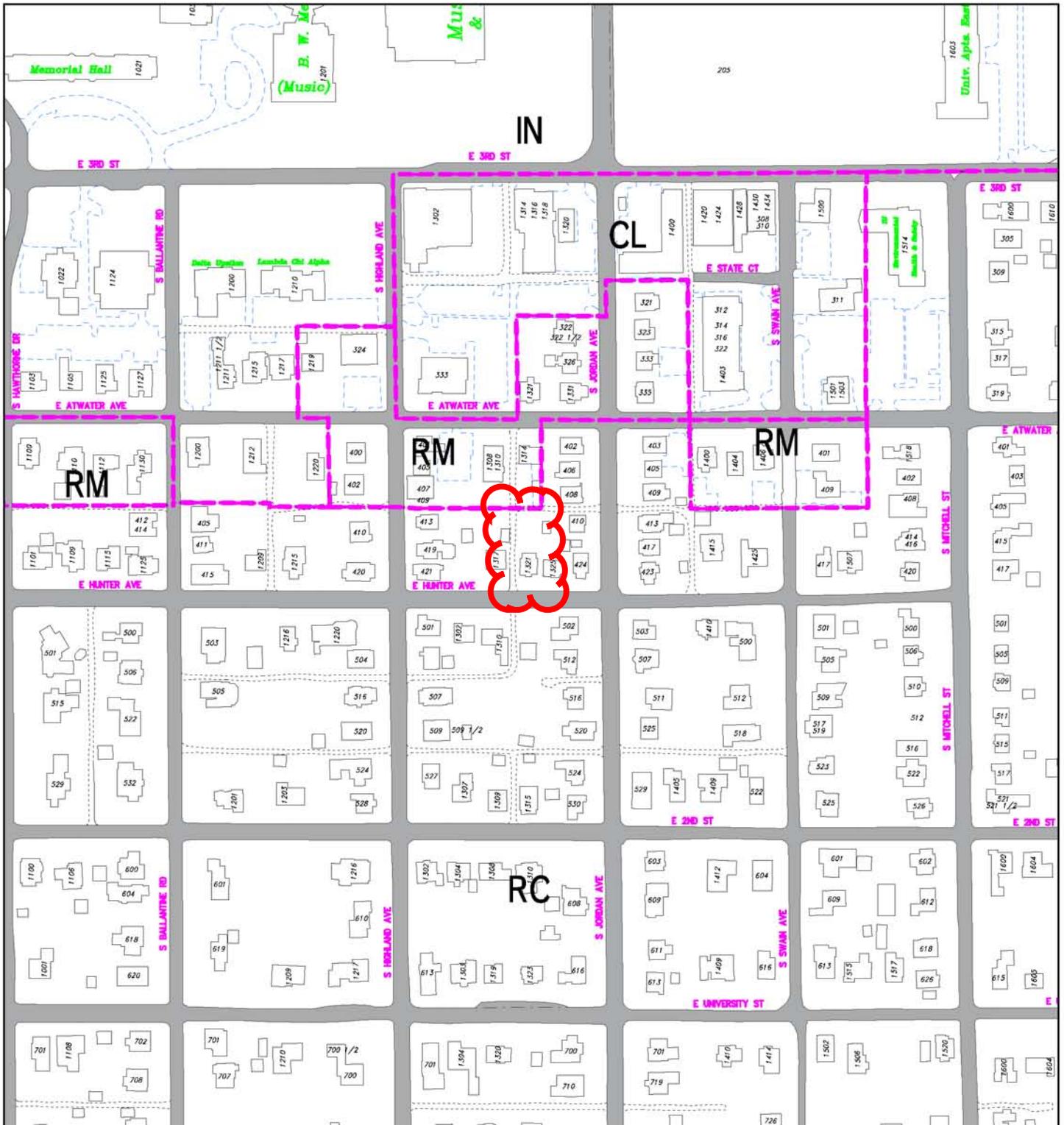
STAFF FINDING: Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. The most closely impacted neighbor at 1325 E. Hunter Ave. has submitted a letter stating they have no objection to the petition. This project's architecture was reviewed for appropriateness by the HPC in conjunction with a Demo Delay review.

- 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 location of the existing house within the setback. The house's current setback prohibits adding on to the house along the existing building wall. Staff finds practical difficulty in requiring compliance with the sideyard setback requirements because they would result in a design of the house that may be inconsistent with the house's historic architecture.

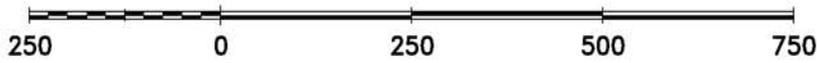
RECOMMENDATION: Based upon the written findings above, staff recommends approval of this petition with the following conditions of approval:

1. Addition must be consistent with plans reviewed by the Historic Preservation Commission.



V-38-11
Location Map

By: roachja
13 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 250'

08-30-2011

To Whom It May Concern -

My name is Ben Swanson and my wife, Sarah, and I would like you to consider granting us a setback variance for the east side of our home. With the consultation of Nancy Hiestand from HAND, Jim Roach from Planning and Jayne York (our architect at Kirkwood Designs), we've been planning a small addition to the back of our home on the North Side so that we can develop our attic space.

The small addition to the back will remain in line with the current Eastern face of the house (ie. we will not be encroaching further than where the house is already sitting) and plan to extend the house out only about two feet from where the back Northern face currently lies. This will allow us to rebuild the foundation to support our addition on the 2nd and 3rd floor attic space. We'd like to develop this space we're expecting our first child this December and plan to stay in the house as long as possible with our growing family!

With the help of Jayne York and Steve Percy, we plan to remain consistent with the historic design of the house, keeping with the mid 1920's aesthetic. Both Jayne and Steve have a lot of experience with this, and we're very excited to be as respectful to the house's original design as much as humanly possible.

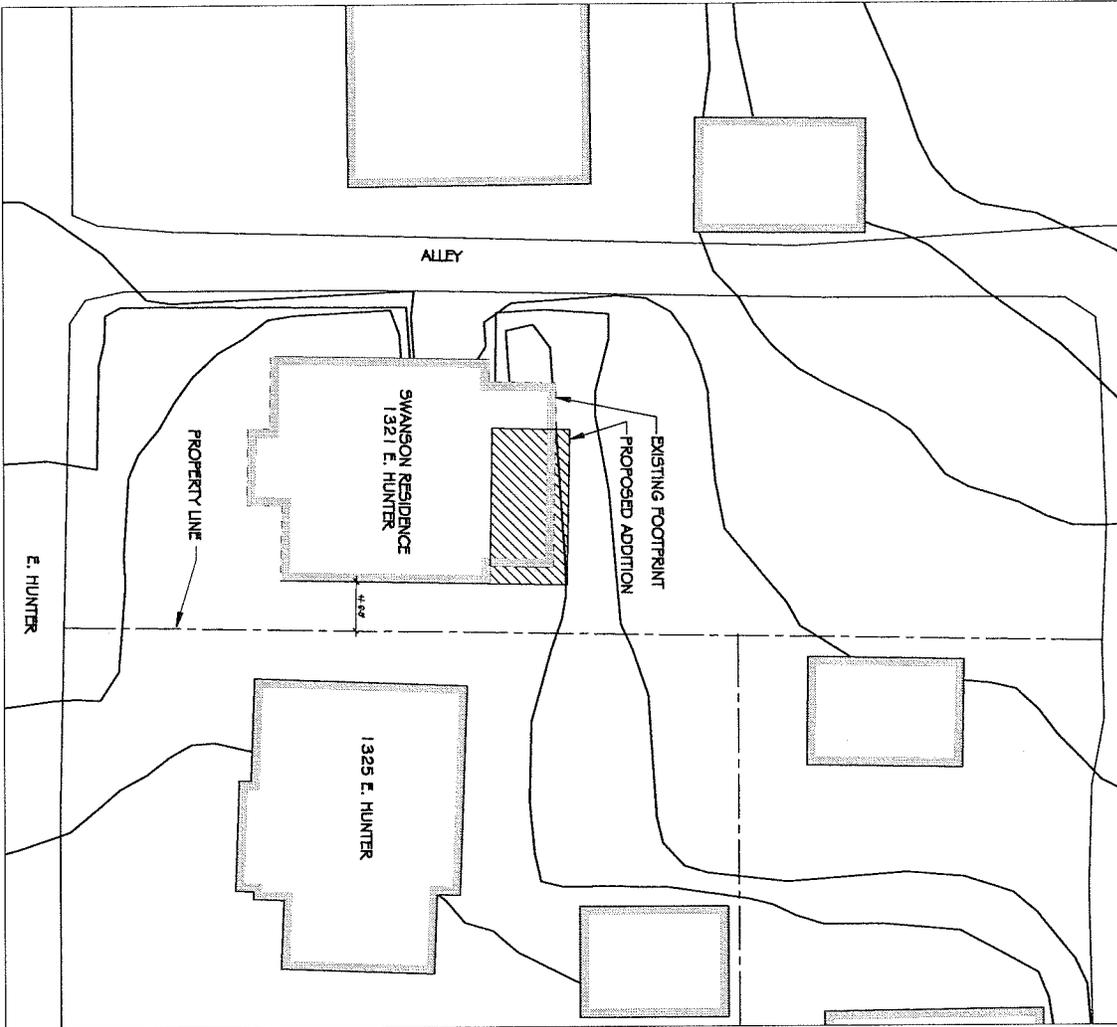
Additionally, we've received consent from the owner of the house directly to our East. The owner, Gene Schnyder came by to look at the property with us and has signed a letter stating his support for our project.

In conclusion, we're in love with where we live; the house and the neighborhood. While we're only one of two owner-occupied homes on our block, we very much look forward to staying in this house for a long time to come. We believe this addition will add to the value of property and the neighborhood without altering the public "face" of the home and remaining respectful to its original design and intent. Both Sarah and I would like to thank you for taking the time to look at these plans with us and hope that we're able to move forward with our project. Thank you!

Sincerely,

Ben Swanson
1321 East Hunter Ave
Bloomington, IN 47401
(812) 606-2977

V-38-11
Petitioner's Statement

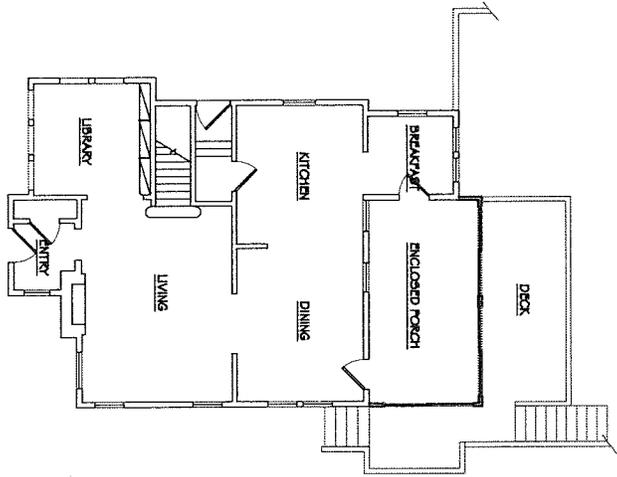


A SITE PLAN
SCALE: 1/16" = 1'-0"

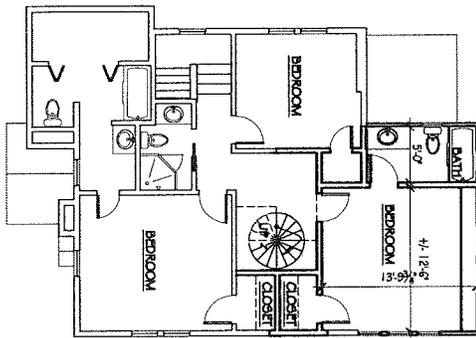


V-38-11
Site Plan

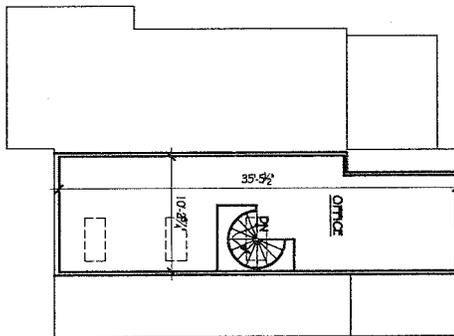
C1	PROJECT SWANSON RESIDENCE 1321 E. HUNTER BLOOMINGTON INDIANA	KIRKWOOD ARCHITECTURE + PLANNING designstudio p.c. 113 east 6th street bloomington, in 47408 ph 812.331.0255 fax 812.331.0785 www.kirkwoodarch.com
	DATE 2011-02-22 8.26.11	



A FIRST FLOOR
SCALE: 3/32"=1'-0"



A SECOND FLOOR
SCALE: 3/32"=1'-0"



A THIRD FLOOR
SCALE: 3/32"=1'-0"

V-38-11
Floor Plans

op

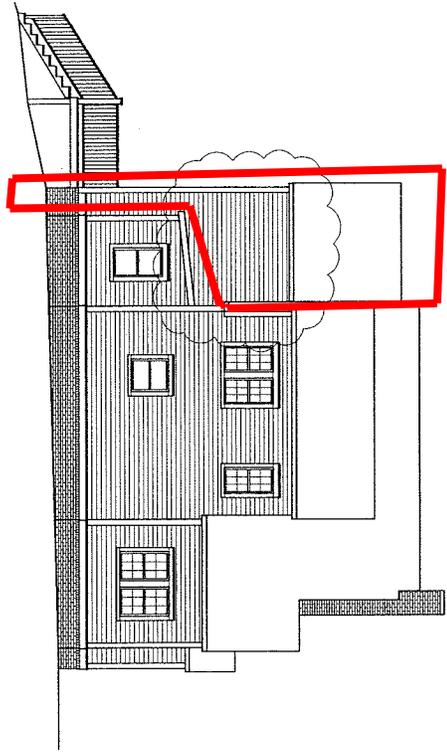
PROJECT	NO.
DATE	

SWANSON RESIDENCE
1321 E. HUNTER

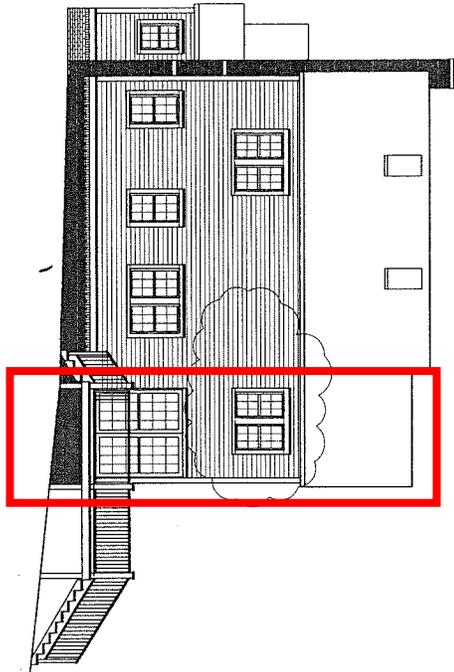
KIRKWOOD
designstudio
p.c.

ARCHITECTURE + PLANNING

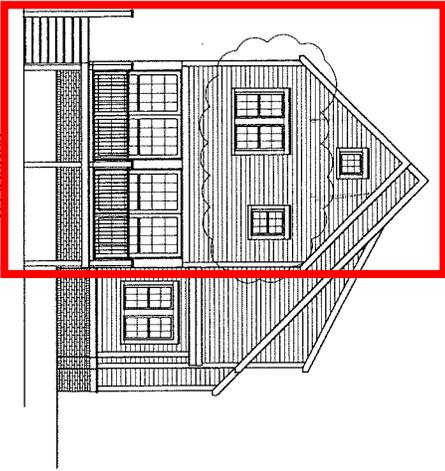
113 east 6th street
bloomington, in 47406
ph 812.331.0255



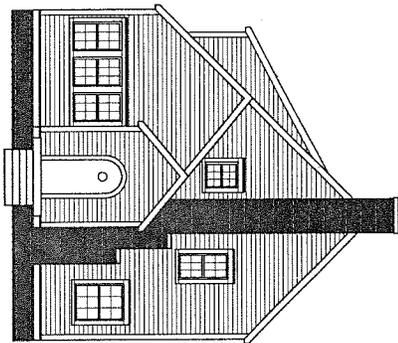
D
 PROPOSED
WEST
 SCALE: 3/32" = 1'-0"



B
 PROPOSED
EAST
 SCALE: 3/32" = 1'-0"



C
 PROPOSED
NORTH
 SCALE: 3/32" = 1'-0"



A
 EXISTING - NO CHANGE
SOUTH
 SCALE: 3/32" = 1'-0"

V-38-11
 Elevations

08/23/2011

To Whom It May Concern,

My name is Gene Schnyder and I'm the landlord of the home located at 1325 East Hunter, Bloomington, Indiana. The home is located directly to the east of 1321 East Hunter - the home owned by Ben & Sarah Swanson.

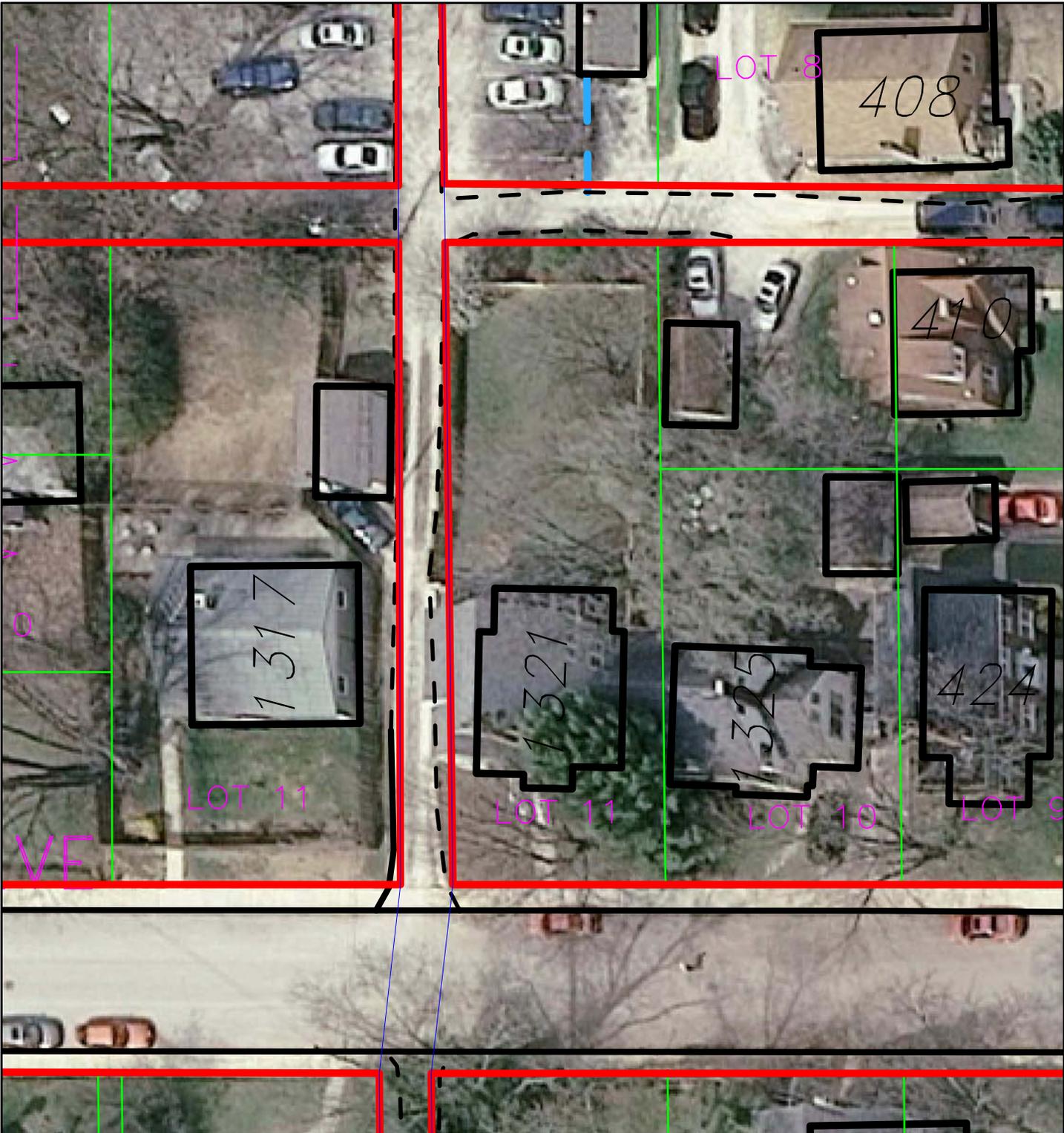
I understand that renovations planned by Mr. & Mrs. Swanson will encroach within 10ft of the property line between our houses. Additionally, they have shown me the plans and met with me at the property and I am fully supportive of their renovation project.

If you should have any further questions, please contact me at (812) 322-6465.

Thank you very much,

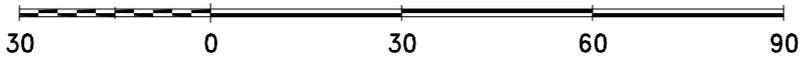
A handwritten signature in cursive script, appearing to read "Gene Schnyder".

Gene Schnyder



V-38-11
2010 Aerial Photo

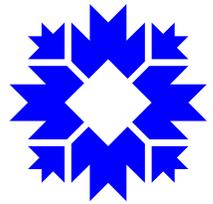
By: roachja
13 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 30'

PETITIONER: Margaret Fette
559 S. Lincoln Street

REQUEST: The petitioner is requesting conditional use approval to allow a seamstress shop as a home occupation.

REPORT SUMMARY: The property is located at the northeast corner of E 1st Street and S. Lincoln Street. It is zoned Residential Core (RC) and has been developed with a two story single family house, with a walk-out basement/garage facing 1st Street. The property is surrounded by residential uses on all sides. The petitioners own this house wish to operate a seamstress business from the basement.

The petitioner would be removing an existing garage door and replacing it with an atrium style door. There is an existing parking space in front of the garage that would remain for parking as well as on-street parking along 1st Street and Lincoln Street. The petitioner plans on picking up customer's clothes directly rather than having customers dropping off items at the residence. A bike rack is required and would be placed adjacent to the entrance on 1st Street.

OPERATIONS STANDARDS: BMC 20.05.051(e) lays out thirteen specific operations standards for home occupations.

1. Operator Residency Required: The petitioner lives in the home.
2. Maximum Number of Nonresident Employees: The petitioner is aware that only one (1) employee who does not reside in the house is permitted.
3. Maximum Floor Area: The house is approximately 1400 square feet. The petitioner plans to use 150 square feet for the home occupation. This is approximately 10% of the house, which is less than the maximum 15% permitted.
4. Multiple Home Occupations: Only one home occupation is planned.
5. Residential Character: The petitioner will be removing the exterior garage door and replacing it with a patio door, which will not alter the residential character of the house.
6. Location and Entrance: The home occupation will take place entirely within the house.
7. Outdoor Display and Storage: No outdoor display is planned.
8. Sales: No direct sales are planned.
9. Signage: The petitioner is aware of the signage requirements. A single, 2 square foot sign is permitted on the wall of the house.
10. Off-street Parking and Loading: No additional driveway is planned. There is adequate parking on the existing driveway.
11. Hours of Operation: The petitioner is aware of the limitation on hours of operation, 8:00 AM to 8:00 PM.
12. Commercially Licensed Vehicles: No commercial vehicles are proposed.

13. Deliveries: The petitioner is aware of limitations on deliveries being conducted by typical residential delivery services.

Criteria and Findings for Conditional Use Permits

20.05.023(b) Conditional Use; General Standards

No Conditional Use approval shall be granted pursuant to *Chapter 20.09: Processes, Permits, and Fees* unless the petitioner shall establish that the standards for the specific Conditional Use are met and that the following general standards are met:

- 1) *The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies;*

STAFF FINDING: The Growth Policies Plan identifies this area as “Urban Residential” and lists single family residential development as the primary land use with some additional uses, including home occupations.

- 2) *The proposed use and development will not create nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;*

STAFF FINDING: No additional lighting will be required for this proposed home occupation. Staff finds no concerns regarding noise, smoke, odors, vibrations, or lighting.

- 3) *The proposed use and development will not have an undue adverse impact upon the adjacent property, the character of the area, or the public health, safety and general welfare;*

STAFF FINDING: Staff finds no adverse impact from this use. The house will continue to function as a single family home and will not change in appearance. On-street and driveway parking will provide adequate parking.

- 4) *The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;*

STAFF FINDING: This use requires no additional infrastructure service improvements.

- 5) *The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;*

STAFF FINDING: The use is a low traffic generator and will not draw significant traffic into the neighborhood. In addition, the property is located along Primary Collector (1st Street) and Secondary Collector (Lincoln Street) classified streets.

- 6) *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance;*

STAFF FINDING: No exterior changes are being proposed with this home occupation.

- 7) *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*

STAFF FINDING: No special lighting or unusual hours of operation are proposed with this request. The business will not operate after 8 PM.

- 8) *Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage which is out of character, in the Board's determination, shall not be approved.*

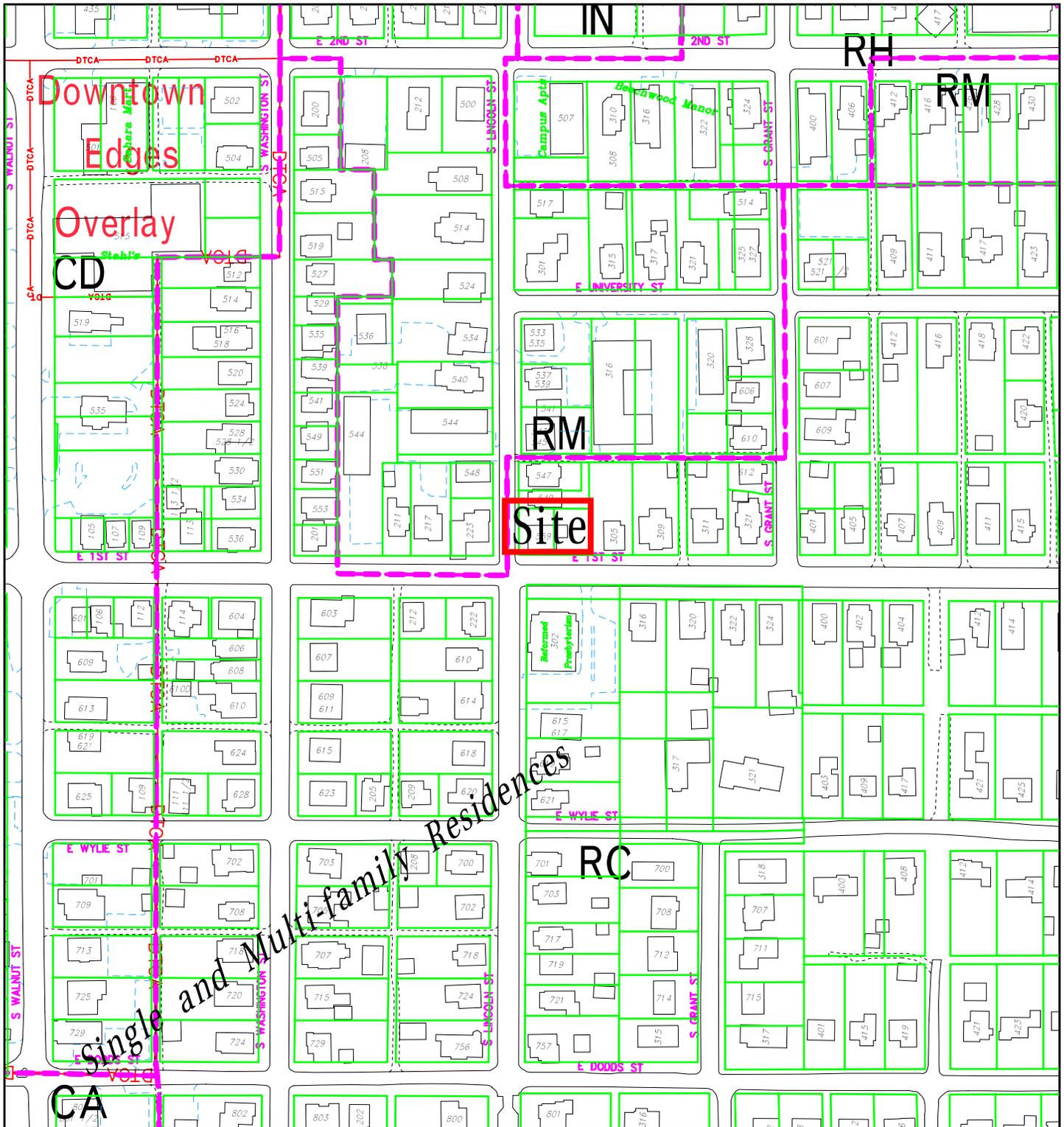
STAFF FINDING: Signage for a home occupation is limited to a maximum of two square feet [BMC 20.05.051(e)(9)] which is in keeping with the residential character.

- 9) *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; §CU: Conditional Use Standards.*

STAFF FINDING: There are no additional conditions for home occupations.

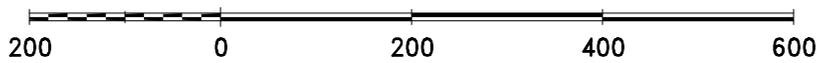
RECOMMENDATION: Based on the written findings above, staff recommends approval of this petition with the following condition:

1. Any future signage must receive a sign permit.

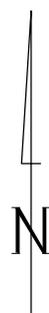


CU-39-11 Margaret Fette
 559 S Lincoln Street
 Hearing Officer
 Site Location, Zoning, Parcels, Land Use

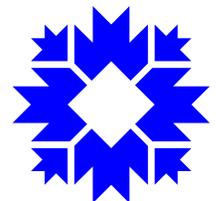
By: greulice
 15 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 200'

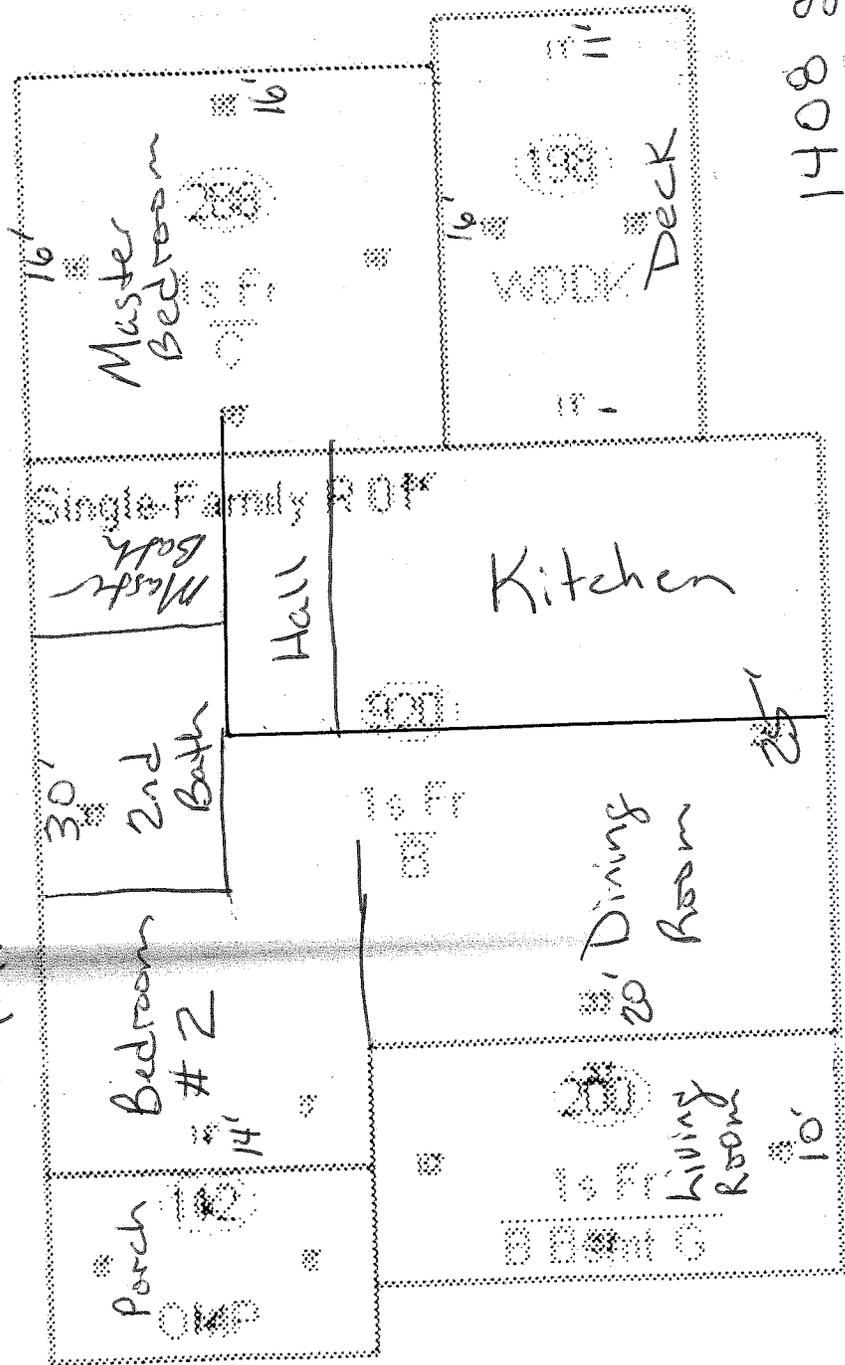
In moving my business to 1st and Lincoln I am planning a transformation in the business model. Current I've a business with regular hours. In moving my business will go to a by appointment only. My intentions are to "close the Tailored Fit". In opening my new business I will be transferring only a very small percentage of my clients to my new business. The hope is that I will most often go to my clients rather than their coming to me. The only area in the house used for these appointments will be the current garage area approximately 150 square feet. The current garage door will be replaced with an atrium style door.

The current drive way will still be able for a car to pull up to the house and accommodate space for an approved bicycle rack. There are no restrictions on parking on either 1st street or Lincoln. Additionally there are sidewalks on both streets and both sides of the streets.

559 S. Lincoln St
Bloomington

Page 1
N

MAIN Floor



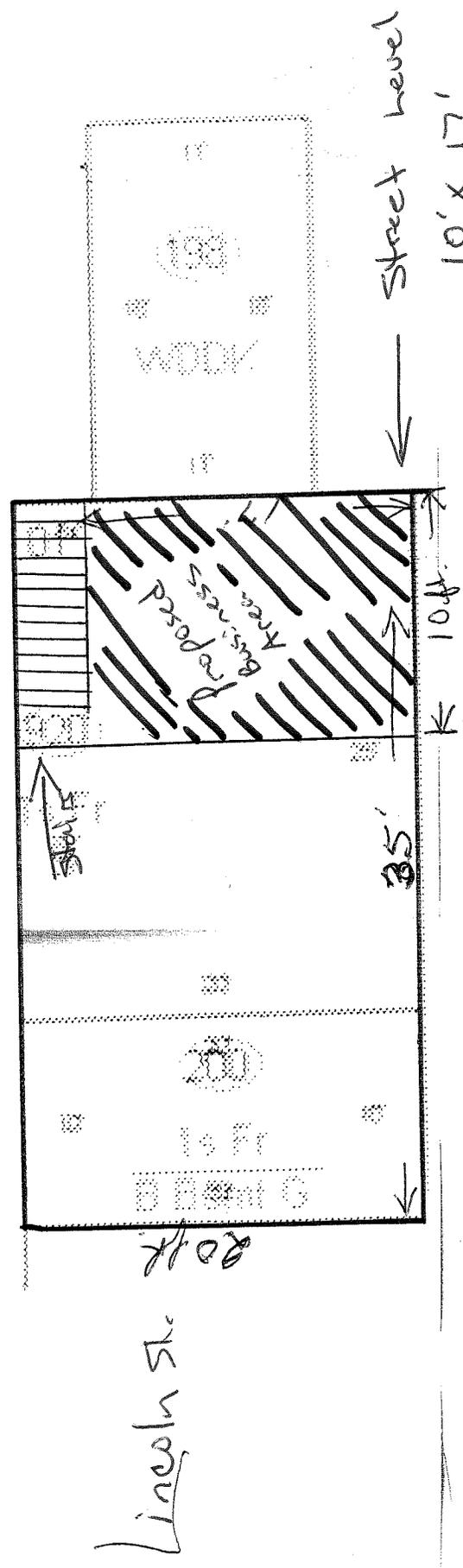
1408 sq. ft.

15f



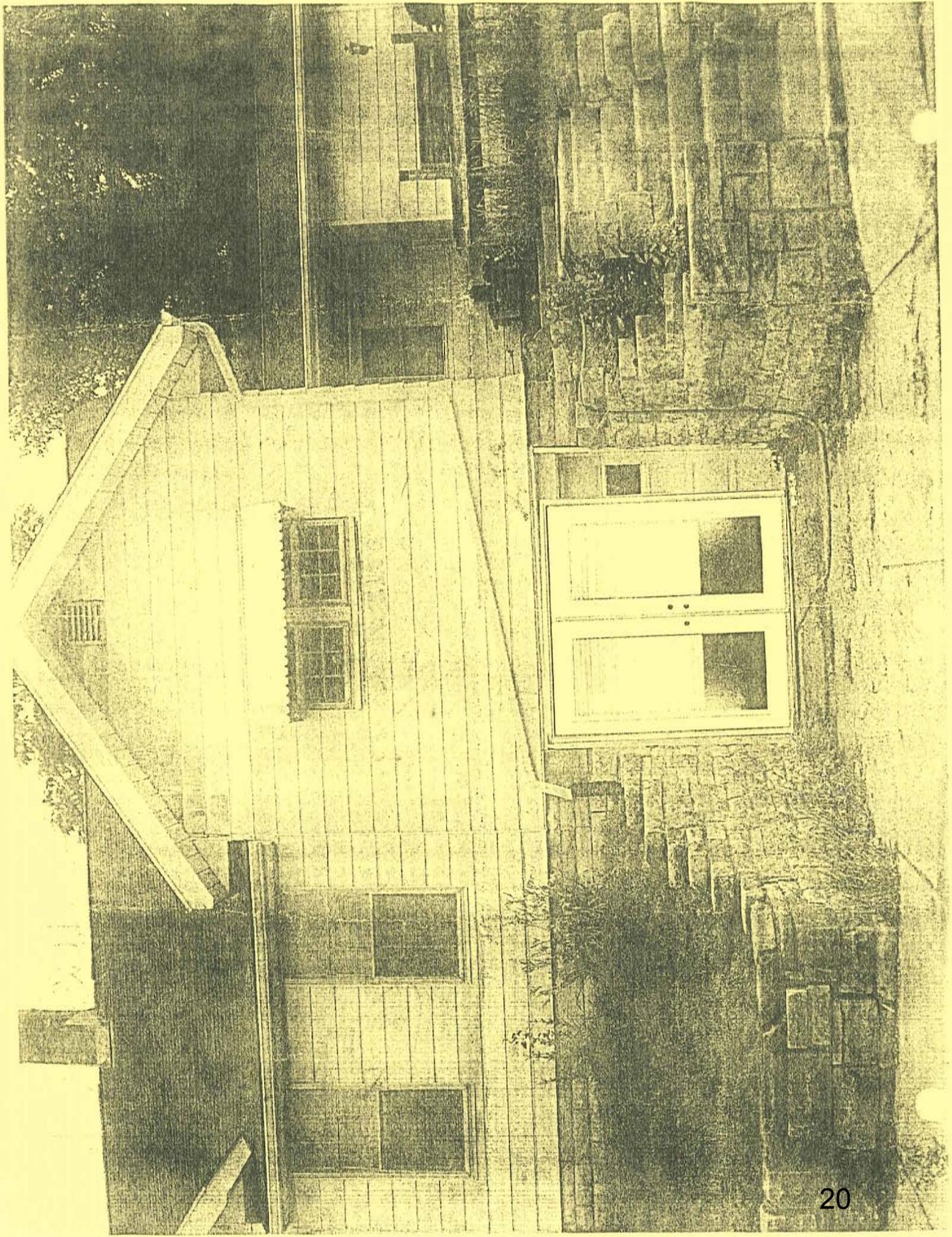
559 S. Lincoln St
Bloomington, IL

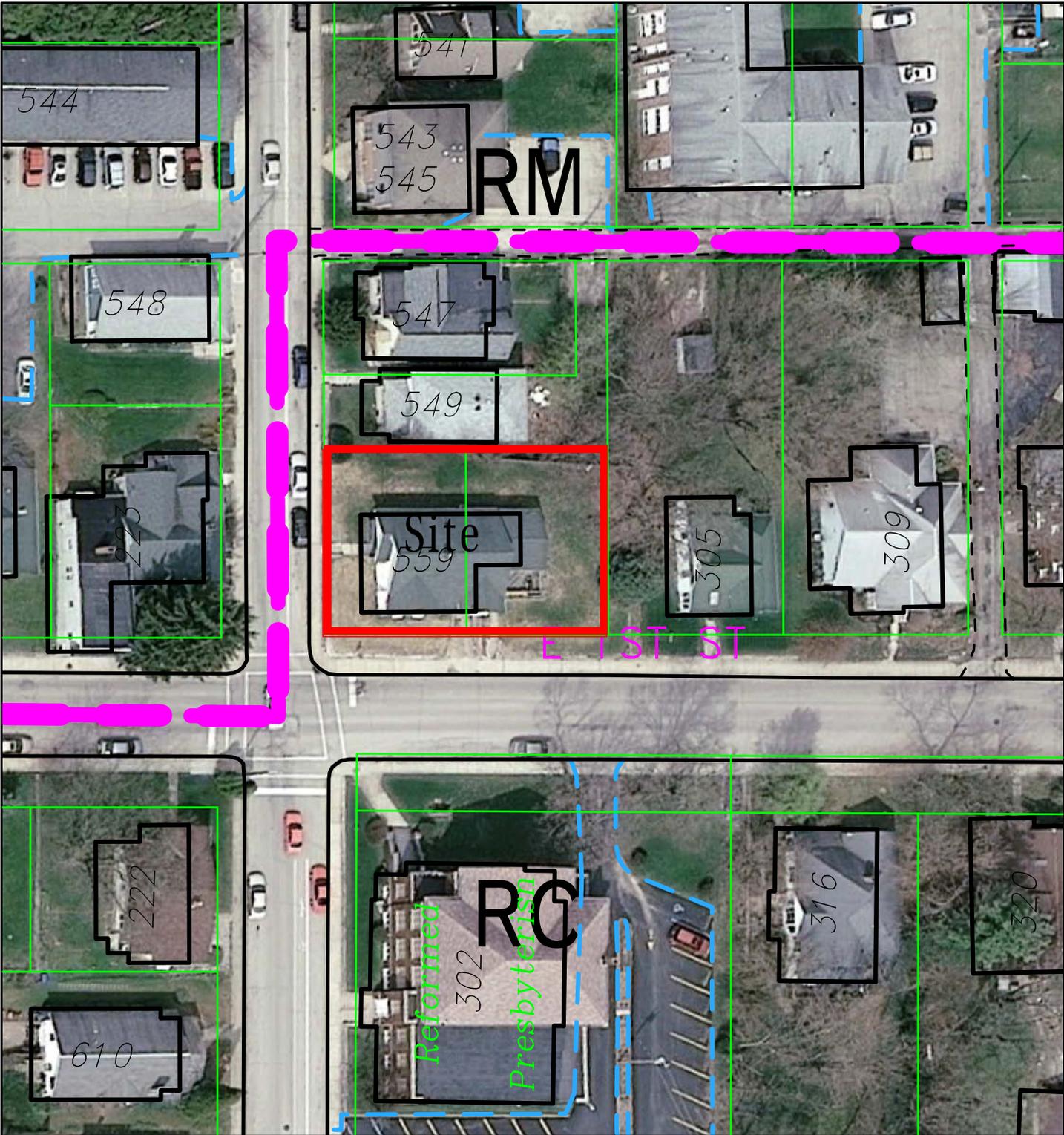
Below Grade / Walkout Basement



Lincoln St.

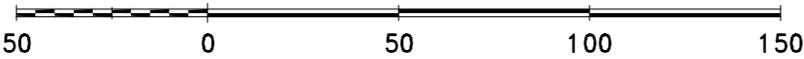
1st - 1st





CU-39-11 Margaret Fette
 559 S Lincoln Street
 Hearing Officer
 2010 Aerial Photograph

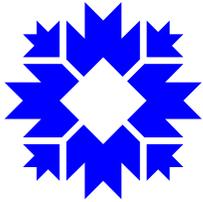
By: greulice
 15 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 50'