

CITY OF BLOOMINGTON



DECEMBER 28, 2011 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

AGENDA

CITY OF BLOOMINGTON
HEARING OFFICER
December 28, 2011 at 2:00 p.m.

*Kelly Conference Room #155

PETITION:

- CU-52-11 **Isabel Vernaza**
420 N. Oak St.
Request: Conditional use approval to allow a bed and breakfast.
Case Manager: Eric Greulich

PETITIONER: Isabel Vernaza
420 N. Oak Street, Bloomington

REQUEST: The petitioner is requesting conditional use approval to allow a bed and breakfast within a Residential Core (RC) zoning district.

REPORT SUMMARY: The property is located at 420 N. Oak St. and is zoned Residential Core (RC). The property has been developed with a two story single family house. The property is surrounded by residential uses to the south and west with the Girls Club community center to the east and B-Line trail and park property to the north. The petitioner owns this house and plans on using the house as a bed and breakfast. There are three existing bedrooms in the house that would be used as sleeping rooms. The petitioner intends to remodel a portion of the interior for new bathroom space to provide a bathroom for each bedroom. No additions to the exterior are proposed. There is a paved driveway and attached garage that will be used for parking.

As part of the conditional use standards the operator is required to live within the residence and not in a separate dwelling unit. The petitioner's bedroom will be in the basement, but will still be part of the main residence.

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 "Core Residential" and lists single family residential development as the primary land use with some additional uses, including home occupations and bed and breakfast's.

- 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: The location of the property has few adjacent residential uses and has lots of landscaping throughout the property to further buffer from adjacent properties. No changes to the exterior of the house or the property are proposed. Staff has received a letter of support from the neighborhood association as well as from an adjacent property owner.

- 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 and the house is currently served by City utilities.

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

STAFF FINDING: Although located at the end of a dead end street, the use will operate predominantly on weekends and as a result will not increase traffic on a daily basis. The limited number of bedrooms also will limit use and traffic congestion given the low number of users.

- 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 bed and breakfast will typically be used on weekends and the hours of operation will be predominantly on weekends.

- 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: The UDO allows signage for conforming, nonresidential uses under 20.05.081(c). A sign permit would be required prior to installation of any

signage.

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

BMC 20.05.026 lays out the following four specific operations standards for bed and breakfast's:

- (a) The operator of the bed and breakfast establishment shall reside on the property.

Staff Finding: The petitioner will be residing in the house under petition

- (b) The establishment shall maintain a maximum of three (3) guest rooms.

Staff Finding: The petitioner plans on remodeling to enhance the usability of the existing 3 bedrooms. No more than 3 bedrooms are allowed to be used for the bed and breakfast.

- (c) The establishment shall provide a maximum of one (1) parking space per guest room in addition to the spaces required for the dwelling unit per *Chapter 20.05; §PK: Parking Standards.*

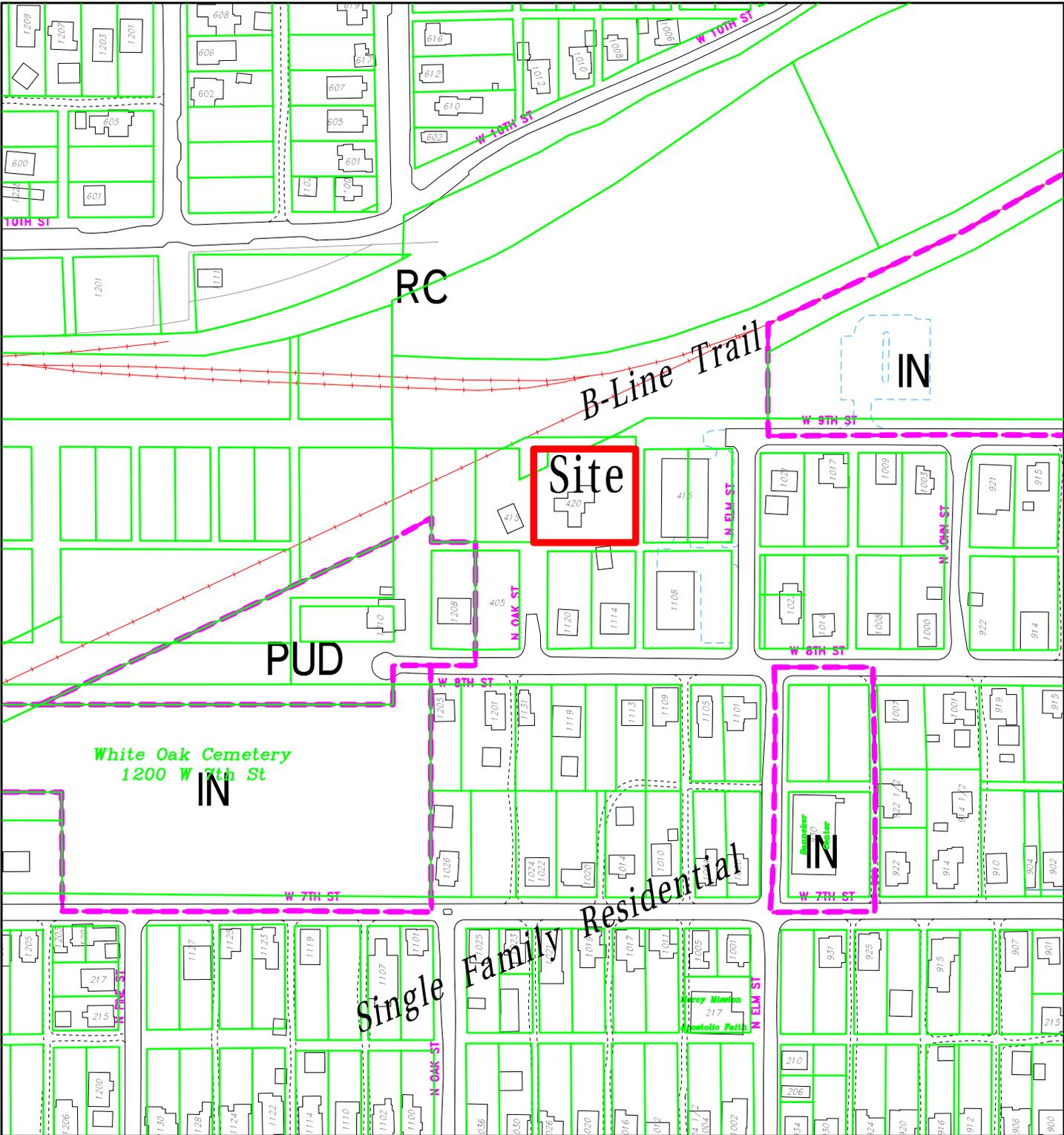
Staff Finding: The petitioner has provided parking for the clients and will not be exceeding the maximum number of spaces.

- (d) The building and its parking facilities shall be designed for compatibility with the surrounding properties.

Staff Finding: No additions or changes to the exterior of the house or property are proposed

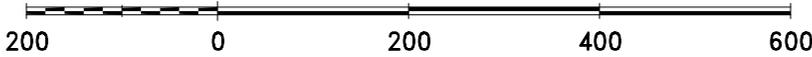
RECOMMENDATION: Based on the written findings above, staff recommends approval of this petition with the following condition:

1. Any future signage must receive a sign permit.
2. A separate dwelling unit is not approved.



CU-52-11 Isabel Vernaza
 420 N Oak Street
 Hearing Officer
 Site Location, Zoning, Land Use, Parcels

By: greulice
 22 Dec 11



City of Bloomington
 Planning

N

Scale: 1" = 200'

For reference only; map information NOT warranted.

Emily Brown
1120 West 8th street
Bloomington IN 47404

ERIC GREULICH
ZONING PLANNER
PLANNING DEPARTMENT
401 N MORTON ST SUITE 160
BLOOMINGTON IN 47402

OCTOBER 5, 2011

Dear Mr Greulich,

I am writing in support of Isabel Vernaza plan to establish a Bed and Breakfast in her home at 420 N. Oak Street. She explained that there will be a maximum of three guest rooms and that parking will not be an issue. I am happy to support Isabel Vernaza's plans and have no concerns.



Sincerely

Emily Brown

CU-52-11
Letter of Support

Veda Stanfield
627 West Seventh Street
Bloomington IN 47404

Eric Greulich
Planning Department
401 North Morton Street
Suite 160
PO Box 100
Bloomington IN 47402

September 27, 2011

Dear Mr. Greulich

I am writing on behalf of the Near West Side Neighborhood Association. Our board members reviewed Isabel Vernaza's proposal for a Bed and Breakfast in her home at 420 North Oak Street. We then presented the proposal at a regular neighborhood association meeting.

We are happy to support this proposal for Ms. Vernaza. There are only two concerns that neighbors raised.

1. If additional parking spaces are required, we request that the new parking spaces be gravel or other permeable surface.
2. We ask that Ms. Vernaza not add an addition to her property in order to enlarge the bedroom capacity. We are fine with the three bedrooms that she proposes.

We welcome Isabel into our neighborhood and wish her success with her Bed and Breakfast enterprise.

Sincerely,



Veda Stanfield
Board President
Near West Side Neighborhood Association

CU-52-11
Letter of Support
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Application City of Bloomington
Planning Department
Hearing Officer

December 8, 2011

Proposal for the Establishment of a Bed and Breakfast at 420 N. Oak Street

I propose to establish a Bed and Breakfast at my house located at 420 N. Oak Street, Bloomington, IN 47404.

The house located in The Near West Side Neighborhood of Bloomington is perfectly suitable for this use. The house currently has three bedrooms; additionally, there is a downstairs room that can be converted into another bedroom. I plan to use this area for myself separating my living space from my guests. There is one full bathroom upstairs, and a second one downstairs. I plan to convert the upstairs walk-in closet and part of the upstairs sitting area into full bathrooms providing a individual bathroom for each guest bedroom. The house multiple areas for entertaining include a parlor, off-kitchen den, dining room, spacious lounge and outside decked patio. There is an abundance of sunlight in all of the rooms, and a cottage landscape that I plan to continue cultivating. I hope to host Bloomington visitors in a very comfortable, warm environment. My house will provide elegant accommodation with a breakfast that features organic and local food.

Conditional use Standards

1. The neighborhood association has endorsed the project. There is an existing Bed and Breakfast in the neighborhood on the corner of 8th and Fairview and Isabel's Bed and Breakfast will be consistent with the neighborhood look and character: house style, garden, trees. There are no plans for additions or changes on the exterior of the house.

I consulted at the initiation of the project with the Assistant Director of the Convention and Visitor's Bureau Laura Newton and the Director of Tourism Julie Warren for the city of Bloomington. They were both enthusiastic and encouraging to add to Bloomington variety accommodation for its visitors, and were very much in favor of a small and local place, adding that Bloomington has a short supply of beds during its many busy events.

2. The propose use and development will not create a nuisance by reasons of noise, smoke, odors, vibrations, or objectionable lights.

This point could be best explained by the Bed and Breakfast description paragraph on the Web Site Home page: (Web site under construction)

"Isabel's B&B is a contemporary house set in a park like location, between trees, away from the noise of the town and minutes away from the heart of Bloomington. The property located in the Near West Side Neighborhood is a 10

CU-52-11
Petitioner Statement

to 15 minute walk to Bloomington's main square, and Kirkwood Street with its many restaurants, pubs, shops and activity. Walk to town and leave your car behind to avoid the hassle of finding parking on a busy Bloomington weekend” This statement implies a quiet environment.

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

Perhaps one of the most important marketing tools for a Bed and Breakfast is curb appeal. The bed and breakfast has to please the eye of the arriving visitor, the exterior, garden, fences, need to be impeccable. The multiple interior upgrades kitchen bathrooms should increase property value, the project in general has a very positive impact on the surrounding area.

4. The proposed use of and development will be served adequately by essential public facilities and services.

The house is served by Bloomington utilities, Vectren gas, Duke energy and in addition I just finished installing 10 solar panels to provide electric energy .There is weekly city garbage collection, the amount of waste is limited by the use of a compost drum and a effective recycling system.

5. The proposed use and development will not impact on traffic patterns in the area or increase traffic through the residential area.

I will be encouraging visitors to limit driving and parking on Bloomington streets. The house is located in a cul-de-sac off a no through way street, it provides adequate parking area for four cars, fifth car in the garage. See attached drawing of parking area.

6.The propose use and development will not result in excessive destruction, loss or damage of any natural, scenic or historic feature.

There will be no changes on the landscape of the area, no construction of new buildings, natural and scenic features of the house and surroundings will be enhanced by new plantings.

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

Guests are expected to arrive and leave during day hours. Registration time 4 to 6 PM, check out 11 AM. There will be occasional very early departures that should not be intrusive to the neighbors.

8.Signage shall be appropriate to both the property under consideration and to the surrounding area.

I plan to place a discrete sign on my front lawn approximately 30”x25” with the name Isabel’s Bed & Breakfast in shades of yellow and blue that will match the house.

9. The proposed use and development complies with additional standards imposed upon that particular use

a. The operator of the bed and breakfast establishment shall reside on the property.

I do plan to continue living in my house.

b. The establishment shall maintain a maximum of three guest rooms. The house capacity is for 3 bedrooms upstairs and has an independent area downstairs ideal for the host bedroom.

c. The establishment shall provide a maximum of one parking space per guest room in addition for the spaces required for the dwelling.

Parking area for 4 cars, with additional space for one car in the garage. See attached drawing.

d. The buildings and its parking facilities shall be designed for compatibility with the surrounding properties.

As discussed on the first paragraph the house, garden and parking area are in total harmony with the neighborhood and the surrounding areas.

Summary

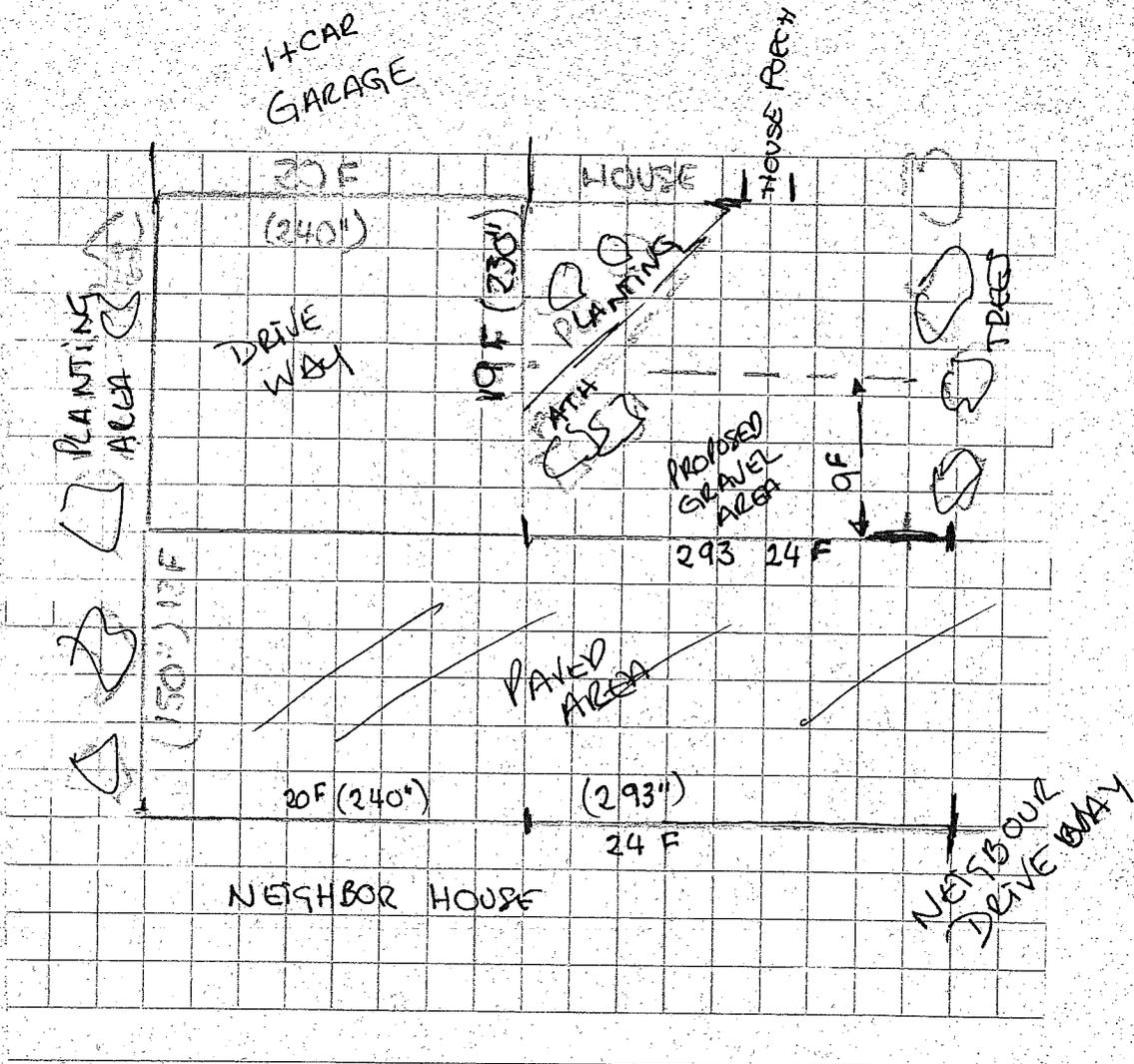
The occupancy plans are for two bedrooms with queen beds and a separate bathroom for each to be open Spring of 2012, and the third bedroom suite to be open one year after the renovation of the downstairs room. The house has a paved walking path that wraps around the north side of the house and ends in a paved patio. Mature trees surround the property and provide a private country feel. There is space to increase and further develop the existing flowerbeds.

I thank you very much for your consideration, and I hope to have your support for my Bed & Breakfast project.

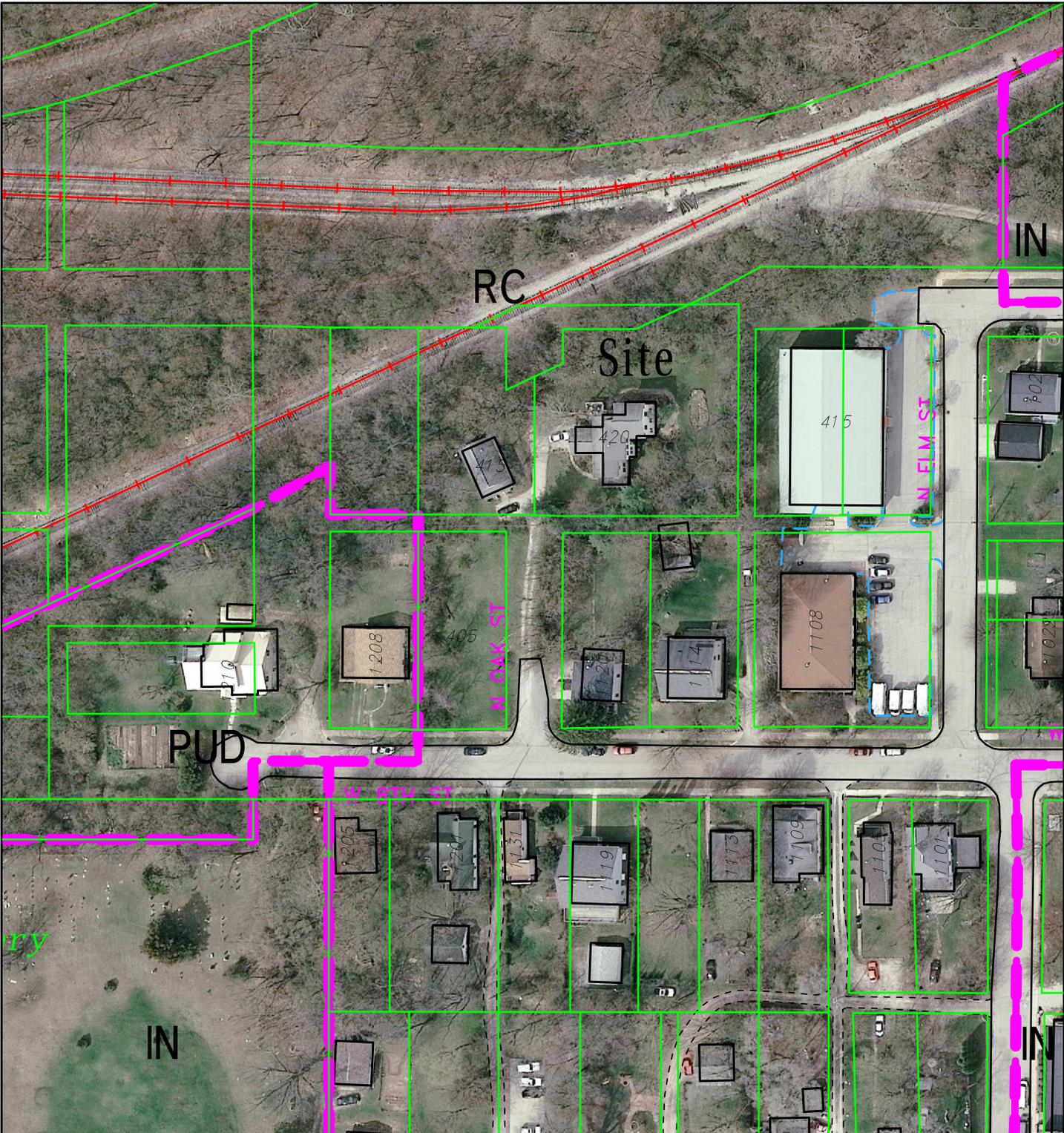
Isabel Vernaza
420 N. Oak Street
Bloomington IN 47404

Home: 812-333-0415
Cell: 812-929-8900
Email: isabelvernaza@juno.com

MAP PARKING AREA

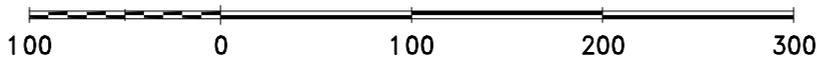


CU-52-11
Site/Parking Plan



CU-52-11 Isabel Vernaza
 420 N Oak Street
 Hearing Officer
 2010 Aerial Photograph

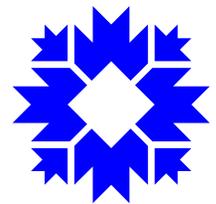
By: greulice
 22 Dec 11



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 100'